



# 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:** Tuesday, November 16, 2021 at 7:00 p.m.  
Council Chamber, One Government Center

**PRESENT:** President Cliff Ponte, presiding;  
Councilors Shawn E. Cadime, Michelle M. Dionne, Bradford L. Kilby,  
Pam Laliberte-Lebeau, Trott Lee, Christopher M. Peckham,  
and Leo O. Pelletier

**ABSENT:** Councilor Linda M. Pereira

**IN ATTENDANCE:** Mary Sahady, Director of Financial Services

President Cliff Ponte called the meeting to order at 8:13 p.m. with a moment of silence followed by a salute to the flag and announced that the meeting may be recorded with audio or video and transmitted through any medium.

### **PRIORITY MATTERS**

*On a motion made by Councilor Leo O. Pelletier and seconded by Councilor Michelle M. Dionne, it was unanimously voted to take items a. through e. together, with Councilor Linda M. Pereira absent and not voting.*

1. Mayor and orders to accept and expend the following grants:
  - a. \$20,000 – Greening the Gateway Cities Municipal Grant Program
  - b. \$2,500,000 – Mass Works Infrastructure Program
  - c. \$50,000 – Municipal Road Safety (MRS) Grant Program
  - d. \$20,000 – Real Estate Services Technical Assistance
  - e. \$82,853 – Edward Byrne Memorial Assistance Grant (JAG) Program – Local Solicitation

*Councilor Pam Laliberte-Lebeau stated that recently the Administration has not included all the requested information, but these grants have all requested information. She then mentioned that if they continue to do so, she has no problem voting on the meeting they are listed on the agenda. She then stated that when transfers and appropriations are submitted they are always in the Committee on Finance for discussion and on the regular agenda. She then asked if this can be done with grants. Council President Cliff Ponte stated that they can do that if that is the request of the Council. Councilor Michelle M. Dionne stated that there used to be a lack of information but Mary Sahady has been providing it. On a further motion made by Councilor Shawn E. Cadime and seconded by Councilor Christopher M. Peckham, it was unanimously voted to adopt items a. through e., with Councilor Linda M. Pereira absent and not voting. Approved, November 18, 2021, Paul E. Coogan, Mayor*

2. Mayor and order appropriating \$609,959 as follows:  
\$543,628 from General Fund Free Cash to OPEB Trust Fund  
\$ 8,203 from Water Fund Free Cash to OPEB Trust Fund  
\$ 2,431 from Sewer Fund Free Cash to OPEB Trust Fund  
\$ 55,697 from EMS Fund Free Cash to OPEB Trust Fund

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Bradford L. Kilby, it was unanimously voted that the order be adopted, with Councilor Linda M. Pereira absent and not voting.*

3. Mayor and order appropriating \$501,274 from EMS Fund Free Cash to EMS Fund Stabilization

*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Shawn E. Cadime, it was unanimously voted that the order be adopted, with Councilor Linda M. Pereira absent and not voting.*

4. Mayor and order appropriating \$400,000 from General Fund Free Cash to Claims and Damages

*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Leo O. Pelletier, it was unanimously voted that the order be adopted, with Councilor Linda M. Pereira absent and not voting.*

5. Mayor and order appropriating \$260,453 from General Fund Free Cash to Education – All Other

*On a motion made by Councilor Leo O. Pelletier and seconded by Councilor Bradford L. Kilby, it was unanimously voted that the order be adopted, with Councilor Linda M. Pereira absent and not voting.*

6. Mayor and order appropriating \$1,167,613 from General Fund Free Cash to School Appropriation

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Leo O. Pelletier, it was unanimously voted that the order be adopted, with Councilor Linda M. Pereira absent and not voting.*

7. Mayor and order appropriating \$2,814,395 from General Fund Free Cash to reduce ordinary and municipal receipts

*The order was originally presented in the sum of \$2,814,395 to be transferred from the General Fund Free Cash, but was amended to \$1,140,386 to reduce ordinary and municipal receipts. On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Leo O. Pelletier, it was unanimously voted to adopt the order, as amended, with Councilor Linda M. Pereira absent and not voting. Councilor Shawn E. Cadime questioned if there was an order reducing the expenses as well. The Director of Financial Services stated that there is an additional order to reduce expenses. Councilor Shawn E. Cadime then stated that two votes will need to be taken. Council President Cliff Ponte stated that the items will be taken separately.*

8. Mayor and order appropriating \$550,000 as follows:

\$350,000 from Sewer Retained Earnings to reduce sewer departmental receipts  
\$200,000 from Water Retained Earnings to reduce sewer departmental receipts

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Bradford L. Kilby, it was voted 7 yeas, 1 nay to adopt the order, with Council President Cliff Ponte voting in the negative and Councilor Linda M. Pereira absent and not voting.*

9. Mayor and order appropriating \$40,000 from Veterans' Benefits Expenses to Veterans' Benefits Salaries

*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted to adopt the order, with Councilor Linda M. Pereira absent and not voting.*

10. Mayor requesting reappointment of Debbie Pacheco to the Commission on Disability  
*On a motion made by Councilor Bradford L. Kilby and seconded by Trott Lee, it was unanimously voted to confirm the reappointment, with Councilor Linda M. Pereira absent and not voting.*

11. City Assessor re: establishment of Fiscal Year 2022 tax factor and tax levy  
*On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Shawn E. Cadime, it was unanimously voted to accept the communication and place it on file, with Councilor Linda M. Pereira absent and not voting.*

12. Mayor and proposed ordinance requesting change of classification of position of City Engineer to Contract Personnel  
*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted to refer the proposed ordinance to the Committee on Ordinances and Legislation, with Councilor Linda M. Pereira absent and not voting.*

13. Mayor and proposed ordinance increasing cemetery fees  
*On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Christopher M. Peckham, it was unanimously voted to waive the rules to allow Mary Sahady to answer questions. Councilor Michelle M. Dionne stated that she understood item #1 having an increased fee for a grave opening on a Saturday or holiday, but did not understand why the fee for purchasing a single grave had a Saturday or holiday increased fee. The Director of Financial Services stated that the Board of Park Commissioners voted on these proposed fee increases, so Christopher Parayno will need to send any proposed changes back to the Board of Park Commissions for an additional vote. She then stated that she will request clarification of the fees prior to a meeting of the Committee on Ordinances and Legislation. On a further motion made by Councilor Pam Laliberte-Lebeau and seconded by Councilor Shawn E. Cadime, it was unanimously voted to refer the proposed ordinance to the Committee on Ordinances and Legislation, with Councilor Linda M. Pereira absent and not voting.*

#### **PRIORITY COMMUNICATIONS**

14. Traffic Commission recommending amendments to traffic ordinances  
*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted to refer the matter to the Committee on Ordinances and Legislation, with Councilor Linda M. Pereira absent and not voting.*

#### **COMMITTEE REPORTS** – None

## **ORDINANCES**

### **Second Reading and Enrollment**

#### **15. Proposed Ordinance – Traffic, Miscellaneous**

*On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Christopher M. Peckham, it was unanimously voted that the proposed ordinance be passed through second reading and enrollment, with Councilor Linda M. Pereira absent and not voting. On a further motion made by Councilor Christopher M. Peckham and seconded by Councilor Shawn E. Cadime, it was unanimously voted that the proposed ordinance be passed to be ordained, with Councilor Linda M. Pereira absent and not voting.*

*Approved, November 17, 2021, Paul E. Coogan, Mayor*

## **RESOLUTIONS – None**

## **CITATIONS – None**

## **ORDERS – HEARINGS**

### **Curb Removals:**

#### **16. Nicholas Botelho, 28 Charlotte St. – 22.6 ft. at 26-28 Charlotte St.**

*On a motion made by Councilor Christopher M. Peckham and seconded by Councilor Trott Lee, it was unanimously voted to adopt the order, with Councilor Linda M. Pereira absent and not voting.*

*Approved, November 17, 2021, Paul E. Coogan, Mayor*

#### **17. Robert Fortier, 1634 Drift Rd, Unit N, Westport, MA, 02790 –158.3 ft. at 26 Kilburn St.**

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Christopher M. Peckham, it was unanimously voted to adopt the order, with Councilor Linda M. Pereira absent and not voting.*

*Approved, November 17, 2021, Paul E. Coogan, Mayor*

#### **18. Marcilio Silva, 653 King St. – 34 Feet at 653 King St.**

*On a motion made by Councilor Christopher M. Peckham and seconded by Councilor Trott Lee, it was unanimously voted to adopt the order, with Councilor Linda M. Pereira absent and not voting.*

*Approved, November 17, 2021, Paul E. Coogan, Mayor*

#### **19. Garrett and Lisa Blanchette, 1235 Newhall St. – 23.4 ft. at 1235 Newhall St.**

*On a motion made by Councilor Christopher M. Peckham and seconded by Councilor Trott Lee, it was unanimously voted to adopt the order, with Councilor Linda M. Pereira absent and not voting.*

*Approved, November 17, 2021, Paul E. Coogan, Mayor*

## **ORDERS – MISCELLANEOUS**

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

#### **Taxicab Drivers:**

#### **2021 Taxicab Drivers**

Justin Alix                      Winegard Fexis                      Whitney Galusha

#### **2022 Taxicab Drivers**

Justin Alix                      Ashraf Kamal Antar                      Tyler Botelho  
Robert M. Collins              Gilbert W. Correia                      Luis M. Costa  
Michael Migliori              Walter F. Woods

*On a motion made by Councilor Christopher M. Peckham and seconded by Councilor Michelle M. Dionne, it was unanimously voted to adopt the order, with Councilor Linda M. Pereira absent and not voting.*

### **21. Auto Repair Shop License Renewals:**

John Medeiros d/b/a Medeiros Auto Body & Sales at 96-98 Alden Street  
Elie Bouramia d/b/a North End Auto Services & Sales, Inc. at 3293 North Main Street  
Peter DiLorenzo d/b/a Neighborhood Auto Sales & Service, Inc. at 345 Durfee Street  
Roger E. Khoury d/b/a Andrade's Automotive Service, Inc. at 46 McGowan Street  
Toni ElKhoury/TNK Gas & Repair Inc., d/b/a Tony Gas & Repair at 402 Brightman Street  
Robert D. Sullivan d/b/a Sullivan Tire Co. at 456 Rodman Street

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Christopher M. Peckham, it was unanimously voted to adopt the order, with Councilor Linda M. Pereira absent and not voting.*

*Approved, November 17, 2021, Paul E. Coogan, Mayor*

## **COMMUNICATIONS – INVITATIONS – PETITIONS**

### **22. Claims**

*On a motion made by Councilor Christopher M. Peckham and seconded by Councilor Michelle M. Dionne, it was unanimously voted to refer the claims to Corporation Counsel, with Councilor Linda M. Pereira absent and not voting.*

### **23. Zoning Board of Appeals Minutes – September 16, 2021**

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Christopher M. Peckham, it was unanimously voted to accept the minutes and place them on file, with Councilor Linda M. Pereira absent and not voting.*

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Christopher M. Peckham, it was unanimously voted to take items #24 through #29 together, with Councilor Linda M. Pereira absent and not voting.*

#### **City Council Meeting Minutes:**

- 24. Committee on Finance – October 12, 2021**
- 25. Committee on Finance – October 26, 2021**
- 26. Public Hearing Minutes – October 26, 2021**
- 27. Regular Meeting of the City Council – October 12, 2021**
- 28. Regular Meeting of the City Council – October 26, 2021**
- 29. Special Meeting of the City Council – October 18, 2021**

*On a motion made by Councilor Shawn E. Cadime and seconded by Michelle M. Dionne, it was unanimously voted to approve the minutes, with Councilor Linda M. Pereira absent and not voting.*

30. City resident requesting the renaming of Griffin Park Playground/Basketball Area in memory of Miguel Sanjurjo

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Christopher M. Peckham, it was unanimously voted to refer the request to the Planning Board, with Councilor Linda M. Pereira absent and not voting.*

*Council President Cliff Ponte called for a recess at 8:34 pm. The City Council reconvened at 8:37 pm.*

**BULLETINS – NEWSLETTERS – NOTICES** – None

**OTHER POTENTIAL MATTERS TO BE ACTED UPON:**

**ORDERS – HEARINGS**

19a. Adoption of the percentage of the local tax levy to be borne by each class of property for Fiscal Year 2022

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Bradford L. Kilby, it was unanimously voted to adopt the order for a tax shift at 1.75, with Councilor Linda M. Pereira absent and not voting.*

*Approved, November 17, 2021, Paul E. Coogan, Mayor*

*On a further motion made by Councilor Bradford L. Kilby and seconded by Councilor Christopher M. Peckham, it was unanimously voted to adopt the order for the tax levy, with Councilor Linda M. Pereira absent and not voting.*

*Approved, November 17, 2021, Paul E. Coogan, Mayor*

*On a motion made by Councilor Leo O. Pelletier and seconded by Councilor Michelle M. Dionne, it was unanimously voted to adjourn at 8:39 p.m.*

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

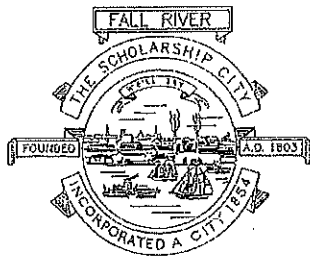
DVD of meeting

A true copy. Attest:



City Clerk

In City Council, December, 14, 2021  
Approved.



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

RECEIVED

2021 NOV 12 A 11:59

CITY CLERK  
FALL RIVER, MA

**MEETINGS SCHEDULED**

**ALISON M. BOUCHARD**  
CITY CLERK

**CITY COUNCIL CHAMBER, ONE GOVERNMENT CENTER**

**INÊS LEITE**  
ASSISTANT CITY CLERK

**TUESDAY, NOVEMBER 16, 2021**

**AGENDA**

**5:55 P.M. CITY COUNCIL PUBLIC HEARINGS**

**Curb Removals**

1. Nicholas Botelho, 28 Charlotte Street, for the removal of curbing as follows:

|                        | Existing<br>Driveway | Proposed<br>Driveway<br>Access | Existing To Be<br>Replaced | Total<br>Driveway<br>Access |
|------------------------|----------------------|--------------------------------|----------------------------|-----------------------------|
| 26-28 Charlotte Street | 11.6'                | 11'                            | 0'                         | 22.6'                       |

The petitioner has an existing 11.6 foot driveway opening and is requesting the removal of 11 feet of curbing; 5 feet to the south side of the existing opening and 6 feet to the north side of the opening to allow for easier access.

2. Marcilio Silva, 653 King Street, for the removal of curbing as follows:

|                 | Existing<br>Driveway | Proposed<br>Driveway<br>Access | Existing To Be<br>Replaced | Total<br>Driveway<br>Access |
|-----------------|----------------------|--------------------------------|----------------------------|-----------------------------|
| 653 King Street | 0'                   | 34'                            | 0'                         | 34'                         |

The petitioner is requesting the removal of 34 feet of curbing on the North side of the property to install a driveway to allow for the parking of various vehicle types (camper, trailer and cars).

3. Garrett and Lisa Blanchette, 1235 Newhall Street, for the removal of curbing as follows:

|                     | Existing<br>Driveway | Proposed<br>Driveway<br>Access | Existing To Be<br>Replaced | Total<br>Driveway<br>Access |
|---------------------|----------------------|--------------------------------|----------------------------|-----------------------------|
| 1235 Newhall Street | 16'                  | 7.4'                           | 0'                         | 23.4'                       |

The petitioner has an existing 16 foot driveway opening and is requesting the removal of 7.4 feet of curbing to widen the existing driveway opening to allow for additional parking. This curb removal, on the West side of the property and on the South side of Newhall Street, will accommodate the parking of 3 additional vehicles.

4. Robert Fortier, 1634 Drift Road, Unit N, Westport, MA, 02790 for the removal of curbing as follows:

|                | Existing<br>Driveway | Proposed<br>Driveway<br>Access | Existing To Be<br>Replaced | Total<br>Driveway<br>Access |
|----------------|----------------------|--------------------------------|----------------------------|-----------------------------|
| Globe Street   | 32.0'                | 0'                             | 0'                         | 32.0'                       |
| Kilburn Street | 81.6'                | 0'                             | 0'                         | 81.6'                       |
| Kilburn Street | 15.7'                | 0'                             | 0'                         | 15.7'                       |

|                      |        |       |    |        |
|----------------------|--------|-------|----|--------|
| Kilburn Street (new) | N/A    | 29.0' | 0' | 29.0'  |
| Total:               | 129.3' | 29.0' | 0' | 158.3' |

The petitioner is requesting the removal of 29 feet of curbing (17 feet and 12 feet next to the telephone pole) to allow access to a new addition to this automobile sales and repair business located at 26 Kilburn Street (corner lot) for a total of 158.3 feet at 26 Kilburn Street.

#### **Tax Classification**

Adoption of the percentage of the local tax levy to be borne by each class of property for Fiscal Year 2022.

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

1. Citizen Input
2. Resolution req. Administration present updated 5 year financial forecast (ref. 10-26-21)
3. Transfers and appropriations (see #s 2 through 9 below)

#### **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 orders to accept and expend the following grants:
  - a. \$20,000 – Greening the Gateway Cities Municipal Grant Program
  - b. \$2,500,000 – Mass Works Infrastructure Program
  - c. \$50,000 – Municipal Road Safety (MRS) Grant Program
  - d. \$20,000 – Real Estate Services Technical Assistance
  - e. \$82,853 – Edward Byrne Memorial Assistance Grant (JAG) Program – Local Solicitation
2. \*Mayor and order appropriating \$609,959 as follows:
  - \$543,628 from General Fund Free Cash to OPEB Trust Fund
  - \$ 8,203 from Water Fund Free Cash to OPEB Trust Fund
  - \$ 2,431 from Sewer Fund Free Cash to OPEB Trust Fund
  - \$ 55,697 from EMS Fund Free Cash to OPEB Trust Fund
3. \*Mayor and order appropriating \$501,274 from EMS Fund Free Cash to EMS Fund Stabilization
4. \*Mayor and order appropriating \$400,000 from General Fund Free Cash to Claims and Damages
5. \*Mayor and order appropriating \$260,453 from General Fund Free Cash to Education – All Other
6. \*Mayor and order appropriating \$1,167,613 from General Fund Free Cash to School Appropriation
7. \*Mayor and order appropriating \$2,814,395 from General Fund Free Cash to reduce ordinary and municipal receipts
8. \*Mayor and order appropriating \$550,000 as follows:
  - \$350,000 from Sewer Retained Earnings to reduce sewer departmental receipts
  - \$200,000 from Water Retained Earnings to reduce sewer departmental receipts
9. \*Mayor and order appropriating \$40,000 from Veterans' Benefits Expenses to Veterans' Benefits Salaries
10. \*Mayor requesting reappointment of Debbie Pacheco to the Commission on Disability
11. \*City Assessor re: establishment of Fiscal Year 2022 tax factor and tax levy

12. \*Mayor and proposed ordinance requesting change of classification of position of City Engineer to Contract Personnel
13. \*Mayor and proposed ordinance increasing cemetery fees

#### **PRIORITY COMMUNICATIONS**

14. \*Traffic Commission recommending amendments to traffic ordinances

#### **COMMITTEE REPORTS – None**

#### **ORDINANCES**

##### **Second Reading and Enrollment**

15. \*Proposed Ordinance – Traffic, Miscellaneous

#### **RESOLUTIONS – None**

#### **CITATIONS – None**

#### **ORDERS – HEARINGS**

##### **Curb Removals:**

16. Nicholas Botelho, 28 Charlotte St. – 22.6 ft. at 26-28 Charlotte St.
17. Robert Fortier, 1634 Drift Rd, Unit N, Westport, MA, 02790 – 158.3 ft. at 26 Kilburn St.
18. Marcilio Silva, 653 King St. – 34 Feet at 653 King St.
19. Garrett and Lisa Blanchette, 1235 Newhall St. – 23.4 ft. at 1235 Newhall St.

#### **ORDERS – MISCELLANEOUS**

20. Police Chief's report on licenses

##### **Taxicab Drivers:**

##### **2021 Taxicab Drivers**

|             |                |                 |
|-------------|----------------|-----------------|
| Justin Alix | Winegard Fexis | Whitney Galusha |
|-------------|----------------|-----------------|

##### **2022 Taxicab Drivers**

|                   |                    |               |
|-------------------|--------------------|---------------|
| Justin Alix       | Ashraf Kamal Antar | Tyler Botelho |
| Robert M. Collins | Gilbert W. Correia | Luis M. Costa |
| Michael Migliori  | Walter F. Woods    |               |

21. Auto Repair Shop License Renewals:

John Medeiros d/b/a Medeiros Auto Body & Sales at 96-98 Alden Street  
Elie Bouramia d/b/a North End Auto Services & Sales, Inc. at 3293 North Main Street  
Peter DiLorenzo d/b/a Neighborhood Auto Sales & Service, Inc. at 345 Durfee Street  
Roger E. Khoury d/b/a Andrade's Automotive Service, Inc. at 46 McGowan Street  
Toni ElKhoury/TNK Gas & Repair Inc., d/b/a Tony Gas & Repair at 402 Brightman Street  
Robert D. Sullivan d/b/a Sullivan Tire Co. at 456 Rodman Street

#### **COMMUNICATIONS – INVITATIONS – PETITIONS**

22. \*Claims
23. \*Zoning Board of Appeals Minutes – September 16, 2021

##### **City Council Meeting Minutes:**

24. \*Committee on Finance – October 12, 2021
25. \*Committee on Finance – October 26, 2021
26. \*Public Hearing Minutes – October 26, 2021
27. \*Regular Meeting of the City Council – October 12, 2021
28. \*Regular Meeting of the City Council – October 26, 2021
29. \*Special Meeting of the City Council – October 18, 2021

30. \*City resident requesting the renaming of Griffin Park Playground/Basketball Area in memory of Miguel Sanjurjo

**BULLETINS – NEWSLETTERS – NOTICES** – None

*Alison M. Bouchard*  
City Clerk

**OTHER POTENTIAL MATTERS TO BE ACTED UPON:**

**ORDINANCES**

Ordination:

15. Proposed Ordinance – Traffic, Miscellaneous
- 19a. Adoption of the percentage of the local tax levy to be borne by each class of property for Fiscal Year 2022

(President Cliff Ponte)

WHEREAS, the Fiscal Year 2022 Budget has a structural deficit, and

WHEREAS, the City still owes the school department \$1.6 Million to meet its obligation for Net School Spending, and

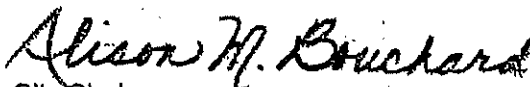
WHEREAS, the structural deficit will have an impact in future years if not immediately addressed, now therefore

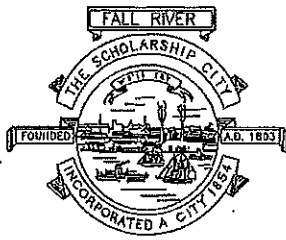
BE IT RESOLVED, that the Administration present an updated five year budget forecast at the next scheduled Committee on Finance meeting, and

BE IT FURTHER RESOLVED, that the Administration include in this forecast any of the payments previously made towards the construction costs of the new B.M.C. Durfee High School project over the last few years.

In City Council, October 26, 2021  
Adopted.

A true copy. Attest:

  
City Clerk



**PAUL E. COOGAN**  
*Mayor*

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

**FINANCE 2**

RECEIVED

2021 NOV 10 10 48

CITY CLERK  
FALL RIVER

November 10, 2021

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

Dear Honorable Council Members:

Attached is a copy of the City's 5 year projection in draft form. In accordance with Section 6-9: Long Term Financial Forecast, the final forecast together with my cover letter will be submitted to the City Council at least 180 days before the start of the fiscal year.

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

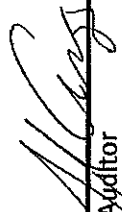
Best Regards,

*Paul E Coogan*  
Paul Coogan  
Mayor

## FY22 Appropriation/Transfer Number Analysis

| Line                   | Original/Revised Appropriation | Amount Transferred | Adjusted Balance |
|------------------------|--------------------------------|--------------------|------------------|
| General Fund Free Cash | \$ 3,064,585.00                | \$ (2,814,395.00)  | \$ 250,190.00    |

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

  
Jennifer Argo, City Auditor  
November 16, 2021

11/10/2021  
2:19 PM

DRAFT

- Local Receipts
- Indirects
- Other Sources
- American Rescue Plan Act(ARPA) - Repealed
- American Rescue Plan Act(ARPA) - Repealed
- From Free Cash
- From Free Cash
- From Stabilization - operating
- From Stabilization - capital
- SOURCES

### Ice Deficit & Appropriations

## STATE OF THE ART

**FOR APPLICATION**

## General

## References

General Government  
Administrative Services  
Financial Services  
Facility Maintenance  
Community Maintenance  
Community Services  
Education  
Public Safety  
Debt  
Purchasing  
Information & Other  
OPERATIONS - GE

PROPRIATIONS - GENERAL FUND  
WALZ  
SCHULT  
ITEMS  
PROPRIATIONS - ENT. FUNDS  
PROPRIATIONS - ALL FUNDS

•

\_\_\_\_\_



**PAUL E. COOGAN**  
*Mayor*

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

RECEIVED

2021 NOV 10 4 24 PM

CITY CLERK  
FALL RIVER, MA

November 11, 2021

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

Dear Honorable Council Members:

I respectfully request that the City Council vote to accept and expend the following grants;

- Grant funding through Massachusetts Executive Office of Energy and Environmental Affairs in the amount of \$20,000 with a duration through June 30, 2022. This grant will be used to prepare street tree planting sites for new tree plantings by removing pavement and stumps, adding soil and mulch within the City of Fall River
- Grant funding through Massachusetts Executive Office Housing and Economic Development in the amount of \$2,500,000 with a duration through April 1, 2023. This grant will provide capital funds for the Wilson Road Sewer Pump Station Replacement & Drinking Water Pump Station Construction – a shovel-ready public infrastructure project that will support economic development & growth within the City of Fall River
- Grant funding through Massachusetts Executive Office of Public Safety and Security in the amount of \$50,000 with a duration through September 15, 2022. This grant will provide funds to address local road safety issues that reduce roadway crashes, injuries, fatalities, & their associated economic losses
- Grant funding through Massachusetts Development in the amount of \$20,000 with a duration through June 30, 2022. This grant will provide technical assistance to conduct a downtown parking management study of current & anticipated parking supply & demand

- Grant funding through U.S. Department of Justice, Office in the amount of \$82,853 with a duration through September 30, 2024. This grant supports efforts to prevent or reduce crime & violence; FRPD will use \$61,253 to purchase 2 unmarked cruisers for routine police patrols & \$21,600 to support the Fall River Youth Court (12 slots)

Please do not hesitate to let me know if there are any questions.

Best Regards,

A handwritten signature in cursive script that reads "Paul Coogan". The signature is written in black ink and is positioned above the printed name.

Paul E. Coogan

Mayor

## GRANTS FOR CITY COUNCIL APPROVAL, NOVEMBER 16, 2021

| Grant Name                                                                        | State &/or Federal Funding Source                                  | Duration                                | Amount        | Grant Director           | Purpose                                                                                                                                                                                                                             |
|-----------------------------------------------------------------------------------|--------------------------------------------------------------------|-----------------------------------------|---------------|--------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Greening the Gateway Cities Municipal Grant Program                               | MA EOEEA, DCR                                                      | Date of Contract Execution - 06/30/2022 | \$20,000      | John Perry/Chris Parayno | This grant will be used to prepare street tree planting sites for new tree plantings by removing pavement and stumps, adding soil and mulch.                                                                                        |
| Mass Works Infrastructure Program                                                 | MA EOHEd                                                           | 11/01/2021-04/01/2023                   | \$2.5 million | Paul Ferland             | This grant will provide capital funds for the Wilson Road Sewer Pump Station Replacement & Drinking Water Pump Station Construction – a shovel-ready public infrastructure project that will support economic development & growth. |
| Municipal Road Safety (MRS) Grant Program                                         | MA EOPSS/US DOT Nat'l Hwy. Traffic Safety Admin. (NHTSA)           | Date of Contract Execution - 09/15/2022 | \$50,000      | Chief Cardoza            | This grant will provide funds to address local road safety issues that reduce roadway crashes, injuries, fatalities, & their associated economic losses.                                                                            |
| Real Estate Services Technical Assistance                                         | MassDevelopment                                                    | Date of Contract Execution – 06/30/2022 | \$20,000      | William Kenney           | This grant will provide technical assistance to conduct a downtown parking management study of current & anticipated parking supply & demand.                                                                                       |
| Edward Byrne Memorial Justice Assistance Grant (JAG) Program – Local Solicitation | U.S. DOJ, Office of Justice Programs, Bureau of Justice Assistance | 10/01/2020 – 09/30/2024                 | \$82,853      | Chief Cardoza            | This grant supports efforts to prevent or reduce crime & violence; FRPD will use \$61,253 to purchase 2 unmarked cruisers for routine police patrols & \$21,600 to support the Fall River Youth Court (12 slots).                   |

GGCP – no match required; we included \$3,000 of in-kind for City Arborist to oversee

MassWorks – no match required; we included match (pending budget revision)

MRS – no match

TA – no match; not a monetary award – MassDevelopment will hire a contractor to conduct an “opportunities & constraints study” of three underutilized parcels in the downtown core with an eye toward parking needs.

Byrne JAG – no match

# City of Fall River, *In City Council*

1a

## **ORDER:**

The City of Fall River was awarded a grant through Massachusetts Executive Office of Energy and Environmental Affairs in the amount of \$20,000 with a duration through June 30, 2022. This grant will be used to prepare street tree planting sites for new tree plantings by removing pavement and stumps, adding soil and mulch within the City of Fall River; and The City of Fall River desires to accept and expend the Grant in the amount of \$20,000 through the Department of Community Maintenance, Cemetery Division;

**NOW, THEREFORE, BE IT VOTED BY THE CITY COUNCIL:** That the Mayor be and is hereby authorized in the name of the City of Fall River to accept and expend a Grant through the Massachusetts Executive Office of Energy and Environmental Affairs in the amount of \$20,000 to prepare street tree planting sites for new tree plantings by removing pavement and stumps, adding soil and mulch within the City of Fall River;

**BE IT FURTHER VOTED:** That the Mayor, on behalf of the City of Fall River, be and hereby is, authorized to execute any and all documents necessary in connection with said grant from the Massachusetts Executive Office of Energy and Environmental Affairs, including the expenditure thereof.

# City of Fall River, *In City Council*

## **ORDER:**

The City of Fall River was awarded a grant through Massachusetts Executive Office Housing and Economic Development in the amount of \$2,500,000 with a duration through April 1, 2023. This grant will provide capital funds for the Wilson Road Sewer Pump Station Replacement & Drinking Water Pump Station Construction – a shovel-ready public infrastructure project that will support economic development & growth within the City of Fall River; and The City of Fall River desires to accept and expend the Grant in the amount of \$2,500,000 through the Department of Community Utilities;

**NOW, THEREFORE, BE IT VOTED BY THE CITY COUNCIL:** That the Mayor be and is hereby authorized in the name of the City of Fall River to accept and expend a Grant through the Massachusetts Executive Office of Housing and Economic Development in the amount of \$2,500,000 to provide capital funds for the Wilson Road Sewer Pump Station Replacement & Drinking Water Pump Station Construction – a shovel-ready public infrastructure project that will support economic development & growth within the City of Fall River;

**BE IT FURTHER VOTED:** That the Mayor, on behalf of the City of Fall River, be and hereby is, authorized to execute any and all documents necessary in connection with said grant from the Massachusetts Executive Office of Housing and Economic Development, including the expenditure thereof.

# City of Fall River, *In City Council*

1c

## **ORDER:**

The City of Fall River was awarded a grant through Massachusetts Executive Office of Public Safety and Security in the amount of \$50,000 with a duration through September 15, 2022. This grant will provide funds to address local road safety issues that reduce roadway crashes, injuries, fatalities, & their associated economic losses; and The City of Fall River desires to accept and expend the Grant in the amount of \$50,000 through the Police Department;

**NOW, THEREFORE, BE IT VOTED BY THE CITY COUNCIL:** That the Mayor be and is hereby authorized in the name of the City of Fall River to accept and expend a Grant through the Massachusetts Executive Office of Public Safety and Security in the amount of \$50,000 to provide funds to address local road safety issues that reduce roadway crashes, injuries, fatalities, & their associated economic losses within the City of Fall River;

**BE IT FURTHER VOTED:** That the Mayor, on behalf of the City of Fall River, be and hereby is, authorized to execute any and all documents necessary in connection with said grant from the Massachusetts Executive Office of Public Safety, including the expenditure thereof

# City of Fall River, *In City Council*

**ORDER:**

The City of Fall River was awarded a grant through Massachusetts Development in the amount of \$20,000 with a duration through June 30, 2022. This grant will provide technical assistance to conduct a downtown parking management study of current & anticipated parking supply & demand; and The City of Fall River desires to accept and expend the Grant in the amount of \$20,000 through the Planning Department;

**NOW, THEREFORE, BE IT VOTED BY THE CITY COUNCIL:** That the Mayor be and is hereby authorized in the name of the City of Fall River to accept and expend a Grant through the Massachusetts Development in the amount of \$20,000 to provide technical assistance to conduct a downtown parking management study of current & anticipated parking supply & demand within the City of Fall River;

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

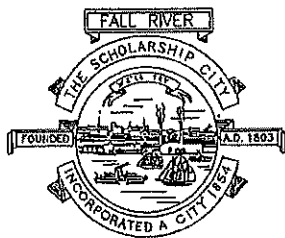
# City of Fall River, *In City Council*

**ORDER:**

The City of Fall River was awarded a grant through U.S. Department of Justice, Office in the amount of \$82,853 with a duration through September 30, 2024. This grant supports efforts to prevent or reduce crime & violence; FRPD will use \$61,253 to purchase 2 unmarked cruisers for routine police patrols & \$21,600 to support the Fall River Youth Court (12 slots); and The City of Fall River desires to accept and expend the Grant in the amount of \$82,853 through the Police Department;

**NOW, THEREFORE, BE IT VOTED BY THE CITY COUNCIL:** That the Mayor be and is hereby authorized in the name of the City of Fall River to accept and expend a Grant through the U.S. Department of Justice in the amount of \$82,853 to purchase 2 unmarked cruisers for routine police patrols and to support the Fall River Youth Court within the City of Fall River;

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



**PAUL E. COOGAN**  
Mayor

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

RECEIVED

2021 NOV 10 P 3:48

CITY CLERK  
FALL RIVER, MA

November 10, 2021

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. \$543,628 That the sum of \$543,628 be, and the same is, hereby appropriated to the OPEB TRUST FUND from the GENERAL FUND FREE CASH.
2. \$8,203 That the sum of \$8,203 be, and the same is, hereby appropriated to the OPEB TRUST FUND from the WATER FUND FREE CASH.
3. \$2,431 That the sum of \$2,431 be, and the same is, hereby appropriated to the OPEB TRUST FUND from the SEWER FUND FREE CASH.
4. \$55,697 That the sum of \$55,697 be, and the same is, hereby appropriated to the OPEB TRUST FUND from the EMS FUND FREE CASH.

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

Best Regards,

*Paul Coogan*  
Paul Coogan  
Mayor

*City of Fall River, In City Council*

November 16, 2021

# 1

**ORDERED:**

That the sum of \$609,959 be, and the same is, hereby appropriated for the OPEB Trust Fund from:

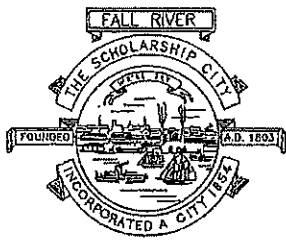
|                               |                  |
|-------------------------------|------------------|
| <b>GENERAL FUND FREE CASH</b> | <b>\$543,628</b> |
| <b>WATER FUND FREE CASH</b>   | <b>\$ 8,203</b>  |
| <b>SEWER FUND FREE CASH</b>   | <b>\$ 2,431</b>  |
| <b>EMS FUND FREE CASH</b>     | <b>\$ 55,697</b> |

## FY22 Appropriation/Transfer Number Analysis

| Line                   | Original/Revised Appropriation | Amount Transferred | Adjusted Balance |
|------------------------|--------------------------------|--------------------|------------------|
| General Fund Free Cash | \$ 5,436,279.00 \$             | (543,628.00) \$    | 4,892,651.00     |
| Water Fund Free Cash   | \$ 739,355.00 \$               | (8,203.00) \$      | 731,152.00       |
| Sewer Fund Free Cash   | \$ 2,380,169.00 \$             | (2,431.00) \$      | 2,377,738.00     |
| EMS Fund Free Cash     | \$ 556,971.00 \$               | (55,697.00) \$     | 501,274.00       |
| OPEB Trust Fund        | \$ 767,445.66 \$               | 609,959.00 \$      | 1,377,404.66     |

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

  
 Jennifer Argo, City Auditor  
 November 16, 2021



**PAUL E. COOGAN**  
Mayor

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

RECEIVED

2021 NOV 10 2 34 PM

CITY CLERK  
FALL RIVER

November 10, 2021

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. \$501,274 That the sum of \$501,274 be, and the same is, hereby appropriated to the EMS FUND STABILIZATION from the EMS FUND FREE CASH.

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

Best Regards,

*Paul Coogan*  
Paul Coogan  
Mayor

*City of Fall River, In City Council*

November 16, 2021

# 2

**ORDERED:**

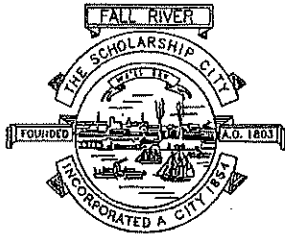
**That the sum of \$501,274 be, and the same is, hereby appropriated from the EMS ENTERPRISE FUND FY21 SURPLUS REVENUE to the EMS STABILIZATION FUND.**

## FY22 Appropriation/Transfer Number Analysis

| Line                   | Original/Revised Appropriation | Amount Transferred | Adjusted Balance |
|------------------------|--------------------------------|--------------------|------------------|
| EMS Fund Free Cash     | \$ 501,274.00 \$               | (501,274.00) \$    | -                |
| EMS Stabilization Fund | \$ 2,629,704.43 \$             | 501,274.00 \$      | 3,130,978.43     |

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

  
 Jennifer Argo, City Auditor  
 November 16, 2021



PAUL E. COOGAN  
Mayor

City of Fall River  
Massachusetts  
Office of the Mayor

RECEIVED

2021 NOV 10 P 3:49

CITY CLERK  
FALL RIVER, MA

November 10, 2021

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. \$400,000 That the sum of \$400,000 be, and the same is, hereby appropriated to the CLAIMS & DAMAGES from the GENERAL FUND FREE CASH.

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

Best Regards,

*Paul Coogan*  
Paul Coogan  
Mayor

## FY22 Appropriation/Transfer Number Analysis

| Line                   | Original/Revised Appropriation | Amount Transferred | Adjusted Balance |
|------------------------|--------------------------------|--------------------|------------------|
| General Fund Free Cash | \$ 4,892,651.00 \$             | (400,000.00) \$    | 4,492,651.00     |
| Claims & Damages       | \$ 450,000.00 \$               | 400,000.00 \$      | 850,000.00       |

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

  
 Jennifer Argo, City Auditor  
 November 16, 2021

*City of Fall River, In City Council*

November 16, 2021

# 3

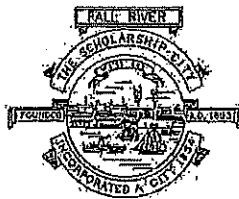
**ORDERED:**

**That the sum of \$400,000 be, and the same is, hereby appropriated as follows from the GENERAL FUND FY21 SURPLUS REVENUE to CLAIMS AND DAMAGES**

4

**City of Fall River**  
*Office of the Corporation Counsel*

**PAUL E. COOGAN**  
Mayor



**ALAN J. RUMSEY**  
Corporation Counsel

**GARY P. HOWAYECK**  
Assistant Corporation Counsel

**SETH THOMAS AITKEN**  
Assistant Corporation Counsel

November 10, 2021

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

Dear Mayor Coogan:

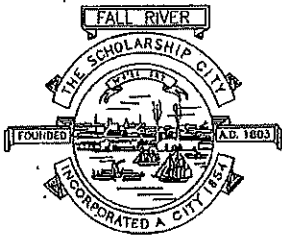
As you are aware, I.W. Harding has a pending claim against the City of Fall River for approximately \$1.1M in damages associated with construction of the Purchase and Bank Street Improvement Project. This project was substantially completed by Harding in December of 2018.

After lengthy negotiations, the City and Harding have agreed upon a proposed settlement in the amount of \$590,000. In order to pay the settlement, I am requesting that \$400,000 be appropriated from free cash. The remaining amount will be paid from the budget of the Law Department.

Please place this item on the agenda for the next regularly scheduled City Council meeting. I will attend the City Council meeting in order to discuss this matter with the Council.

Very truly yours,

  
Alan J. Rumsey  
Corporation Counsel



**PAUL E. COOGAN**  
Mayor

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

RECEIVED

2021 NOV 10 P 3 49

CITY CLERK  
FALL RIVER, MA

November 10, 2021

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. \$260,453 That the sum of \$260,453 be, and the same is, hereby appropriated to the EDUCATION – ALL OTHER from the GENERAL FUND FREE CASH.

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

Best Regards,

*Paul Coogan*  
Paul Coogan  
Mayor

City of Fall River, *In City Council*

November 16, 2021

# 4

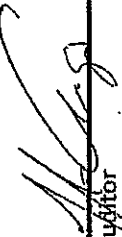
**ORDERED:**

**That the sum of \$260,453 be, and the same is, hereby appropriated as follows from the GENERAL FUND FY21 SURPLUS REVENUE to EDUCATION-ALL OTHER.**

## FY22 Appropriation/Transfer Number Analysis

| Line                   | Original/Revised Appropriation | Amount Transferred | Adjusted Balance |
|------------------------|--------------------------------|--------------------|------------------|
| General Fund Free Cash | \$ 4,492,651.00 \$             | (260,453.00) \$    | 4,232,198.00     |
| Education - All Other  | \$ 4,484,359.00 \$             | 260,453.00 \$      | 4,744,812.00     |

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

  
 \_\_\_\_\_  
 Jennifer Argo, City Auditor  
 November 16, 2021



# Bristol County Agricultural High School

Adele G. Sands  
Superintendent

Kevin B. Braga  
Assistant Superintendent/Principal

Derek Costa  
Business Manager

October 14, 2021

City of Fall River  
Attn: City Auditor  
City Hall, 1 Government Center  
Fall River, MA 02722

## FY22 Tuition and Annual Debt Assessment

### INVOICE

#### Tuition:

| Enrollment (Based on Oct 1,<br>2020, FY21) | Tuition per Pupil     | Tuition Total |
|--------------------------------------------|-----------------------|---------------|
| 42                                         | \$ 2,817.00 per pupil | \$118,314.00  |

#### Annual Debt Assessment:

| Enrollment (Based on Oct 1,<br>2020, FY21) | Debt Assessment per Pupil | Assessment Total |
|--------------------------------------------|---------------------------|------------------|
| 42                                         | \$5,979.66                | \$251,145.72     |

|                                                                                           |                     |
|-------------------------------------------------------------------------------------------|---------------------|
| <b>TOTAL BALANCE DUE FOR<br/>FISCAL YEAR 2022 (including Annual Debt<br/>Assessment):</b> | <b>\$369,459.72</b> |
|-------------------------------------------------------------------------------------------|---------------------|

Of the amount set above, one-half (1/2) should be paid on October 31, 2021 and one-half (1/2) on March 1, 2021. Checks should be made payable to Bristol County Agricultural High School/Tuition and remit to:  
Attn: Business Office; 135 Center Street, Dighton, MA 02715.

CC: Superintendent's Office



**PAUL E. COOGAN**  
*Mayor*

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

RECEIVED

2021 NOV 10 5:049

CITY CLERK  
FALL RIVER, MA

November 10, 2021

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. \$1,167,613 That the sum of \$1,167,613 be, and the same is, hereby appropriated to the SCHOOL APPROPRIATION from the GENERAL FUND FREE CASH.

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*

November 16, 2021

# 5

**ORDERED:**

**That the sum of \$1,167,613 be, and the same is, hereby appropriated as follows from the GENERAL FUND FY21 SURPLUS REVENUE to SCHOOL APPROPRIATION**

## FY22 Appropriation/Transfer Number Analysis

| Line                   | Original/Revised Appropriation | Amount Transferred | Adjusted Balance |
|------------------------|--------------------------------|--------------------|------------------|
| General Fund Free Cash | \$ 4,232,198.00 \$             | (1,167,613.00) \$  | 3,064,585.00     |
| School Appropriation   | \$ 120,325,500.00 \$           | 1,167,613.00 \$    | 121,493,113.00   |

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



Jennifer Argo, City Auditor  
November 16, 2021



PAUL E. COOGAN  
Mayor

City of Fall River  
Massachusetts  
Office of the Mayor

RECEIVED

2021 NOV 10 2 00 PM

CITY CLERK  
FALL RIVER, MA

November 10, 2021

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 to your Honorable Body.

1. \$2,814,395 That the sum of \$2,814,395 be, and the same is, reduce from ordinary and municipal receipts and be appropriated from the GENERAL FUND FREE CASH.

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*

November 16, 2021

# 6

**ORDERED:**

**That the sum of \$2,814,395 be, and the same is, reduced from ordinary and municipal receipts and hereby appropriated from the General Fund Free Cash.**



**PAUL E. COOGAN**  
Mayor

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

RECEIVED

2021 NOV 10 P 4:38

CITY CLERK \_\_\_\_\_  
FALL RIVER, MA

November 10, 2021

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 to your Honorable Body.

1. \$350,000      That the sum of \$350,000 be, and the same is, reduce from sewer departmental receipts and be appropriated from the SEWER RETAINED EARNINGS.
2. \$200,000      That the sum of \$200,000 be, and the same is, reduce from sewer departmental receipts and be appropriated from the WATER RETAINED EARNINGS.

Because the water and sewer rates have not been approved, the above transfers are necessary to cover the anticipated shortfall for the fiscal year ending June 30, 2022.

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

Best Regards,

*Paul E. Coogan*  
Paul Coogan  
Mayor

*City of Fall River, In City Council*

November 16, 2021

#7

**ORDERED:**

**That the sum of \$350,000 be, and the same is, reduced from Departmental Receipts and hereby appropriated as follows from the SEWER FUND FY21 SURPLUS REVENUE**

*City of Fall River, In City Council*

November 16, 2021

# 8

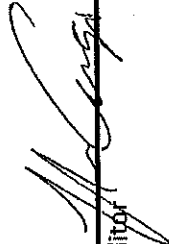
**ORDERED:**

**That the sum of \$200,000 be, and the same is, reduced from Departmental Receipts and hereby appropriated as follows from the WATER FUND FY21 SURPLUS REVENUE**

## FY22 Appropriation/Transfer Number Analysis

| Line                 | Original/Revised Appropriation | Amount Transferred | Adjusted Balance |
|----------------------|--------------------------------|--------------------|------------------|
| Sewer Fund Free Cash | \$ 2,377,738.00                | \$ (350,000.00)    | \$ 2,027,738.00  |

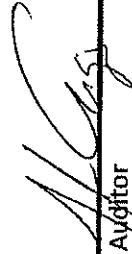
I certify that there are sufficient funds available for these transfers.

  
 \_\_\_\_\_  
 Jennifer Argo, City Auditor  
 November 16, 2021

## FY22 Appropriation/Transfer Number Analysis

| Line                 | Original/Revised Appropriation | Amount Transferred | Adjusted Balance |
|----------------------|--------------------------------|--------------------|------------------|
| Water Fund Free Cash | \$ 731,152.00                  | \$ (200,000.00)    | \$ 531,152.00    |

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



\_\_\_\_\_  
 Jennifer Argo, City Auditor  
 November 16, 2021



**PAUL E. COOGAN**  
*Mayor*

**City of Fall River**  
**Massachusetts**  
Department of Community Utilities  
WATER • SEWER

RECEIVED

2021 NOV 10 PM 10:38

CITY CLERK \_\_\_\_\_  
FALL RIVER, MA



**PAUL J. FERLAND**  
Administrator

November 10, 2021

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

RE: Transfer of Certified Funds

Dear Mayor Coogan:

The Sewer Division hereby asks for a transfer of \$350,000.00 of the Sewer Division Certified Retained Earnings from FY21 to the FY22 operating budget. This request is due to not having the rates increased as requested to support the FY22 budget.

Please contact my office at 508-324-2320 with any questions you may have.

Sincerely,

Paul J. Ferland, EIT  
Administrator of Community Utilities



**PAUL E. COOGAN**  
*Mayor*

**City of Fall River**  
**Massachusetts**  
Department of Community Utilities  
WATER • SEWER

RECEIVED

2021 NOV 10 P 4:38

CITY CLERK \_\_\_\_\_  
FALL RIVER, MA



**PAUL J. FERLAND**  
Administrator

November 10, 2021

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

RE: Transfer of Certified Funds

Dear Mayor Coogan:

The Water Division hereby asks for a transfer of \$200,000.00 of the Water Division Certified Retained Earnings from FY21 to the FY22 operating budget. This request is due to not having the rates increased as requested to support the FY22 budget.

Please contact my office at 508-324-2320 with any questions you may have.

Sincerely,

Paul J. Ferland, EIT  
Administrator of Community Utilities



**PAUL E. COOGAN**  
Mayor

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

RECEIVED

2021 NOV 10 P 4 05

CITY CLERK \_\_\_\_\_  
FALL RIVER, MA

November 10, 2021

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. \$40,000                      That the sum of \$40,000 be, and the same is, hereby appropriated to the VETERAN'S BENEFIT, Salaries from the VETERAN'S BENEFIT, Expenses.

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

Best Regards,

*Paul E. Coogan*  
Paul Coogan  
Mayor



**City of Fall River**  
**Massachusetts**  
 Department of Veterans' Services

RECEIVED

21 NOV 10 PM 3:55  
 TREASURER'S

2021 NOV 10 PM 4:38

CITY CLERK  
 FALL RIVER, MA

**Micaila R. Britto**  
 Director of Veterans' Services  
 Veterans' Benefits Agent

November 10, 2021

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 33B of the Massachusetts General Laws, I request that a transfer in the amount of \$40,000 be transfer from Veterans Benefits Expenses 577700 to Veterans Benefits Salary 511000.

This amount is to cover the cost of the investigator position that was vacant and eliminated from the Budget and is needed for my department.

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

Sincerely,

Micaila R. Britto,  
 Director, Office of Veterans' Services

*City of Fall River, In City Council*

November 16, 2021

# 9

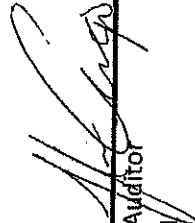
**ORDERED:**

**That the sum of \$40,000 be, and the same is, hereby appropriated as follows  
from the VETERANS' BENEFITS, Expenses to the VETERANS'  
BENEFITS, Salaries**

## FY22 Appropriation/Transfer Number Analysis

| Line                         | Original/Revised Appropriation | Amount Transferred | Adjusted Balance |
|------------------------------|--------------------------------|--------------------|------------------|
| Veterans' Benefits, Salaries | \$ 235,430.00 \$               | 40,000.00 \$       | 275,430.00       |
| Veterans' Benefits, Expenses | \$ 2,270,865.00 \$             | (40,000.00) \$     | 2,230,865.00     |

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

  
 Jennifer Argo, City Auditor  
 November 16, 2021

November 10, 2021

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 33B of the Massachusetts General Laws, I request that a transfer in the amount of \$40,000 be transfer from Veterans Benefits Expenses 577700 to Veterans Benefits Salary 511000.

This amount is to cover the cost of the investigator position that was vacant and eliminated from the Budget and is needed for my department.

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

Sincerely,

Micaila R. Britto,  
Director, Office of Veterans' Services



City of Fall River  
Massachusetts  
Office of the Mayor

RECEIVED

PAUL E. COOGAN  
Mayor

2021 NOV -5 A 10: 22

CITY CLERK \_\_\_\_\_  
FALL RIVER, MA

November 1, 2021

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

Council President and Members of the Honorable Council:

I hereby make the following reappointment:

Name: Debbie Pacheco

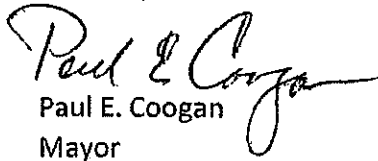
Address: 263 Hyacinth Street  
Fall River, Ma 02720

Position: Commission on Disability

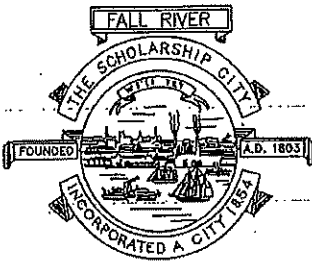
Effective: November 1, 2021

Term of expire: November 1, 2024

Sincerely,

  
Paul E. Coogan  
Mayor

PC/amos



**City of Fall River  
Massachusetts**  
Department of Financial Services  
TREASURER • COLLECTOR • AUDITOR • ASSESSOR

*Board of Assessors*

RECEIVED

2021 NOV 10 10:40

CITY OF FALL RIVER  
FALL RIVER, MA

**PAUL E. COOGAN**  
*Mayor*

**RICHARD A. GONSALVES, MAA, CHAIRMAN**  
**NANCY L. HINOTE, MAA**  
**RICHARD B. WOLFSON**

November 10, 2021

RE: FISCAL YEAR 2022 TAX FACTOR

Dear Council President and Members of the Fall River City Council:

As you know, General Laws Chapter 40, Section 56 allows a municipality to adopt a tax factor creating a split tax rate. The City of Fall River typically adopted such a tax factor creating a split tax rate in previous fiscal years. Such a tax factor must be adopted by the City Council with the approval of the Mayor. Before any such tax factor is adopted, there must first be a public hearing. As you are also aware, Chapter 40, Section 56 mandates that the factor cannot exceed 1.75. As the factor increases from 1.00 to 1.75, the residential rate decreases, and therefore the commercial, industrial, and personal property, (C.I.P.) tax rate increases.

It is my understanding that the public hearing concerning the classification of property within the City of Fall River has been scheduled for Tuesday, November 16<sup>th</sup> at 5:55 p.m. within the City Council Chambers. The hearing will be held in order to establish the tax factor pursuant to Chapter 40, Section 56. In past years, the Board of Assessors has been able to provide a packet of relevant information including an analysis of the various tax rates that would result from tax factors ranging between 1.00 and 1.75.

As was the case last year, the Assessors Office is currently finishing the MassDOR Approval process necessary to produce the analysis of the various tax rates that would result from tax factors ranging between 1.00 and 1.75. It is our intention to be able to forward that analysis to the City Council by close of business on Monday, November 15, 2021.

Thank you for your understanding of this delay. If any additional information is required, please feel free to contact the Assessor's office.

Respectfully yours,

Nelia Raposo, M.A.A.  
Administrator of Assessing



PAUL E. COOGAN  
Mayor

City of Fall River  
Massachusetts  
Office of the Mayor

RECEIVED

2021 NOV 10 F 3:48

CITY CLERK  
FALL RIVER, MA

November 10, 2021

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

Dear Honorable Council Members:

As my Administration works to achieve increased efficiencies and productivity within our local government, we continue to evaluate our management structure to assure long term stability. At this time we are proposing the following ordinance change:

Proposed Ordinance:

**City Engineer:** Currently the City Engineer is an at will employee.

We are respectfully asking for;

the removal of the City Engineer position, grade CENG, not to exceed \$90,000 in section 50-301 "Salary schedules for executive officers, department heads and non-union personnel" and

the adding of the City Engineer position, grade CENG, per contract in section 50-302 "Salary Schedule for Contract Personnel".

We look forward to further discussion at the Ordinance Committee regarding salary parameters and the implementation of this change.

Best Regards,

Paul E. Coogan  
Mayor



**PAUL E. COOGAN**  
Mayor

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

RECEIVED

2021 NOV 10 4:39

CITY CLERK  
FALL RIVER, MA

November 10, 2021

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

Dear Honorable Council Members:

At a meeting of the Board of Park Commissioners it was voted unanimously to amend the Cemetery Fee Schedule.

Section 54-161 Cemetery Fees includes a number of fees that needed to be increased, modified and/or deleted. The attached schedule shows the current fees structure as well as those fees adjusted by the Board of Park Commissioners.

We respectfully ask that the Council consider the fee modifications as attached.

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**  
**Massachusetts**  
**Department of Community Maintenance**  
 CEMETERIES & TREES • PARKS  
 SANITATION • TRAFFIC & PARKING • ENGINEERING

*Cemeteries Division*

**PAUL E. COOGAN**  
*Mayor*

**JOHN PERRY**  
 DIRECTOR

**CHRISTOPHER PARAYNO**  
 Manager

November 5, 2021

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

Dear Council President and Honorable Council Members,

At a meeting of the Board of Park Commissioners held on Wednesday, November 3, 2021, the commissioners voted unanimously to amend the Cemetery Fee Schedule.

Chapter 54, Section 161 of the Revised Ordinances should be amended to reflect the following additions, deletions, and modifications:

**§ 54-161, Cemetery fees.**

|                                                                  |                            |
|------------------------------------------------------------------|----------------------------|
| (1) Grave openings                                               | \$750                      |
| Saturday/Holiday                                                 | <del>\$1,125</del> \$1,150 |
| (2) Single graves (including opening)                            | <del>\$1,500</del> \$1,750 |
| Saturday/Holiday                                                 | <del>\$1,875</del> \$2,150 |
| (3) Two-grave lots *side-by-side                                 | <del>\$2,000</del> \$3,000 |
| *Two-grave lot double depth (liner included)                     | \$3,200                    |
| Four-grave lots                                                  | \$4,000                    |
| (4) Cremains *opening                                            | \$350                      |
| Saturday/Holiday                                                 | <del>\$725</del> \$750     |
| Cremation lot (4 cremations)                                     | \$500                      |
| *Cremation lot, Slant Marker (2 cremains)                        | \$800                      |
| *Cremation lot, Flat Marker (2 cremains)                         | \$600                      |
| *Niche Unit (2 cremains)                                         | \$1,500                    |
| (5) Removals                                                     | \$2,000                    |
| (6) Welfare burials, single grave (no Saturday/holiday openings) | \$750                      |
| Welfare buyback (for box and opening)                            | \$800                      |



**City of Fall River  
Massachusetts**  
**Department of Community Maintenance**

CEMETERIES & TREES • PARKS  
SANITATION • TRAFFIC & PARKING • ENGINEERING

*Cemeteries Division*

**PAUL E. COOGAN**  
*Mayor*

**JOHN PERRY**  
DIRECTOR

**CHRISTOPHER PARAYNO**  
Manager

|                                     |             |
|-------------------------------------|-------------|
| (7) Foundations — Government marker | \$50        |
| Foundations:                        |             |
| 2' 2" x 10"                         | \$180       |
| 3' 0" x 1' 2"                       | \$195       |
| 4' 6" x 1' 4"                       | \$220       |
| 5' 0"                               | \$250       |
| Flush granite markers:              |             |
| 12" x 16"                           | \$115       |
| 24" x 12"                           | \$135       |
| 16" x 24"                           | \$145       |
| (8) Cemetery liners                 | \$600 \$650 |
| *Cremation liner                    | \$250       |
| *additions                          |             |

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

Sincerely,

Christopher C. Parayno  
Manager

**City of Fall River**  
**RECEIVED Massachusetts**

2021 NOV -5 A 11:36 *Traffic Board Commission*

**Paul E. Coogan** CITY CLERK \_\_\_\_\_  
*Mayor* FALL RIVER, MA

**Laura Ferreira**  
*Director of Traffic & Parking*

October 27, 2021

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, October 20, 2021 the following request was heard and approved by the Traffic Commission.

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

Article: 70  
Section: 387

**Handicap Parking Only**

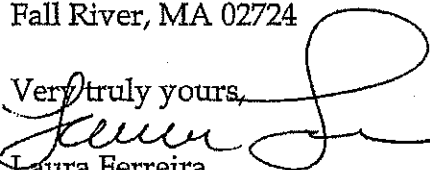
By inserting in proper alphabetical order the following:

**INSERT**

| <b>Name of Street</b> | <b>Side</b> | <b>Location</b>                                                                            |
|-----------------------|-------------|--------------------------------------------------------------------------------------------|
| Bay Street            | East        | Starting at a point 233 feet North of Pokross Street, for a distance of 20 feet Northerly. |

Francisco Baptista  
57 Sunset Hill  
Fall River, MA 02724

Very truly yours,

  
Laura Ferreira  
Director of Traffic and Parking

**City of Fall River  
Massachusetts**

*Traffic Board Commission*

RECEIVED

2021 NOV -5 A 11:36

**Paul E. Coogan**  
*Mayor*

**Laura Ferreira** CITY CLERK  
*Director of Traffic & Parking* FALL RIVER, MA

October 27, 2021

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, October 20, 2021 the following request was heard and approved by the Traffic Commission.

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

Article: 70

Section: 387

**Handicap Parking Only**

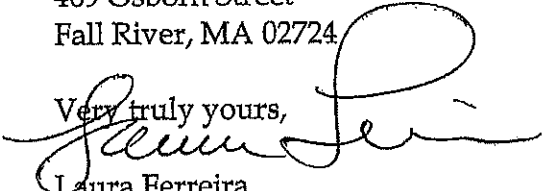
By inserting in proper alphabetical order the following:

**INSERT**

| Name of Street | Side  | Location                                                                                |
|----------------|-------|-----------------------------------------------------------------------------------------|
| Osborn Street  | North | Starting at a point 98 feet West of Whipple Street, for a distance of 20 feet Westerly. |

Alzira Salsinha  
469 Osborn Street  
Fall River, MA 02724

Very truly yours,

  
Laura Ferreira  
Director of Traffic and Parking

**City of Fall River  
Massachusetts**

*Traffic Board Commission*

RECEIVED

2021 NOV -5 A 11:36

**Paul E. Coogan**  
*Mayor*

**Laura Ferreira**  
*Director of Traffic & Parking*

CITY CLERK  
FALL RIVER, MA

October 27, 2021

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, October 20, 2021 the following request was heard and approved by the Traffic Commission.

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

Article: 70  
Section: 387

**Handicap Parking Only**

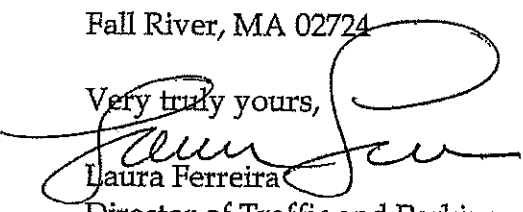
By inserting in proper alphabetical order the following:

**INSERT**

| <b>Name of Street</b> | <b>Side</b> | <b>Location</b>                                                                           |
|-----------------------|-------------|-------------------------------------------------------------------------------------------|
| Peck Street           | East        | Starting at a point 138 feet north of Dwelly Street, for a distance of 20 feet Northerly. |

Leslie A Reed  
38 Peck Street  
Fall River, MA 02724

Very truly yours,

  
Laura Ferreira  
Director of Traffic and Parking

**City of Fall River  
Massachusetts**

*Traffic Board Commission*

RECEIVED  
2021 NOV -5 A 11:36

**Paul E. Coogan**  
*Mayor*

**Laura Ferreira**  
*Director of Traffic & Parking*  
CITY CLERK  
FALL RIVER, MA

October 27, 2021

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, October 20, 2021 the following request was heard and approved by the Traffic Commission.

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

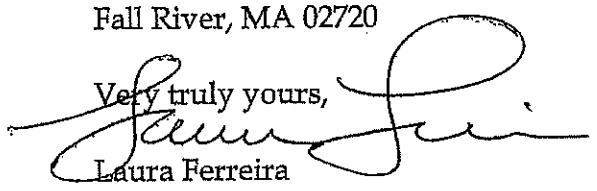
Article: 70  
Section: 387      **Handicap Parking Only**

By inserting in proper alphabetical order the following:

**INSERT**

| <b>Name of Street</b> | <b>Side</b> | <b>Location</b>                                                                         |
|-----------------------|-------------|-----------------------------------------------------------------------------------------|
| Pine Street           | North       | Starting at a point 133 feet East of Orange Street, for a distance of 20 feet Easterly. |

Eduardo Medeiros  
928 Pine Street, Apt. 2  
Fall River, MA 02720

Very truly yours,  
  
Laura Ferreira  
Director of Traffic and Parking

**City of Fall River  
Massachusetts**

RECEIVED

*Traffic & Parking Division*

2021 NOV -3 P 5:00

**Paul E. Coogan  
Mayor**

**Laura Ferreira  
Director of Traffic & Parking**

October 27, 2021

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

Honorable Council Members:

At a meeting of the Traffic Commission held on Wednesday, October 20, 2021, the following request met all the guidelines, requirements and was approved by the Traffic Board.

So therefore, Chapter 70 of the Revised Ordinances be amended in the following section.

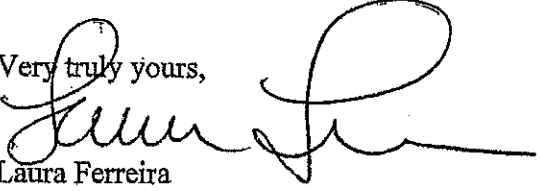
|                 |            |                           |
|-----------------|------------|---------------------------|
| <b>Article:</b> | <b>70</b>  | <b>Parking Prohibited</b> |
| <b>Section:</b> | <b>371</b> | <b>at all times</b>       |

By inserting in proper alphabetical order the following:

**INSERT**

| <b>Name Of Street</b> | <b>Side</b> | <b>Location</b>                                               |
|-----------------------|-------------|---------------------------------------------------------------|
| Eastern Avenue        | West        | Starting at a point 60 feet North of Bedard Street northerly. |

Very truly yours,

  
Laura Ferreira  
Director of Traffic & Parking



**CITY OF FALL RIVER  
MASSACHUSETTS**

*Traffic & Parking Division* **RECEIVED**

**Paul E. Coogan**  
*Mayor*

2021 NOV -3 P 5:00

**LAURA FERREIRA**  
*Director of Traffic & Parking*  
CITY CLERK  
FALL RIVER, MA

October 27, 2021

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, October 20, 2021 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.

**STRIKE OUT**  
**Name of Street**

**Side**

**Location**

Fountain Street

West

Starting at a point 183 feet north of Division Street,  
for a distance of 20 feet southerly.

Very truly yours,

Laura Ferreira  
Director of Traffic & Parking



**CITY OF FALL RIVER  
MASSACHUSETTS**

*Traffic & Parking Division* RECEIVED

**Paul E. Coogan**  
Mayor

2021 NOV -3 P 5:00

**LAURA FERREIRA**  
CITY CLERK *Director of Traffic & Parking*  
FALL RIVER, MA

October 27, 2021

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, October 20, 2021 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.

**STRIKE OUT**

| <b>Name of Street</b> | <b>Side</b> | <b>Location</b>                                                                              |
|-----------------------|-------------|----------------------------------------------------------------------------------------------|
| South Main Street     | West        | Starting at a point 125 feet south of Center Street,<br>for a distance of 20 feet southerly. |

Very truly yours,

Laura Ferreira  
Director of Traffic & Parking



CITY OF FALL RIVER  
MASSACHUSETTS

14

Traffic & Parking Division RECEIVED

Paul E. Coogan  
Mayor

2021 NOV -3 P 5:00

LAURA FERREIRA  
CITY CLERK  
Director of Traffic & Parking  
FALL RIVER, MA

October 27, 2021

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, October 20, 2021 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.

**STRIKE OUT**

| Name of Street | Side | Location                                                                                   |
|----------------|------|--------------------------------------------------------------------------------------------|
| Whipple Street | West | Starting at a point 184 feet north of Cottage Street, for a distance of 20 feet northerly. |

Very truly yours,

Laura Ferreira  
Director of Traffic & Parking

# 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 a new section 70-227, which section relates to left turn only at certain times, 7:00 a.m. to 8:30 a.m. and 2:00 p.m. to 4:00 p.m., as follows:

| <b>Name of Street</b> | <b>Direction of Travel</b>                          | <b>Left Turn only</b>                                             |
|-----------------------|-----------------------------------------------------|-------------------------------------------------------------------|
| Elsbree Street        | Eastbound drivers exiting<br>BMC Durfee High School | North exit of BMC Durfee High<br>School located on Elsbree Street |

## Section 2.

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

| <b>Name of Street</b> | <b>Side</b> | <b>Location</b>                                                                             |
|-----------------------|-------------|---------------------------------------------------------------------------------------------|
| Elsbree Street        | East        | Starting at a point 20 feet south of Langley Street<br>for a distance of 705 feet southerly |

## Section 3.

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

| <b>Name of Street</b> | <b>Side</b> | <b>Location</b>                                                                                |
|-----------------------|-------------|------------------------------------------------------------------------------------------------|
| Aetna Street          | North       | Starting at a point 578 feet west of Garfield Street,<br>for a distance of 20 feet westerly    |
| Coral Street          | West        | Starting at a point 93 feet south of Warren Street,<br>for a distance of 20 feet southerly     |
| Downing Street        | South       | Starting at a point 116 feet east of Goss Street,<br>for a distance of 20 feet easterly        |
| Flint Street          | West        | Starting at a point 333 feet north of Pleasant Street,<br>for a distance of 20 feet northerly  |
| Fourth Street         | West        | Starting at a point 139 feet north of Branch Street,<br>for a distance of 20 feet northerly    |
| Jencks Street         | West        | Starting at a point 222 feet north of Pleasant Street,<br>for a distance of 20 feet northerly  |
| Locust Street         | North       | Starting at a point 103 feet east of Linden Street,<br>for a distance of 20 feet easterly      |
| Lonsdale Street       | East        | Starting at a point 135 feet south of Nashua Street,<br>for a distance of 20 feet southerly    |
| Mott Street           | West        | Starting at a point 152 feet north of Cambridge Street,<br>for a distance of 20 feet northerly |
| Mulberry Street       | West        | Starting at a point 70 feet north of Division Street,<br>for a distance of 20 feet northerly   |
| Orange Street         | East        | Starting at a point 109 feet south of Cherry Street,<br>for a distance of 20 feet southerly    |
| Oregon Street         | West        | Starting at a point 109 feet north of Ballard Street,<br>for a distance of 20 feet northerly   |

|                   |       |                                                                                              |
|-------------------|-------|----------------------------------------------------------------------------------------------|
| Pitman Street     | North | Starting at a point 260 feet east of Webster Street,<br>for a distance of 20 feet easterly   |
| Plymouth Avenue   | West  | Starting at a point 93 feet south of Palmer Street,<br>for a distance of 20 feet southerly   |
| President Avenue  | South | Starting at a point 111 feet west of Rock Street,<br>for a distance of 20 feet westerly      |
| President Avenue  | South | Starting at a point 159 feet west of Underwood Street,<br>for a distance of 20 feet westerly |
| Prospect Street   | North | Starting at a point 612 feet west of Hanover Street,<br>for a distance of 20 feet westerly   |
| Robeson Street    | West  | Starting at a point 46 feet north of Pine Street,<br>for a distance of 20 feet northerly     |
| Rodman Street     | East  | Starting at a point 80 feet south of Augustus Street,<br>for a distance of 20 feet southerly |
| South Main Street | West  | Starting at a point 25 feet north of Dwelly Street,<br>for a distance of 20 feet northerly   |

CITY OF FALL RIVER  
IN CITY COUNCIL  
OCT 26 2021

*Passed through first  
reading*



# SOUTHCOAST HEALTH SYSTEM

363 Highland Ave, Fall River, MA 02720

## Balance Statement 22

Account Number: 302777740

October 19, 2021

Services provided by Southcoast Hospitals Group

004 CSC1 496

Gregory Moniz  
For: Moniz, Gregory  
12 Bliss St  
Fall River, MA 02720-4228



RECEIVED  
2021 OCT 22 P 12:48  
A  
CITY CLERK 21-65  
FALL RIVER, MA

Thank you for choosing Southcoast Health. We are currently updating our Pay Plan statements. Please continue to pay your current amount due to keep your Pay Plan in good standing. You can call our Patient Accounts Department with any questions or concerns at 508-973-1212 or 844-500-1212.

Our billing department is open Mon - Fri, 8am - 4pm.

Certain physicians' charges are not billed with your hospital charges. You may receive a separate bill for physicians' services/charges.

### Account Summary

|                 |                |
|-----------------|----------------|
| Patient Name    | Moniz, Gregory |
| Date of Service | 09-30-2021     |
| Charges         | \$4,546.15     |
| Adjustments     | \$-2,962.61    |
| Payments        | \$-1,483.54    |
| Balance         | \$100.00       |

**AMOUNT YOU NOW OWE: \$100.00**

### REQUEST FOR PAYMENT

The balance stated above is your responsibility to pay and is DUE NOW. To keep your account in good standing, please submit payment in full. If you are not able to pay your balance in full and would like to talk to someone about a payment plan or if you think you might qualify for financial assistance, please contact our Patient Accounts Department at 508-973-1212 or 844-500-1212.

### Payments and Information



You may pay online at  
**www.southcoast.org**  
Use Guarantor Number: 576073



#### Payments By Mail

Return the bottom portion of this letter in the enclosed return envelope.



To make payment arrangements or discuss financial assistance, please contact Customer Service at the number above.

Thank you for Choosing Southcoast Health System for your healthcare needs.

Please return bottom portion with your payment.

| Guarantor/Resp. Party | Account Number | Date of Service    | Statement Date   | Due Date              |
|-----------------------|----------------|--------------------|------------------|-----------------------|
| Gregory Moniz         | 302777740      | September 30, 2021 | October 19, 2021 | <b>Due On Receipt</b> |

Please check your payment method and include account number, expiration date, and signature below.

☐ VISA ☐ MasterCard ☐ Discover ☐ American Express

Card Number \_\_\_\_\_

Security Code \_\_\_\_\_

Expiration Date \_\_\_\_\_

Signature X \_\_\_\_\_

Amount Due

**\$100.00**

Amount Paid

Make your check payable to:

Southcoast Health Systems, Inc.  
PO Box 417976  
Boston, MA 02241-7976



030277774000000100000



RECEIVED

City of Fall River  
Notice of Claim

2021 OCT 29 P 1:20

CITY CLERK 21-74  
FALL RIVER, MA

1. Claimant's name: NORMAN G. GARDINER
  2. Claimant's complete address: 4700 N. MAIN ST APT 4-C FALL RIVER MA
  3. Telephone number: Home: 508-679-1436 Work:
  4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
HIT POT HOLE WITH MY CAR. LEFT FRONT
  5. Date and time of accident: 10-25-130 PM Amount of damages claimed: \$ 95.78
  6. Exact location of the incident: (include as much detail as possible):  
IN FRONT OF 913 BEDFORD ST
  7. Circumstances of the incident: (attach additional pages if necessary):  
HIT POT HOLE
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: 10-29-21

Claimant's signature: Norman G. Gardiner

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

Return this form to: City Clerk, 2<sup>nd</sup> 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: 10/29/21



**City of Fall River  
Notice of Claim**

RECEIVED

2021 NOV -2 P 2:01

CITY CLERK 21-75  
FALL RIVER, MA

1. Claimant's name: Marcio Lobo
2. Claimant's complete address: 56 Flynn St
3. Telephone number: Home: 508-840-5451 Work: \_\_\_\_\_
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
piece of metal got into my tire at Stafford Rd construction
5. Date and time of accident: 11/01/2021 Amount of damages claimed: \$ 190.00
6. Exact location of the incident: (include as much detail as possible):  
stafford rd near park/seabra
7. Circumstances of the incident: (attach additional pages if necessary):  
passing by the construction on stafford rd and when we got home sensor  
was showing low pressure and we saw the piece of metal on the side of the tire, and could not be fixed  
had to be replace to new one. I just changed my tires this year.
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: 11/02/2021

Claimant's signature: Marcio S. S. S.

**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, 2<sup>nd</sup> 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: 11-2-21



City of Fall River  
Notice of Claim

RECEIVED

2021 NOV -5 P 12:18

CITY CLERK 2776  
FALL RIVER, MA

1. Claimant's name: Filomena Oliveira
2. Claimant's complete address: 104 Lowest St Apt 1C Fall River ma 02720
3. Telephone number: Home: 508-558-8385 Work: \_\_\_\_\_
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
Auto Accident
5. Date and time of accident: 11-4-2021 Amount of damages claimed: \$ 3962.90

6. Exact location of the incident: (include as much detail as possible):

1142 Plymouth Ave

7. Circumstances of the incident: (attach additional pages if necessary):

The road was being worked on and there was no sign that the road was rise and when we going the car hit bottom and the car beside hit us because we had to slow on the brakes causing damage to the 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: 11-5-2021

Claimant's signature: Filomena Oliveira

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, 2<sup>nd</sup> Fl., One Government Center, Fall River, MA 02722**

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

For official use only:

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

Date: 11/5/21

RECEIVED

2021 NOV -9 P 2:21

CITY CLERK  
FALL RIVER, MACity of Fall River  
Notice of Claim

1. Claimant's name: Damra Pao
2. Claimant's complete address: 34 Weybosset St Apt 1, Fall River, MA 02723
3. Telephone number: Home: (508) 566-0068 Work: (508) 566-0068
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
Sewer pipe clogged due to new water pipe construction.
5. Date and time of accident: 4/8/21 Amount of damages claimed: \$ 845
6. Exact location of the incident: (include as much detail as possible):  
34 Weybosset St Basement
7. Circumstances of the incident: (attach additional pages if necessary):  
After the city put in the new water pipe construction on my street, they damaged the sewer pipe to my house causing sewer water to come in my basement. I had to hire a plumber (\$845) to find the problem.
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: 11/9/21

Claimant's signature: Damra Pao

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, 2<sup>nd</sup> 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

Date: 11/9/2021



RECEIVED

City of Fall River  
Notice of Claim

2021 NOV 10 A 10:19

21-78

CITY CLERK  
FALL RIVER, MA

1. Claimant's name: Saltine Wamoi Inc.
2. Claimant's complete address: 1 Middle Street, Fall River, Massachusetts 02724
3. Telephone number: Cell: 401-862-5343 Work: \_\_\_\_\_
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
property damage due to flooding from water main break
5. Date and time of accident: October 11, 2021 Amount of damages claimed: \$ ~~70,000~~ 70,500
6. Exact location of the incident: (include as much detail as possible):  
intersection of middle and Bay Streets
7. Circumstances of the incident: (attach additional pages if necessary):  
A large volume of water from the break flowed down Middle Street damaging a section of "paper road" developed by Saltine Wamoi for access to its business and causing mud, water, silt and rocks to enter and flow into an inventory of bagged deicing salt stored on Saltine Wamoi's property.
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: 11/9/21

Claimant's signature: John T. Pearson

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, 2<sup>nd</sup> 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

Date: 11/10/2021



**Paul E. Coogan**  
Mayor

**City of Fall River**  
**Massachusetts**

*Planning Division*

RECEIVED

2021 OCT 22 A 9:56

CITY CLERK  
FALL RIVER, MA  
**WILLIAM G. KENNEY, AICP**  
City Planner

**TO:** Alison Bouchard  
City Clerk

**FROM:** Christine Silvia  
Planning, Head Admin. Clerk

**RE:** Fall River Zoning Board of Appeals Meeting  
September 16, 2021

The Fall River Zoning Board of Appeals held a Public Hearing on Thursday, September 16, 2021, at 6:00 PM in the Atrium at One Government Center, Fall River, MA for the purpose of considering the petitions set forth in the attached minutes of said Public Hearing.

**Members present:** David Assad, Chair, Jim Calkins, Joe Pereira, and alternate member Rick Sahady.

**Members absent:** John Frank, Dan Dupere.

**Also present:** Director of Planning, William Kenney; Assistant City Planner Kaitlin Young, Recording Secretary Christine Silvia; Alex Mello of FRGTV.

Notice of the meeting was advertised in the Fall River Herald News on Wednesday, September 1, 2021, and Wednesday, September 8, 2021. The hearing was also posted in the Government Center and on the City of Fall River website, and notice was sent to the petitioners and abutters of the specified properties, as well as the members of the City of Fall River's Planning Board.

*6:00pm Chair read the Open Meeting Law notice, and opening statement.*

**ANGEL ESTRELLA MOLINA**  
**417-421 East Main Street, Lot G-15-69**

---

In the matter of Variance request to convert the existing commercial building with 2 existing apartments into an 8-unit apartment building with one off-street parking space per unit, in garage below, waiving requirements in the [A-2] district. Lot size +/- 8,320 sf. *Tabled from August 19, 2021 meeting.*

**FAVOR**

Dan Aguiar, Senior Project Manager at CEC, Inc. was present to address the Board. On behalf of the applicant, Mr. Aguiar requested to table the matter to the October 21, 2021 meeting in order for the matter to be heard before a full board.

**OPPOSITION**

No one was present in opposition to the matter.

**DECISION**

In a motion made by Mr. Pereira and seconded by Mr. Calkins, the Board unanimously voted 4-0 to Table the matter to the October 21, 2021 meeting.

Mr. Calkins, Mr. Pereira, Mr. Sahady and Mr. Assad voted in favor of the motion and the matter was Tabled to be heard at the October 21, 2021 meeting.

**KAT MANAGEMENT LLC, c/o Jeffrey P. Medeiros Esq.**  
**627 South Main St., Lots G-5-3, 4**

---

In the matter of the Variance request pursuant to Section 86-482 to convert an existing non-conforming structure from a club/restaurant in to a multi-unit, mixed use property consisting of 11 one- and two-bedroom units, 2 office units, and a private executive club lounge in the basement, waiving all dimensional requirements, sidelines, and setbacks in a B-L district, and varying parking requirements if necessary.

**FAVOR**

On behalf of the applicant, Attorneys Medeiros and John Mitchell, representative for the Academica Club, requested to table the matter to the October 21, 2021 meeting in order for the matter to be heard before a full board.

**OPPOSITION**

No one was present in opposition to the matter.

**DECISION**

In a motion made by Mr. Pereira and seconded by Mr. Calkins, the Board unanimously voted 4-0 to Table the matter to the October 21, 2021 meeting.

Mr. Calkins, Mr. Pereira, Mr. Sahady and Mr. Assad voted in favor of the motion and the matter was Tabled to be heard at the October 21, 2021 meeting.

**POYANT SIGNS****1168 Highland Ave., Lot S-3-2**

---

In the matter of the Special Permit request to install one single-sided, non-illuminated ground sign on the front lawn to identify the Residences at Adams House.

**FAVOR**

The applicant requested to table the matter to the October 21, 2021 meeting in order for the matter to be heard before a full board.

**OPPOSITION**

No one was present in opposition to the matter.

**DECISION**

In a motion made by Mr. Calkins and seconded by Mr. Pereira, the Board unanimously voted 4-0 to Table the matter to the October 21, 2021 meeting.

Mr. Calkins, Mr. Pereira, Mr. Sahady and Mr. Assad voted in favor of the motion and the matter was Tabled to be heard at the October 21, 2021 meeting.

**BRYAN PIRES**  
**163-165 Haffards St., Lot L-5-20**

---

In the matter of the Special Permit request pursuant to Section 86-423(B) to subdivide the existing parcel of land into two parcels, leaving an existing multi-family dwelling on one parcel while leaving an additional multi-family dwelling on a second parcel.

**FAVOR**

Dan Aguiar, Senior Project Manager at CEC, Inc. was present to address the Board. He explained that both structures predate the Subdivision Control Law of 1954. Further, there is an existing access easement, and utilities are already separated.

**OPPOSITION**

No one was present in opposition to the matter.

**DECISION**

The Board found that the division of property would maximize use of the proposed lots, specifically relating to access, parking, and area.

In a motion made by Mr. Calkins and seconded by Mr. Pereira, the Board voted 4-0 to Grant the Special Permit with Conditions being:

1. All utilities shall be separated and an affidavit signed under the penalties of perjury indicating that all utilities have been separated shall be recorded at the Bristol County Fall River Registry of Deeds prior to the sale and/or transfer of the property, but no later than two years from the date of the grant of the Special Permit.
2. No fencing along the North and West lot lines of Parcel 1.

Mr. Calkins, Mr. Pereira, Mr. Sahady and Mr. Assad voted in favor of the motion and the request was granted with conditions.

**TODD SAMPSON****410 Joseph Dr., Lot U-21-12**

---

In the matter of the Special Permit request pursuant to Section 86-426(B) to construct 25' x 35' garage/addition to the existing single family dwelling. The existing parcel and structure are pre-existing non-conforming with regard to the R-30 District.

**FAVOR**

Dan Aguiar, Senior Project Manager at CEC, Inc. was present to address the Board. He explained that this is a pre-existing, non-conforming property. The proposed garage and addition will carry the height of the existing building, which is aesthetically more fitting. Additionally, the existing garage, which is 10' from the property line, will be removed, and the new garage would be further from the property line (12').

**OPPOSITION**

No one was present in opposition to the matter.

**DECISION**

The Board found that owing to the circumstances relating to the existing parcel, especially affecting the locus but not affecting the R-30 District in which it is located, the proposed alteration will not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

In a motion made by Mr. Calkins and seconded by Mr. Sahady, the Board unanimously voted 4-0 to Grant the Special Permit request with the following Conditions:

1. A Building Permit shall not be issued until the existing garage is razed.
2. No building permit shall be issued until the site plan has been approved by the Site Plan Review Committee and no site preparation work shall be commenced prior to approval of the site plan by the Site Plan Review Committee.

Mr. Calkins, Mr. Pereira, Mr. Sahady, and Mr. Assad voted in favor of the motion and the request was granted with conditions.

**NELIA ALMEIDA**

**26 Hill St., Lot L-16-79**

---

In the matter of the Special Permit request pursuant to Section 86-426(B) to construct a second story addition to the existing one story single family dwelling. The existing parcel and structure are pre-existing non-conforming with regard to the "S" District.

**FAVOR**

Dan Aguiar, Senior Project Manager at CEC, Inc., and applicant Nelia Almeida, were present to address the Board. He explained that the proposed addition will not increase the building footprint, as it is a second floor expansion of an existing single family. The existing setback is within zoning requirements for the "S" District, and the proposed modification will meet height requirements. The parcel offers parking at a rate of 4 off street spaces. Ms. Almeida stated that the property is to remain a single family home and there will not be an increase in traffic due to the addition.

**OPPOSITION**

Jeffrey P. Medeiros, Esq., was present to address the Board on behalf of his clients, John and Esmerelda Reis, 38 Hill Street, who are abutters. Atty. Medeiros stated concerns regarding the large building footprint, the height of the structure on a narrow roadway, increased traffic, and concerns with light and air flow to the abutting property.

**DECISION**

The Board found that owing to the circumstances relating to the existing parcel, especially affecting the locus but not affecting the "S" District in which it is located, the proposed alteration will not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

In a motion made by Mr. Calkins and seconded by Mr. Pereira, the Board unanimously voted 4-0 to Grant the Special Permit for two years. Mr. Calkins, Mr. Pereira, Mr. Sahady, and Mr. Assad voted in favor of the motion and the request was granted.

**270 SEABURY STREET REALTY TRUST**  
**270 Seabury St., Lot M-27-59**

---

In the matter of the Special Permit request pursuant to Section 86-424 & 425 to convert the existing commercial use building into an ice cream/novelties shop.

**FAVOR**

Dan Aguiar, Senior Project Manager at CEC, Inc. was present to address the Board. On behalf of the applicant, Mr. Aguiar requested to table the matter to the October 21, 2021 meeting in order for the matter to be heard before a full board.

**OPPOSITION**

No one was present in opposition to the matter.

**DECISION**

In a motion made by Mr. Sahady and seconded by Mr. Pereira, the Board unanimously voted 4-0 to Table the matter to the October 21, 2021 meeting.

Mr. Calkins, Mr. Pereira, Mr. Sahady and Mr. Assad voted in favor of the motion and the matter was Tabled to be heard at the October 21, 2021 meeting.

**PAMELA A.B. GLASS REVOCABLE TRUST**  
**38 Judge St., Lot Y-9-10**

---

In the matter of Pamela A.B. Glass Revocable Trust, Special Permit request pursuant to Section 86-426(B) to construct a second story addition, deck and porch to the existing non-conforming structure. The existing parcel and structure are pre-existing non-conforming with regard to the "S" District.

**FAVOR**

Dan Aguiar, Senior Project Manager at CEC, Inc., and prospective buyers Christopher and Beth Moss, were present to address the Board. Mr. Aguiar explained that one-story cottage is in need of renovation. The proposal seeks to add front and rear decks, but the proposed addition will not increase the building footprint. A Title 5-compliant septic system will be installed. Off-street parking will be provided via the formal driveway.

**OPPOSITION**

No one was present in opposition to the matter.

**DECISION**

The Board found that owing to the circumstances relating to the existing parcel, especially affecting the locus but not affecting the "S" District in which it is located, the proposed alteration will not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

In a motion made by Mr. Sahady and seconded by Mr. Pereira, the Board unanimously voted 4-0 to Grant the Special Permit request with the following Conditions:

1. Two off-street parking spaces to be provided.
2. No building permit shall be issued until the site plan has been approved by the Site Plan Review Committee and no site preparation work shall be commenced prior to approval of the site plan by the Site Plan Review Committee.

Mr. Calkins, Mr. Pereira, Mr. Sahady, and Mr. Assad voted in favor of the motion and the request was granted with conditions.

**ROMAN CATHOLIC BISHOP OF FALL RIVER c/o Peter T. McNulty, Esq.**  
**440 Bradford Ave., Lot G-4-45**

---

In the matter of Roman Catholic Bishop of Fall River, request for a finding and determination that Condition #3 of the Decision of the Zoning Board of Appeals issued on April 19, 2018, should be waived.

#### **FAVOR**

Peter McNulty, Esq., was present to address the Board. Atty. McNulty explained that the parcel in question is vacant land, with no utilities to separate. Therefore, the condition set forth in the variance issued on April 19, 2018, is null and the applicant has complied with the applicable conditions.

#### **OPPOSITION**

No one was present in opposition to the matter.

#### **DECISION**

The Board found that

1. On April 19, 2018, The Zoning Board of Appeals issued a decision on the original petition to subdivide the property into four lots. The decision included the Condition #3: "All utilities shall be separated and an affidavit signed under the penalties of perjury indicating that all utilities have been separated shall be recorded at the Bristol County Fall River Registry of Deeds prior to the sale and/or transfer of the property, but no later than one year from the date of the grant of the variance."
2. The property was subdivided via Approval Not Required plan, endorsed and subsequently recorded in Plan Book 161, Page 77.
3. Because the subject parcel 4 is vacant land, there are no utilities to separate.

Pursuant to M.G.L. Chapter 40A, Section 14, the Board found that the applicant satisfactorily complied with the conditions of the grant and no affidavit is necessary for recording of Condition #3.

In a motion made by Mr. Calkins and seconded by Mr. Pereira, the Board unanimously voted 4-0 to grant a waiver of Condition #3. Mr. Calkins, Mr. Pereira, Mr. Sahady, and Mr. Assad voted in favor of the motion and the request was granted to waive Condition #3.

## CITIZENS INPUT

No one was present for Citizens' Input.

## APPROVAL OF MINUTES

In a motion made by Mr. Calkins and seconded by Mr. Sahady, the Board unanimously voted 4-0 to waive the reading of the minutes and to approve the minutes from the August 19, 2021 meeting.

Mr. Calkins, Mr. Sahady, Mr. Pereira, and Mr. Assad voted in favor of the motion.

## ADJOURNMENT

In a motion made by Mr. Pereira and seconded by Mr. Sahady, the Board unanimously voted 4-0 to adjourn the meeting at 6:54pm.

Mr. Pereira, Mr. Calkins, Mr. Sahady, and Mr. Assad voted in favor of the motion and the meeting was adjourned.

## MISCELLANEOUS

### **List of documents and other exhibits used during the meeting:**

Agenda packet

Anyone having a question concerning any of the petitions or materials referenced herein may contact the Planning Dept. at (508) 324-2561, [planning@fallriverma.org](mailto:planning@fallriverma.org) or by writing to the Planning Dept., One Government Center, Fall River, MA 02722.

*Alex*  
Recording Clerk

In Zoning Board of Appeals, October 21, 2021

**Approved**

### COMMITTEE ON FINANCE

**MEETING:** Tuesday, October 12, 2021 at 6:00 p.m.  
Council Chamber, One Government Center

**PRESENT:** President Cliff Ponte, presiding;  
Councilors Shawn E. Cadime, Michelle M. Dionne,  
Bradford L. Kilby, Pam Laliberte-Lebeau, Trott Lée,  
Christopher M. Peckham, Leo O. Pelletier and Linda M. Pereira

**ABSENT:** None

**IN ATTENDANCE:** Mary Sahady, Director of Financial Services  
John Perry, Director of Community Maintenance  
Chief John D. Lynch, Fall River Fire Department  
John Brandt, Chair, Community Preservation Committee  
Kristen Cantara-Oliveira, Vice Chair, Community Preservation Committee  
Sandy Dennis, Community Preservation Committee  
Timothy P. McCoy, City Administrator  
Alfred J. Lima, 488 Hood Street

The chair called the meeting to order at 6:00 p.m. and announced that the meeting may be recorded with audio or video and transmitted through any medium.

Councilor Pam Laliberte-Lebeau arrived at 6:04 p.m.

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  
None
2. Resolution – Representatives from the Community Preservation Committee be invited to present a brief overview of approved projects and amount funded in the past 10 years  
*John Brandt provided a brief presentation and overview about the Community Preservation Committee and provided a packet of information regarding projects over the years, the Fall River Historical Society and Durfee House being some of the projects. He stated it becomes challenging when the Committee has to decide which projects are the most important. Kristin Cantara-Oliveira stated that it is important that deed restrictions are in place because they protect historic buildings for 30 years and saves properties and parks. Sandy Dennis spoke next and referenced the breakdown of funding for the various categories. She mentioned that every project has a Community Preservation Committee member assigned to it, and that when an invoice is signed off to be paid, there are checks and balances to show that public money is being spent the right way. Councilors Bradford L. Kilby and Pam Laliberte-Lebeau were grateful for the wonderful*

presentation and thought it was a good idea to request a presentation to the City Council. Councilor Linda M. Pereira asked John Brandt and Alfred J. Lima to give an overview of the application process. John Brandt stated that all the information is on the City's website. The application deadline is September 1<sup>st</sup> of each year. Once the application is received, an eligibility hearing is scheduled. The following processes then take place: funding application (January), deliberation (April and May), letter to the Mayor (May and June) and the appropriation order is completed in June. John Brandt then stated that the Committee wouldn't function without Sandy Dennis who is very organized. Councilor Linda Pereira asked about funding for the renovations at the Fire Station located on North Main Street. John Brandt stated funding was awarded for the roof and that the renovation project should be completed in 2-3 years. Councilor Pereira also asked Mr. Brandt to explain where the funding for the CPC comes from. John Brandt replied that the majority of the funding comes from the Registry of Deeds. The City received a 35% return this year, the highest percentage and amount of money received from the state, as usually there is a 20% return instead. He further stated that if the Community Preservation Act (CPA) had not been in place in the City, the funding would go to other communities. Councilor Trott Lee asked how the Committee handles a potential conflict of interest and Kristin Cantara-Oliveira stated that if there is a conflict of interest with Committee members, a disclosure form is completed or members abstain from votes if they serve on other groups or non-profits. Councilor Lee also asked if there are different qualifications for public vs. private properties and Kristin Cantara-Oliveira explained that the process is the same. Councilor Lee also asked if the Committee has heard about doing away with collecting the CPA surcharge and Kristin Cantara-Oliveira explain that they have heard from individuals with concerns but has not seen a big push to do so. Councilor Shawn E. Cadime stated that it is important for residents to understand the value of the Community Preservation Committee. Fall River is one of 177 communities that use the CPA and should continue using it. Councilor Michelle M. Dionne addressed the issue with the use of CPA funding for private projects. She stated that property owners are using Committee Preservation Committee funds to make upgrades when they can afford them and then sell the property. To answer Councilor Dionne's questions, John Brandt stated that funding recipients have to agree to deed restrictions on those properties. He then stated that every year 10% of funds must be placed in reserve. Sandy Dennis stated that the maximum surcharge for CPA is 3% and Fall River is only at 1.5%, as the individuals that initiated this program were cognizant of the burden on the taxpayers. Councilor Leo O. Pelletier thanked the board members for a very informative presentation. John Brandt stated that the members of the board are very involved and hard working.

3. Discussion regarding orders to accept and expend the following grants:

|                             |              |
|-----------------------------|--------------|
| COVID-19                    | \$563,130.00 |
| Naloxone for overdose calls | \$ 7,155.13  |
| Disease control             | \$200,000.00 |
| Kennedy Park tennis courts  | \$400,000.00 |
| Improve meeting space       | \$ 50,000.00 |

Councilor Michelle M. Dionne asked if any of these grants require matching funds. Mary Sahady said the Kennedy Park tennis courts project does. Councilor Pam Laliberte-Lebeau questioned how the payments are made. Mary Sahady stated that the City will borrow what is needed up to the \$400,000, and that the estimates for the tennis and pickle ball courts were \$660,000 but depending how much it actually costs adjustments will be made. As the project goes on, the City pays the invoices as costs are incurred and then they are submitted to the state for reimbursement. John Perry stated that the City will bond for the whole project and pay the invoices from the loan order and then submit the invoices for reimbursement. Councilor Michelle Dionne inquired regarding the number of grants paid by the Department of Health. Mary Sahady states that on page 265, there are two nurses who are funded through the municipal budget and a small portion of Tess Curran's salary is paid using grant money, but DPH funds are not CARES Act

*funds. These two positions were also in the Fiscal Year 2021 Budget. On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Shawn E. Cadime, it was unanimously voted to refer the matter to the full council for action.*

Citizens' Input Time – After Discussion of Financial Matters:

None

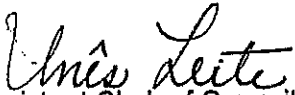
*On a further motion made by Councilor Shawn E. Cadime and seconded by Councilor Christopher M. Peckham, it was unanimously voted to adjourn at 7:08 p.m.*

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

DVD of meeting

Community Preservation Committee booklet

  
Assistant Clerk of Committees

### COMMITTEE ON FINANCE

MEETING: Tuesday, October 26, 2021 at 6:00 p.m.  
Council Chamber, One Government Center

PRESENT: President Cliff Ponte, presiding;  
Councilors Shawn E. Cadime, Michelle M. Dionne,  
Bradford L. Kilby, Pam Laliberte-Lebeau, Trott Lee,  
Christopher M. Peckham, Leo O. Pelletier and Linda M. Pereira

ABSENT: None

IN ATTENDANCE: Mary Sahady, 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. Citizens' Input  
Nelson Vasquez, 210 Sunset Hill – Mayor's resignation  
Collin Dias, 560 Ray Street – Administration boycotting City Council Meetings  
Richard Barlow, 50 Anderson Street – True liar  
Joseph Merkt, 290 Cambridge Street – City Slickers proof

*On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Christopher M. Peckham, it was unanimously voted to waive the rules to allow a non-Fall River resident to speak.*  
Attorney Blake M. Mensing, 100 State Street, 9<sup>th</sup> Floor, Boston, MA 02109 – City Slickers

*Councilor Linda M. Pereira cautioned that all comments made during citizen input are public. She then stated that citizen input may not be the correct forum for any comments of a legal nature. Attorney Blake M. Mensing stated that he is a former municipal attorney that now specializes in cannabis related laws. He went on to state that his focus is obtaining local permits, community host agreements and state licenses for his clients. He also mentioned that he is more aware of procedures and laws relating to the cannabis industry than most attorneys. He then stated that he reached out to the Administration in January of 2021 to begin the application process for his clients.*

On a motion made by Councilor Pam Laliberte-Lebeau and seconded by Councilor Trott Lee, it was unanimously voted to waive the rules to allow Attorney Blake M. Mensing to complete his comments. Attorney Blake M. Mensing then stated that he attempted to acquire a list of requirements for the permitting process to obtain a community host agreement. He then highlighted that he received no response to telephone calls and repeated emails. He also mentioned that he was informed there was a \$1,000.00 application fee that would need to be paid to Bristol County Economic Development Consultants, but was then told by the Mayor not to pay the fee. He emphasized that the application that was on the City of Fall River website was an abomination and included many incorrect and non-applicable statements. Attorney Blake M. Mensing then stressed that the \$50,000.00 application fee was not appropriate and stated that he had a conversation with Corporation Counsel regarding the matter. Councilor Shawn E. Cadime asked if Corporation Counsel would be in attendance later. Council President Cliff Ponte stated that he received information that Corporation Counsel would not be in attendance due to a Covid-19 related matter. Councilor Pam Laliberte-Lebeau stated that she shares in the frustration of the matter. Council President then stated that he believes that there are a number of individuals that are attempting to assist his clients with the process.

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Trott Lee, it was unanimously voted to take item #6 out of order.

6. Resolution - Committee on Finance meet with various parties regarding Fall River Cannabis

Review Commission and process of approving marijuana licenses

Councilor Shawn E. Cadime asked Attorney Blake M. Mensing to provide a timeline of the matter. Attorney Blake M. Mensing stated that these applications usually do take time, however he reached out to Attorney Kenneth Fiola, Jr. five or six times and received no response. He began in January of 2021 and in March he received a draft application, which is not the one that is currently on the City website. He also elaborated that there was some motion in August and then in September some communication back and forth. He then mentioned that his client had a discussion with Mayor Paul E. Coogan at the Fall River YMCA. He then continued that he advised his clients to leave Fall River and find another community to endeavor to open their business. Councilor Linda M. Pereira stated that the City of Fall River does not have a zoning ordinance regarding marijuana establishments. Attorney Blake M. Mensing stated that zoning is a primary tool which municipalities can control such businesses. Councilor Trott Lee stated that when it was mentioned about the \$50,000.00 application fee, it was stated that other businesses had paid the fee. Mary Sahady stated that Fall River has three operating facilities in the City and all have paid the \$50,000.00 application fee. Councilor Michelle M. Dionne stated that there was also a check in the amount of \$2,500.00. She then asked to whom the check was made payable. Mary Sahady stated that it was made payable to the City of Fall River. Councilor Michelle M. Dionne asked if cultivation was different from retail. Attorney Blake M. Mensing stated that a cultivation business can only sell to another licensed business, it cannot sell retail. Councilor Trott Lee thanked Attorney Blake M. Mensing for the copy of all documents relating to City Slickers. Council President Cliff Ponte stated that he found it interesting that the Mayor mentioned that former Mayor Jasiel F. Correia II was involved in shenanigans regarding the licensing of marijuana establishments, and currently there are numerous questions regarding this Administration. He then stated that obviously there is a lot of work to be done regarding this matter. Attorney Blake M. Mensing stated that every community is different regarding the licensing of marijuana facilities. He then elaborated that the City of Holyoke responded within 12 hours with a letter of non-opposition. He also highlighted that the Town of Uxbridge has the best policy, that is clearly stated with a list of 12 steps that need to be completed to apply for a license. On a motion made by Councilor Pam Laliberte-Lebeau and seconded by Councilor Michelle M. Dionne, it was unanimously voted to table the matter.

2. Discussion re: PARC Grant Program – Kennedy Park Renovation Project:

a. Resolution – Tennis/Pickle Ball Courts

b. Loan Order – City Parks Capital Repairs in the amount of \$664,064

The Director of Financial Services provided a brief overview of the project. On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Trott Lee, it was unanimously voted to refer both items #2a and #2b to the full council for action.

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Christopher M. Peckham, it was unanimously voted to take items #4 and #5 out of order.

4. Discussion of Fiscal Year 2022 - Quarterly Report

The Director of Financial Services provided a brief overview of the Fiscal Year 2022 Quarter One Budget Report. She stated that the City is one quarter into the fiscal year, therefore most items should be at 25%. Mary Sahady then mentioned that the marijuana excise tax is below that figure, due to the state being slow at reimbursement. Councilor Michelle M. Dionne asked why other charges for solid waste are at 40%. Mary Sahady stated that line item is the revenue created from bulky item removal. She then highlighted that last year at this time it was at 47% due to many residents cleaning during the pandemic.

Vice-President Pam Laliberte-Lebeau took the podium to allow Council President Cliff Ponte to speak. Council President Cliff Ponte asked how much of a structural deficit is the City facing. Mary Sahady stated that is difficult to answer as this report is a living and moving document. Councilor Shawn E. Cadime stated if the Five Year Financial Forecast exists, why doesn't the City Council have a copy. Mary Sahady stated that Corporation Counsel indicated that if the document is not finalized then it doesn't have to be shared. She also clarified that he mentioned that until the Mayor presents a letter with the Five Year Financial Forecast to the City Council, it is still a draft document. She then detailed that if you review the Fiscal Year 2023 forecast it shows a \$3 million dollar deficit. She then added that the school department is estimating an additional \$2 million dollars for Fiscal Year 2023. On a motion made by Council President Cliff Ponte and seconded by Councilor Trott Lee, it was voted 8 yeas to recess at 7:52 p.m. and have the Director of Financial Services print copies of the Draft Five Year Financial Forecast and distribute for discussion, with Councilor Linda M. Pereira absent and not voting.

The City Council reconvened at 8:09 p.m.

The Director of Financial Services provided a brief overview of the Draft Five Year Financial Forecast. She also mentioned that the debt exclusion for B.M.C. Durfee High School is included in Fiscal Year 2023. Mary Sahady then stated that if anyone has specific questions, she will research the matter to provide answers. Council President Ponte asked the Director of Financial Services what the anticipated deficit is for the upcoming five years. The Director of Financial Services stated the following:

|                    |   |                |
|--------------------|---|----------------|
| • Fiscal Year 2023 | - | \$5,433,914.00 |
| • Fiscal Year 2024 | - | \$4,304,732.00 |
| • Fiscal Year 2025 | - | \$5,880,577.00 |
| • Fiscal Year 2026 | - | \$7,636,119.00 |
| • Fiscal Year 2027 | - | \$8,492,097.00 |

Council President Ponte then asked for the amount of the debt exclusion that is included in Fiscal Year 2023. Mary Sahady stated that the amount is \$5,086,156.00 and was approved by the voters of Fall River. She then added that she was informed today if Diman Regional Vocational Technical High School moves forward with the building of a new high school, it may cost Fall River approximately \$60 to \$80 million dollars. Council President Cliff Ponte then stated that these figures are very serious

amounts of money. Mary Sahady stated that interest rates on loans are very low currently and much lower than it was anticipated in 2017, when the new high school project began.

Council President Cliff Ponte returned to the podium.

Councilor Trott Lee asked what the interest will be on the bond for the new B.M.C. Durfee High School in Fiscal Year 2022. Mary Sahady stated that the interest payment will be \$2,986,000.00 along with a principal payment of \$1,502,000.00. Councilor Trott Lee then stated that he would like to see American Rescue Plan Act (ARPA) funds used for water and sewer infrastructure as soon as possible which will alleviate some necessary bonding and provide some relief to the taxpayers. Councilor Shawn E. Cadime stated that by using ARPA funds to balance the budget, it is not addressing the deficit that the City is facing. He also highlighted that no one is considering the long term problems with these deficits. Councilor Trott Lee asked if any ARPA funds have been spent. Mary Sahady stated that she was not aware of any of the ARPA funds having been spent so far. Councilor Christopher M. Peckham asked if any decisions have been made regarding the amount of funds that will be used for water and sewer infrastructure improvements. Mary Sahady stated that she was aware that the Mayor was recommending \$10 million dollars and the Administrator of Community Utilities requested \$13 million dollars. Councilor Christopher M. Peckham then stated that he was unsure if any decision had been made regarding the amount that would be used for water and sewer improvements. Councilor Shawn E. Cadime stated that there will be a need for additional bonds for fire station improvements. Mary Sahady stated that the Fire Department will also need a new engine and ladder truck and those costs are not included in the forecast.

5. Resolution – Administration answer questions at Committee on Finance meeting re: use of ARPA funding

Councilor Pam Laliberte-Lebeau stated that she filed this resolution when the Five Year Financial Forecast was requested at the September 28, 2021 City Council meeting. She then stated that her questions were answered tonight during the review of the Five Year Financial Forecast. Councilor Shawn E. Cadime stated that the fact that the City Council will not be voting on how the ARPA funds will be spent is concerning to him. He also highlighted that the Mayor is continuing to use one time funds for reoccurring expenses which is extremely concerning and is further exacerbating the structural deficit.

3. Transfers and appropriations

Order appropriating \$1,299,433 from the General Fund Stabilization Fund to:

|                            |                   |
|----------------------------|-------------------|
| FY21 Appropriation Deficit | \$ 759,721        |
| FY21 Snow & Ice Deficit    | <u>\$ 539,712</u> |
|                            | \$1,299,433       |

Order appropriating \$1,965,338 from the following funding sources:

|                                          |               |
|------------------------------------------|---------------|
| From the American Rescue Plan Act (ARPA) |               |
| For Revenue Loss                         | (\$1,694,983) |
| For Rehire Positions                     | \$2,909,785   |

|                                              |                   |
|----------------------------------------------|-------------------|
| From Ordinary Revenue and Municipal Receipts | <u>\$ 750,536</u> |
| (Local Receipts)                             | \$1,965,338       |

Appropriate to:

|                              |                    |
|------------------------------|--------------------|
| Financial Services, Expenses | \$ 360,000         |
| School Appropriation         | <u>\$1,605,338</u> |
|                              | \$1,965,338        |

Councilor President Cliff Ponte stated that the Superintendent of Schools, Maria Pontes and Kevin Almeida, Chief Financial Officer were both invited to this meeting and both declined. He then stated that he has questions for the CFO, therefore he cannot support these orders tonight. The Director of Financial Services then provided a brief overview of the transfers and appropriations. Councilor Shawn E. Cadime stated that he will not support these transfers tonight. He then mentioned that the City needs to have a policy regarding a minimum balance for the Stabilization Account, and until such time he cannot support the use of stabilization funds. Councilor Linda M. Pereira asked when the free cash will be certified. The Director of Financial Services stated that she anticipates the free cash to be certified towards the end of next week. Councilor Pam Laliberte-Lebeau asked if the \$360,000.00 that is requested by the Board of Assessors, is something that is usually included in the budget. The Director of Financial Services stated that it would usually be included in the budget, but it may possibly have been overlooked or perhaps the Board of Assessors was hopeful to perform the necessary tasks in house. Council President Cliff Ponte asked for details regarding the snow and ice deficit. Mary Sahady stated that she could not answer those questions. She mentioned those are questions for the Director of Community Maintenance.

Citizens' Input Time – After Discussion of Financial Matters:

None

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Trott Lee, it was unanimously voted to adjourn at 9:49 p.m.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)  
 DVD of meeting  
 City Slickers Documentation  
 5 Year Financial Forecast distributed by Mary Sahady

*Clement A. Taylor*  
 Clerk of Committees

# CITY COUNCIL PUBLIC HEARINGS

MEETING: Tuesday, October 26, 2021 at 5:55 p.m.  
Council Chamber, One Government Center

PRESENT: President Cliff Ponte, presiding;  
Councilors Shawn E. Cadime, Michelle M. Dionne,  
Bradford L. Kilby, Pam Laliberte-Lebeau,  
Trott Lee, Christopher M. Peckham,  
Leo O. Pelletier and Linda M. Pereira

ABSENT: None

IN ATTENDANCE: None

The President called the meeting to order at 6:01 p.m. and announced that the meeting may be recorded with audio or video and transmitted through any medium and that the purpose of the hearing was to hear all persons interested and wishing to be heard on the following:

## Pole Locations

*On a motion made by Councilor Christopher M. Peckham and seconded by Councilor Bradford L. Kilby, it was unanimously voted that the hearing be opened.*

Massachusetts Electric Company for new pole locations as follows:

|                       |                                |
|-----------------------|--------------------------------|
| <u>Martine Street</u> | Twenty (20) new pole locations |
|-----------------------|--------------------------------|

The petitioner is proposing line extension that will improve electric reliability throughout the City of Fall River and the Town of Westport. A new pole line along Martine Street from the intersection of Brayton Avenue and Eastern Avenue to the Westport town line will be installed. In accordance with Plan No. 30315903 dated July 12, 2021.

*The President then directed the proponents to be heard and there were no proponents. The President then directed the opponents to be heard and there were no opponents. The President asked the City Clerk if any proponents or opponents submitted written testimony and the City Clerk stated that none was received. On a motion made by Councilor Christopher M. Peckham and seconded by Councilor Michelle M. Dionne, it was unanimously voted that the hearing be closed.*

*On a motion made by Councilor Christopher M. Peckham and seconded by Councilor Michelle M. Dionne, it was unanimously voted that the hearing be opened.*

Massachusetts Electric Company and Verizon New England, Inc. for one jointly owned pole location as follows:

Father DeValles Boulevard

One (1) joint pole location

To install pole 1-84 on Father DeValles Boulevard across from pole 1 on Father DeValles Boulevard. In accordance with Plan No. 30315903 dated August 30, 2021.

*The President then directed the proponents to be heard and there were no proponents. The President then directed the opponents to be heard and there were no opponents. The President asked the City Clerk if any proponents or opponents submitted written testimony and the City Clerk stated that none was received. On a motion made by Councilor Christopher M. Peckham and seconded by Councilor Trott Lee, it was unanimously voted that the hearing be closed.*

*On a motion made by Councilor Trott Lee and seconded by Councilor Christopher M. Peckham, it was unanimously voted to adjourn at 6:04 p.m.*

List of documents and other exhibits used during the meeting:

Agenda (attached)

DVD of meeting

*Alison M. Bouchard*  
City Clerk

### REGULAR MEETING OF THE CITY COUNCIL

MEETING: Tuesday, October 12, 2021 at 7:00 p.m.  
Council Chamber, One Government Center

PRESENT: President Cliff Ponte, presiding;  
Councilors Shawn E. Cadime, Michelle M. Dionne, Bradford L. Kilby,  
Pam Laliberte-Lebeau, Trott Lee, Christopher M. Peckham,  
Leo O. Pelletier and Linda M. Pereira

ABSENT: None

IN ATTENDANCE: Mary Sahady, Director of Financial Services

President Cliff Ponte called the meeting to order at 7:08 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 advising of the appointment of Fall River Housing Authority Member Jason Burns to the Community Preservation Committee

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Linda M. Pereira, it was unanimously voted that the communication be accepted and place on file.*

2. Mayor requesting the reappointment of David Cabral to the Cultural Council

*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira, it was unanimously voted to confirm the appointment.*

3. Mayor requesting the reappointment of Cheryl Clarke Furze to the Cultural Council

*On a motion made by Michelle M. Dionne and seconded by Councilor Christopher M. Peckham, it was unanimously voted to confirm the appointment.*

4. Mayor and PARC Grant Program – Kennedy Park Renovation Project:

- a. Resolution – Tennis/Pickle Ball Courts

- b. Loan Order – City Parks Capital Repairs in the amount of \$664,064

*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Trott Lee, it was unanimously voted to authorize the loan order to be published and referred to Committee on Finance.*

#### PRIORITY COMMUNICATIONS

5. Board of Election Commissioners certifying City Preliminary Election Results of Sept. 21, 2021

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Christopher M. Peckham, it was unanimously voted that the communication be accepted and placed on file.*

13. Auto Repair Shop License Renewals:

Robert P. Fortier d/b/a Fortier's Auto Sales & Services, Inc., located at 605 Globe Street  
 Roger W. Piva d/b/a Piva's Garage, located at 252 Crescent Street  
 Richard Duclos d/b/a Richard's Autobody & Paint, located at 44 Sixth Street  
 Faozi Raad d/b/a Michael & Tia Inc., d/b/a Fawzi's Auto, located at 256 Bedford Street  
 Wayne Senechal d/b/a Wayne's Auto and Performance, located at 122 Lowell Street

*On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Shawn E. Cadime, it was unanimously voted that the order be adopted.*

*Approved, October 13, 2021, Paul E. Coogan, Mayor*

**COMMUNICATIONS – INVITATIONS – PETITIONS**

14. Claims

*On a motion made by Councilor Christopher M. Peckham and seconded by Councilor Michelle M. Dionne, it was unanimously voted to refer the claims to Corporation Counsel.*

*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Shawn E. Cadime, it was unanimously voted to take items #15 through #17 together.*

City Council Meeting Minutes:

15. Public Hearing – September 28, 2021

16. Committee on Finance – September 28, 2021

17. Regular Meeting of the City Council – September 28, 2021

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Trott Lee, it was unanimously voted to approve items #15 through #17.*

18. Street opening request for pavement less than 5 years located at 58 Franklin Street  
*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Leo O. Pelletier, it was unanimously voted to approve the street opening request.*  
*Approved, October 13, 2021, Paul E. Coogan, Mayor*

19. Drainlayer license for MRC Contracting, Inc.  
*On a motion made by Councilor Christopher M. Peckham and seconded by Councilor Shawn E. Cadime, it was unanimously voted to approve the drainlayer bond.*  
*Approved, October 13, 2021, Paul E. Coogan, Mayor*

20. Open Meeting Law complaint filed by Patrick Higgins re: September 23, 2021 alleged violation by City Council and Mayor Paul Coogan  
*On a motion made by Councilor Linda M. Pereira and seconded by Councilor Shawn E. Cadime, it was unanimously voted to refer the matter to Corporation Counsel.*

**BULLETINS – NEWSLETTERS – NOTICES – None**

**ITEMS FILED AFTER THE AGENDA DEADLINE:**  
**CITY COUNCIL MEETING DATE: OCTOBER 12, 2021**

**RESOLUTIONS**

7a. Administration implement a process by which the city website is updated daily with locations of road closures and detours

*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Michelle M. Dionne, it was unanimously voted to adopt the resolution.*

7b. Administration work with Police and Fire Department Unions to add a sixth tier for police details  
*Councilor Pereira expressed that the Administration meet with Corporate Counsel on this matter. On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira, it was unanimously voted to adopt the resolution.*

7c. Administration answer questions at Committee on Finance meeting re: use of ARPA funding  
 On a motion made by Councilor Trott Lee and seconded by Councilor Michelle M. Dionne, it was unanimously voted to adopt the resolution. Council Vice President Pam Laliberte-Lebeau requested that members from the School Department Finance team be invited when this matter is discussed in the Committee on Finance. Council President Cliff Ponte relinquished the podium to Council Vice President Pam Laliberte-Lebeau at 7:41 p.m. to allow him to deliver remarks. On a further motion made by Councilor Linda M. Pereira and seconded by Councilor Michelle M. Dionne, it was unanimously voted to waive the rules to allow the Director of Financial Services to answer questions.

Mary Sahady explained that whether Chapter 70 could be included in the calculation of loss revenue was posed to the Treasury but to date has not been answered. Councilor Linda M. Pereira asked if Sean Cronin from the Division of Local Services stated that the City's tax rate would not be certified and Mrs. Sahady stated that he had not and that she would have a better understanding on Monday or Tuesday of next week when the Department of Revenue's field representative would be working with the City Auditor on certifying the tax rate. Council President Cliff Ponte delivered remarks and asked Mrs. Sahady regarding ARPA and a possible structural deficit. Mrs. Sahady confirmed that the City currently has a structural deficit and explained that the taxpayers voted for the whole debt exclusion when a vote was taken to borrow for the New B.M.C. Durfee High School but that the Administration at the time decided to hold off on the full debt exclusion until a future date and instead absorbed the costs that were to be incurred by the taxpayers even though her recommendation had been to include 100% of the debt exclusion in the real estate tax bills. Mrs. Sahady answered various questions regarding the City's ability to use ARPA funding, especially the use of the rehiring provision under the ARPA rules for 29 positions. Councilor Shawn Cadime asked how Mrs. Sahady calculated those re-hirings and she answered that the Treasurer was not included because a new Treasurer/Collector position had been created. AFSCME positions that moved to other departments were also not included.

Council President Cliff Ponte returned to the podium at 8:16 p.m.

Vice President Laliberte-Lebeau asked Mrs. Sahady when the taxpayers would see debt exclusion payments included with their tax bills and Mrs. Sahady stated that it would take place in the January 2023 Real Estate Taxes.

#### **OTHER POTENTIAL MATTERS (to be acted upon if recommendations are received)**

##### **COMMITTEE REPORTS**

###### Committee on Finance recommendation (if received):

6a. Mayor and orders to accept and expend the following grants:

COVID-19 \$563,130.00

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Shawn E. Cadime, it was unanimously voted to adopt the order.

Approved, October 13, 2021, Paul E. Coogan, Mayor

Naloxone for overdose calls \$ 7,155.13

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Shawn E. Cadime, it was unanimously voted to adopt the order.

Approved, October 13, 2021, Paul E. Coogan, Mayor

Disease control \$200,000.00

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Leo O. Pelletier, it was voted 8 yeas to adopt the order, with Councilor Shawn E. Cadime abstaining.

Approved, October 13, 2021, Paul E. Coogan, Mayor

Kennedy Park tennis courts \$400,000.00

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Bradford L. Kilby, it was unanimously voted to adopt the order.*

*Approved, October 13, 2021, Paul E. Coogan, Mayor*

Improve meeting space \$ 50,000.00

*On a motion made by Councilor Brad L. Kilby and seconded by Councilor Christopher M. Peckham, it was unanimously voted to adopt the order.*

*Approved, October 13, 2021, Paul E. Coogan, Mayor*

*On a motion made by Councilor Christopher M. Peckham and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted to adjourn at 8:46 p.m.*

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

DVD of meeting

A true copy. Attest:



City Clerk

### REGULAR MEETING OF THE CITY COUNCIL

MEETING: Tuesday, October 26, 2021 at 7:00 p.m.  
Council Chamber, One Government Center

PRESENT: President Cliff Ponte, presiding;  
Councilors Shawn E. Cadime, Michelle M. Dionne, Bradford L. Kilby,  
Pam Laliberte-Lebeau, Trott Lee, Christopher M. Peckham,  
Leo O. Pelletier and Linda M. Pereira

ABSENT: None

IN ATTENDANCE: None

President Cliff Ponte called the meeting to order at 9:49 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. Resolution - Administration present an updated five year budget forecast at Committee on Finance meeting

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Christopher M. Peckham, it was unanimously voted to lift the matter from the table. On a further motion made by Councilor Trott Lee and seconded by Councilor Christopher M. Peckham, it was unanimously voted to adopt the resolution and refer the matter to the Committee on Finance.*

2. Mayor requesting the reappointment of Fran Rachlin to the Library Board of Trustees  
*On a motion made by Councilor Linda M. Pereira and seconded by Councilor Michelle M. Dionne, it was unanimously voted to confirm the appointment.*

3. Mayor requesting the reappointment of Kathryn Clarkin to the Library Board of Trustees  
*On a motion made by Councilor Linda M. Pereira and seconded by Councilor Bradford L. Kilby, it was unanimously voted to confirm the appointment.*

4. Mayor and order appropriating \$1,299,433 from the General Fund Stabilization Fund to:
 

|                            |                   |
|----------------------------|-------------------|
| FY21 Appropriation Deficit | \$ 759,721        |
| FY21 Snow & Ice Deficit    | <u>\$ 539,712</u> |
|                            | \$1,299,433       |

*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira, it was voted 3 yeas, 6 nays to adopt the order with Councilors Bradford L. Kilby, Trott Lee and Linda M. Pereira voting in the affirmative and the motion failed to carry.*

5. Mayor and order appropriating \$1,965,338 from the following funding sources:

|                                          |               |
|------------------------------------------|---------------|
| From the American Rescue Plan Act (ARPA) |               |
| For Revenue Loss                         | (\$1,694,983) |
| For Rehire Positions                     | \$2,909,785   |

|                                              |             |
|----------------------------------------------|-------------|
| From Ordinary Revenue and Municipal Receipts | \$ 750,536  |
| (Local Receipts)                             | \$1,965,338 |

|                              |             |
|------------------------------|-------------|
| Appropriate to:              |             |
| Financial Services, Expenses | \$ 360,000  |
| School Appropriation         | \$1,605,338 |
|                              | \$1,965,338 |

*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira, it was voted 3 yeas, 6 nays to adopt the order with Councilors Bradford L. Kilby, Trott Lee and Linda M. Pereira voting in the affirmative and the motion failed to carry. On a further motion made by Councilor Shawn E. Cadime and seconded by Councilor Christopher M. Peckham, it was unanimously voted to reject the order, with Councilors Bradford L. Kilby and Linda M. Pereira opposed.*

#### **PRIORITY COMMUNICATIONS**

6. Traffic Commission recommending amendments to traffic ordinances

*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Christopher M. Peckham, it was unanimously voted to refer the matter to the Committee on Ordinances and Legislation.*

#### **COMMITTEE REPORTS**

Committee on Ordinances and Legislation recommending:

All readings with Emergency Preamble:

7. Proposed Ordinance – Traffic, handicapped parking

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Linda M. Pereira, it was voted 9 yeas to adopt the emergency preamble. On a further motion made by Councilor Shawn E. Cadime and seconded by Councilor Michelle M. Dionne, it was unanimously voted to pass the proposed ordinance through first reading, second reading, passed to be enrolled and passed to be ordained.*

*Approved, October 28, 2021, Paul E. Coogan, Mayor*

First Reading:

8. Proposed Ordinance – Traffic, miscellaneous

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Michelle M. Dionne, it was unanimously voted to pass the proposed ordinance through first reading.*

Grant leave to withdraw:

9. Proposed Ordinance – IT Technical Support Specialist

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Christopher M. Peckham, it was voted 8 yeas, 1 nay that the proposed ordinance be granted leave to withdraw, with Councilor Linda M. Pereira voting in the negative.*

Committee on Public Works and Transportation recommending:

Adoption:

10. Order – Curb removal at 471 Center Street

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Christopher M. Peckham, it was unanimously voted to adopt the order.*

*Approved, October 28, 2021, Paul E. Coogan, Mayor*

11. Order – Curb removal at 53 California Street

*An amendment was added in the Committee on Public Works and Transportation as follows:*

*\*Water runoff will not flow towards the property located at 67 California Street. Approval from the Director of Code Enforcement and Administrator of Community Utilities will be required.*

*On a motion made by Councilor Christopher M. Peckham and seconded by Councilor Shawn E.*

*Cadime, it was unanimously voted to adopt the order, as amended.*

*Approved, October 28, 2021, Paul E. Coogan, Mayor*

**ORDINANCES** – None

**RESOLUTIONS** – None

**CITATIONS**

12. Fall River Police Department Award Recipients and Retirees

|                                     |                                 |                              |
|-------------------------------------|---------------------------------|------------------------------|
| Sergeant Brian Cabral               | Officer Marc Correia            | Officer Francisco M. Reis    |
| Officer Michael J. Silvia Jr.       | Officer Nicolas M. Hoar         | Officer Daniel A. Mello      |
| Officer Aaron Souza                 | Officer Bruno D. Andrade        | Sebastian Bjornson           |
| William Leach                       | Charles E. Rull Jr.             | Michael L. Shea Jr.          |
| Lieutenant James T. Hoar            | Sergeant Raymond P. Morrisette  | Detective Gary E. Barboza    |
| Sergeant Dwaine T. Cabeceiras       | Detective Nicholas Custadio     | Sergeant Luis Duarte         |
| Detective David V. Lafleur          | Sergeant Nicholas Magan         | Detective Moses Pereira      |
| Officer Christopher Teves           | Emergency Disp. Joseph Torres   | Aiva Dirosa                  |
| Hannah Martin                       | Cynthia Berard-Cadima           | Detective Luis M. Vertentes  |
| Dep. COP Wayne E. Furtado           | Police Captain Joseph P. Cabral | Lieutenant Paul R. Bernier   |
| Lieutenant Roger A. Lafleur         | Lieutenant Kevin Silva          | Sergeant Gregory P. Bell     |
| Sergeant Joseph E. Castro           | Sergeant Gary Furtado           | Sergeant Roger Lavoie        |
| Sergeant Darlene C. Martel          | Sergeant William A. Martel      | Officer Gary K. Atkinson     |
| Officer Wendell A. Burks            | Detective Thomas M. Burns       | Officer Denis P. Gagne       |
| Officer Andrew Konarski             | Officer William A. Lynch        | Officer Jared E. Mooney      |
| Officer Michael P. Perreira         | Officer Joseph Reed             | Officer James J. Riley       |
| Detective Nelson Sousa              | Officer Joseph A. Teixeira      | Officer Jose Teves           |
| Officer Bruce A. Tavares            | Enviro. Police Thomas J. Kilby  | Admin. Clerk Jayne C. Nowell |
| Emergency Disp. Giselle A. Williams |                                 |                              |

*On a motion made by Councilor Linda M. Pereira and seconded by Councilor Christopher M. Peckham, it was unanimously voted to adopt the citations.*

**ORDERS – HEARINGS**

Pole Location:

13. Martine Street – Twenty (20) new pole locations

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Bradford L. Kilby, it was unanimously voted to adopt the order.*

*Approved, October 28, 2021, Paul E. Coogan, Mayor*

14. Father DeValles Boulevard -- One (1) joint pole location

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Michelle M. Dionne, it was unanimously voted to adopt the order.*

*Approved, October 28, 2021, Paul E. Coogan, Mayor*

**ORDERS – MISCELLANEOUS**15. Police Chief's report on licenses:Taxicab Drivers:

Tyler Botelho                  Devin Costa                  Veronica Medina                  Joseph Paiva

*On a motion made by Councilor Trott Lee and seconded by Councilor Christopher M. Peckham, it was unanimously voted to adopt the order.*

16. Auto Body Shop License Renewals:

Jan M. Pankowski d/b/a Classic Auto, located at 270 Shove Street

Joseph Jennings d/b/a Jennings Garage, located at 64 Judson Street

Gabrielle Cabral d/b/a Competitive Auto Body &amp; Sales, located at 1021 Locust Street

*On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Linda M. Pereira, it was unanimously voted to adopt the order.*

*Approved, October 28, 2021, Paul E. Coogan, Mayor*

17. Auto Repair Shop License Renewals:

Jan M. Pankowski d/b/a Classic Auto, located at 270 Shove Street

John B. Pacheco, The Shine Shop, Inc. d/b/a Ray's Auto Sales, located at 707 Brayton Avenue

Joseph Jennings d/b/a Jennings Garage, located at 64 Judson Street

Antonio Pinto d/b/a T &amp; P Auto Repair &amp; Sales, located at 2553 South Main Street

Vincent Nanni d/b/a Vin's Motor Sales, Inc., located at 1426 Plymouth Avenue

Nuno DoSouto d/b/a Easy Auto Repair, LLC, located at 681 Brayton Ave

*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira, it was unanimously voted to adopt the order.*

*Approved, October 28, 2021, Paul E. Coogan, Mayor*

**COMMUNICATIONS – INVITATIONS – PETITIONS**18. Claims

*On a motion made by Councilor Christopher M. Peckham and seconded by Councilor Michelle M. Dionne, it was unanimously voted to refer the claims to Corporation Counsel.*

19. Complaint re: Taxi Cab Companies

*On a motion made by Councilor Linda M. Pereira and seconded by Councilor Michelle M. Dionne, it was unanimously voted that the communication be accepted and placed on file.*

20. Structure over a public way – Banners for the Annual Children's Holiday Parade to be placed on Bedford Street at Central Fire Station, South Main Street at Center Place and Pleasant Street

*On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Christopher M. Peckham, it was unanimously voted to approve the application.*

21. Planning Board Minutes – September 8, 2021

*On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Christopher M. Peckham, it was unanimously voted that the minutes be accepted and placed on file.*

City Council Meeting Minutes:22. Public Hearing Minutes – October 12, 2021

*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Michelle M. Dionne, it was unanimously voted to approve the minutes.*

**BULLETINS – NEWSLETTERS – NOTICES** - None

**TABLED MATTERS**

23. Mayor requesting confirmation of Keith Ellis as the Director of Facilities Maintenance  
*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira, it was unanimously voted to lift the matter from the table. Councilor Trott Lee stated that he is willing to give Mr. Ellis a chance. Councilor Leo O. Pelletier stated that Tammy Moutinho is currently working on nine projects as the Interim Director of Facilities Maintenance and is doing a great job. Council President Cliff Ponte stated that the City Council needs to vote on this matter tonight or the 45 days will have lapsed and the appointment will take place. Councilor Shawn E. Cadime stated that Ms. Moutinho has been doing the work of three employees and seems to be fulfilling all requirements. On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira, it was voted 3 years, 6 days to confirm the appointment, with Councilors Bradford L. Kilby, Trott Lee and Linda M. Pereira voting in the affirmative and the motion failed to carry. On a further motion made by Councilor Michelle M. Dionne and seconded by Councilor Christopher M. Peckham, it was voted 6 years, 3 days to reject the appointment, with Councilors Bradford L. Kilby, Trott Lee and Linda M. Pereira voting in the negative.*

**ITEMS FILED AFTER THE AGENDA DEADLINE:**  
**CITY COUNCIL MEETING DATE: OCTOBER 26, 2021**

**OTHER POTENTIAL MATTERS (to be acted upon if recommendations are received)****COMMITTEE REPORTS**Committee on Finance recommendation (if received):

11a. PARC Grant Program – Kennedy Park Renovation Project:

a. Resolution – Tennis/Pickle Ball Courts

*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Leo O. Pelletier, it was unanimously voted to adopt the resolution.*

*Approved, October 28, 2021, Paul E. Coogan, Mayor*

b. Loan Order – City Parks Capital Repairs in the amount of \$664,064

*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Michelle M. Dionne, it was unanimously voted to adopt the order.*

*Approved, October 28, 2021, Paul E. Coogan, Mayor*

*On a motion made by Councilor Linda M. Pereira and seconded by Councilor Michelle M. Dionne, it was unanimously voted to adjourn at 10:11 p.m.*

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

DVD of meeting

A true copy. Attest:

*Alison M. Bouchard*

City Clerk

### SPECIAL MEETING OF THE CITY COUNCIL

MEETING: Monday, October 18, 2021 at 6:15 p.m.  
Council Chamber, One Government Center

PRESENT: President Cliff Ponte, presiding;  
Councilors Shawn E. Cadime, Michelle M. Dionne, Bradford L. Kilby,  
Pam Laliberte-Lebeau, Christopher M. Peckham,  
Leo O. Pelletier, Linda M. Pereira

ABSENT: Councilor Trott Lee

IN ATTENDANCE: None

President Cliff Ponte called the meeting to order at 6:16 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.

#### Agenda:

##### 1. Citizen Input

Daryl Gonyon, 76 Frost Street – Budget

*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Michelle M. Dionne, it was unanimously voted to waive the rules to allow Daryl Gagnon to finish his comments, with Councilor Trott Lee absent and not voting.*

Joseph and Stephanie Merkt, 290 Cambridge Street – Corruption

*Joseph Merkt provided a brief overview of the application process that he has been attempting to navigate through. He then highlighted several events that occurred during this time. He stated that the Mayor was elected by the residents and should uphold laws regarding the approval of the 2016 ballot question to legalize marijuana in Massachusetts.*

*On a motion made by Councilor Christopher M. Peckham and seconded by Councilor Michelle M. Dionne, it was unanimously voted to waive the rules to allow Joseph and Stephanie Merkt to finish their comments, with Councilor Trott Lee absent and not voting.*

*Joseph Merkt stated that the Mayor asked who would be interested in purchasing his product. He then stated that he has acquired three letters of intent from potential customers, who stated that they would be willing to purchase his product. He also highlighted that Northeast Alternatives stated that they would be willing to purchase approximately 50% of all the product that he will be able to produce.*

Councilor Shawn E. Cadime stated that he would like to file a resolution to request that the Administration attend a future meeting of the Committee on Finance to answer questions regarding the creation and existence of the Fall River Cannabis Review Commission (copy of said resolution is attached hereto and made a part of these minutes).

Councilor Leo O. Pelletier stated that this type of incident is unacceptable, and should not have occurred. He then stated that the City Council will research the matter to ensure that the process is fair and equitable for everyone. Councilor Michelle M. Dionne added that this becomes an issue when one person alone is making all the decisions. Councilor Linda M. Pereira added to the conversation by stating that she is very concerned by this and felt that the matter should be referred to the Committee on Economic Development and Tourism for further discussion. She went on to state that if it is the consensus of the Council to discuss the matter at a meeting of the Committee on Finance, then that is acceptable. Councilor Bradford L. Kilby cautioned that accusations should not be made regarding this issue, as the City Council does not have all the facts. Councilor Shawn E. Cadime asked that KP Law, P.C. attend next Tuesday's meeting to discuss cannabis licensing. He also stated that there are eight different cannabis licenses available in Massachusetts. On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Michelle M. Dionne, it was unanimously voted to adopt the resolution, with Councilor Trott Lee absent and not voting.

## 2. Five year budget forecast and City's current finances

Council President Cliff Ponte stated that he asked Mary Sahady for the five year financial forecast and received an email response from the Mayor stating that all requests are to go through his office, per Section 3-6 of the City Charter. The email was read by Council President Cliff Ponte.

Council President Cliff Ponte called for a recess at 7:22 pm. to compile all emails received regarding this matter.

The City Council reconvened at 7:30 pm.

Council President Cliff Ponte read the email dated October 13, 2021 that he sent to Mary Sahady. He then read an email that he received which was sent from Mayor Paul E. Coogan dated October 14, 2021. He also noted and read an email from Mary Sahady dated October 15, 2021 answering the invitation that was emailed to her on Thursday, October 14, 2021. Councilor Linda M. Pereira asked when the City Council will receive the Fiscal Year 2022 Quarter 1 Budget Report. Council President Cliff Ponte stated that it will be discussed at the next City Council Meeting scheduled for October 26, 2021. Councilor Linda M. Pereira added that Fall River may be receiving money from Bristol County, possibly \$17 million dollars. Councilor Shawn E. Cadime stated that the City will receive \$34 million dollars from ARPA funding this year, \$34 million dollars from ARPA funding in year two and possibly \$17 million dollars in year three. He then asked what happens in years four and five when there are no extra funds being received. Councilor Pam Laliberte-Lebeau added to the conversation that she asked Mary Sahady for an updated list of all debt that will be ending. She also stated that she contacted KP LAW, P.C., as approved by the City Council President. She read sections (2-7(b)) and (2-7(d)) of the City Charter. She then stated that she had a conference call with KP Law, P.C. to inquire what action could be taken. Councilor Michelle M. Dionne stated she believes in open and honest government and to put it off, is a disservice to the citizens of Fall River. She hopes that Mary Sahady will attend the next City Council meeting. Councilor Christopher M. Peckham stated when he heard the Mayor on the radio, he made it sound like there was no deficit, yet the approximate deficit is \$9.6 million dollars. Councilor Leo O. Pelletier added that a Special Meeting was scheduled for a reason and the fact that the Mayor did not attend nor did he allow Mary Sahady to attend, is simply an injustice. Councilor Shawn E. Cadime stated that the bottom line is that there is a structural deficit and the residents of Fall River need to be informed. He then mentioned that the Mayor did not want Mary Sahady to answer these questions before the election.

Councilor Pam Laliberte-Lebeau stated that the SAFER Grant was used to hire firefighters and when the funding ran out, a great deal of firefighters were laid off. She then highlighted that she does not want that to happen again.

On a motion made by Councilor Pam Laliberte-Lebeau and seconded by Councilor Christopher M. Peckham, it was unanimously voted to file a resolution to direct to the attention of the Mayor that he has failed to comply with Section 2-7, Access to Information, and Section 3-6, Communications; Special Meetings of the City Charter, with Councilor Trott Lee absent and not voting.

On a motion made by Shawn E. Cadime and seconded by Michelle M. Dionne, it was unanimously voted to adjourn at 8:23 p.m., with Councilor Trott Lee absent and not voting.

List of documents and other exhibits used during the meeting:

Agenda (attached)

DVD of meeting

Resolution regarding the creation and existence of the Fall River Cannabis Review Commission  
Resolution regarding compliance with Section 9-14 of the City Charter, Enforcement of Charter Provisions

Email from Cliff Ponte to Mary Sahady dated October 13, 2021 at 1:12 pm

Email from Cliff Ponte to Mayor and Administration dated October 14, 2021 at 1:53 pm

Email from Mary Sahady to City Council dated October 15, 2021 at 3:16 pm

Email from Pam Laliberte-Lebeau to Mary Sahady dated October 18, 2021 at 11:36 am

Letter from Mayor dated October 18, 2021

A true copy. Attest:



City Clerk

**OCTOBER 18, 2021**

**COMMUNICATIONS**

**SUBMITTED**

**FOR**

**CITIZENS' INPUT**

CJ FERRY, R.N., PHN

RECEIVED

October 18, 2021

2021 OCT 18 P 3:06

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

CITY CLERK \_\_\_\_\_  
 FALL RIVER, MA

Re: Citizen's Input

Council President and members of the City Council:

It is with deep regret that I must send in this citizen's input as it appears that the administration may not wish to be completely transparent with the public but more especially the City Council.

In a communication to the City Council President the mayor stated that he wanted to follow the charter. He stated in his email, "We should both follow the Charter so we don't put any city employees in a difficult position. Please forward all future questions to me." The mayor stated this after citing Section 2-3 of the charter which prohibits interference with the administration and restricts the actions of the City Council; "...member of the city council, shall not give orders or directions to any employee of the city, either publicly or privately." While I can understand this section of the charter, the charter also states in section 2-7 (c), "Mayor - The city council may request specific information from the mayor on any municipal matter and may request that the mayor be present to answer written questions relating to that information at a meeting that the city council may call within a reasonable time after the request is made to the mayor..." Historically the City Council has always requested financial information from the City Administrator and/or the CFO without directing it to the mayor. This has been an accepted "past practice".

Under Section 2-7 (a), "In General - The city council may make investigations into the affairs of the city and into the conduct and performance of any city agency." Further in Section 2-7 (b) "Information Requests - The city council may require a member of a multiple-member body, city officer, or a city employee to appear before the city council to give any information that the city council may require in relation to the municipal services, functions and powers or duties which are within the scope of responsibility of that person and not

October 18, 2021

within the jurisdiction of the school committee." As is clear, Section 2-7 of the Charter allows the City Council to approach ANY member of city government and especially any officer to obtain information within the scope of the City Council's investigation. It is clear that the mayor is in violation of the charter even though he has stated that both parties should follow the charter.

Further, the city's record access officer is the city clerk and not the mayor as requesting that all further questions be sent to the mayor is a violation of MGL Ch. 66 § 6A (e) and 950 CMR 32.05 (1) (c) which requires that all requests be sent through the city clerk.

Finally, Section 3-6 of the charter states; "(a) Communications to the City Council - The mayor shall, by written communications, recommend to the city council for its consideration measures as, in the judgement of the mayor, the needs the city require. The mayor shall, by written communication, keep the city council fully informed of the financial and administrative condition of the city and shall specifically indicate in any such reports any fiscal, financial or administrative issues facing the city." Under this section of the charter the mayor is required to provide the city council with the necessary financial information for the city council to act responsibly and appropriately.

I firmly believe that if the administration does not appear before this council today, that the City Council President should enact the council's subpoena power and force the administration to appear and if the administration does not appear to take appropriate legal action to enforce the charter, Massachusetts General Law and the subpoenas if issued. This is not and will not be a political stunt it will be representing the people of Fall River appropriately.

Respectfully,



CJ Ferry

*City of Fall River, In City Council*

(Councilor Shawn Cadime)

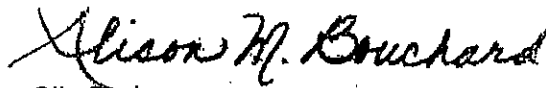
WHEREAS, concerns exist regarding the creation and existence of the Fall River Cannabis Review Commission, now therefore

BE IT RESOLVED, that the Corporation Counsel, Kenneth Fiola, Executive Vice President of BCEDC, or a representative of the Mayor's office who is qualified to respond to questions regarding this Commission and the process of approving marijuana licenses, as well as a representative of KP Law, be invited to a meeting of the Committee on Finance, and

BE IT FURTHER RESOLVED, that the Committee on Ordinances and Legislation meet with the same parties to draft an ordinance establishing such Commission.

In City Council, October 18, 2021  
Adopted.

A true copy. Attest:

  
City Clerk

# City of Fall River, In City Council

(City Council)

WHEREAS, at a Special Meeting of the City Council held on October 18, 2021, a discussion was held relative to the five year budget forecast and the City's current finances, and

WHEREAS, the Mayor advised that no representatives from the Administration would be in attendance, now therefore

BE IT RESOLVED, that in accordance with Section 9-14 of the City Charter, Enforcement of Charter Provisions, the City Council hereby directs to the attention of the Mayor that he has failed to comply with Section 2-7, Access to Information, and Section 3-6, Communications; Special Meetings, of the City Charter.

In City Council, October 18, 2021  
Adopted.

A true copy, Attest:



City Clerk

Michelle Burgos  
372 Mulberry Street  
Fall River, MA 02721

30

RECEIVED

2021 NOV 10 P 2:34

CITY CLERK  
FALL RIVER, MA

11/10/2021

To Fall River City Councils,

On May 18, 2021, a fourteen-year-old boy named Miguel Sanjurjo was shot and killed in Griffin Park. Miguel Sanjurjo whom many knew and loved left his home to go to Griffin Park. There he would play basketball. After an eruption of gun fire, those bullets stroke and killed Miguel. Miguel's life was taken short from us. Everyone who ever met and knew Miguel would all agree that Miguel was a sweet kid who loved to play basketball and ride bike, especially motorcycles. He was a kid with a kind heart, always willing to lend a helping hand whenever there was a need. He had a lot of dreams and aspirations to make it for not just himself but his Mom and family. Griffin Park was a place that became familiar to him for his love of basketball. On that tragic day, he's Mom came in grievance to the park with the rest of the family, crying "No more, no more lives lost to Gun Violence, no more killings of our youth being lost to violence, street gangs and guns." Miguel was not gang affiliated nor were those bullets for him, he was as many would say simply "at the wrong place, at the wrong time." This letter is a basic cry for change in honor of Miguel. In recognition to his life lost to this terrible Act of violence, we are petitioning for the Rename of Griffin Park Play Ground/Basketball area the place in which Miguel lost his life to be rename "Miguel Sanjurjo-Griffin Park." The renaming of the park is to shed light on the horrific event that occurred on May 18, 2021, let's never forget how an innocent fourteen-year-old boy lost his life to gun violence. Renaming the park will become a symbolism in bringing awareness in Ending Gun Violence for our, youth. The consequences of gun violence how there's no return and a symbol of love and unity, showing a community coming together in honor of Miguel Sanjurjo taking a stance in ending gun violence.

Sincerely,

Michelle Burgos



PS: Any questions or concerns, please feel free to reach out to me @ (771) 322-8936

