

City of Fall River Massachusetts  
Office of the City Clerk

ALISON M. BOUCHARD  
CITY CLERK

DECEMBER 14, 2012  
MEETINGS SCHEDULED FOR NEXT WEEK  
TUESDAY, DECEMBER 18, 2012

INÊS LEITE  
ASSISTANT CITY CLERK

6:00 P.M. COMMITTEE ON FINANCE

1. \*Resolution – Executive Office of Housing and Economic Development present overview re Bio-processing facility and Bio-Park
2. \*Resolution – Director of Public Utilities discuss 42/7 plan re water mains and pipes
3. \*Resolution – FROED discuss Fall River Redevelopment Authority borrowing money
4. \*Resolution – Rolling trash and recycling cart program plans
5. \*Resolution – Discuss waterfront development with Jon Delli Priscoili
6. \*Resolution – Review current tax structure and explore possibility of a residence exemption
7. \*Resolution – Invite Seth Pickering, Southcoast Regional Coordinator for Green Communities re Fall River becoming a greener community
8. \*Resolution – Preservation of former Central Congregational Church/Abbey Grill
9. \*Resolution – Mass DEP and Administration discuss landfill and pay-as-you throw
10. \*Resolution – Executive Director/CFO of CDA to discuss FROED contract
11. \*Mayor and order re Small Personal Property and Real Estate Residential Tax Exemptions
12. \*City Collector re Excise Tax demand fees
13. \*Resolution – Administration work with Fall River Falcons and Nor'easter Soccer Club to find possible locations

AGENDA

7:00 P.M. REGULAR MEETING OF THE CITY COUNCIL

PRIORITY MATTERS – None

PRIORITY COMMUNICATIONS

1. \*Transfer and appropriation – Objected to November 27, 2012
2. Traffic Commission recommending amendments to the traffic ordinances
3. Board of Election Commissioners re Official Results of State Election held on November 6, 2012
4. \*Planning Board recommending naming of Bowenville Green located at intersection of Durfee, Turner and Old Colony Streets

COMMITTEE REPORTS

Committee on Ordinances & Legislation recommending:

First Reading:

5. Traffic, misc.
6. Food Vending Push Carts
7. All Night Parking of Commercial Vehicles
8. Harbor Rules and Regulations for Moorings, Mooring Permits and Anchoring

All readings, with EP:

9. \*Traffic, handicapped parking

Adoption:

10. \*Harbor Seasonal Mooring Plan

Grant leave to withdraw:

11. Resolution – Removal of double utility poles as soon as weather conditions allow
12. Resolution – Review ordinance Sec. 46-7 re decibel levels
13. Proposed Ordinance – Emergency Building Permits

ORDINANCES – None

RESOLUTIONS

14. \* City Council go on record opposing tolls on the Sakonnet River Bridge

CITATIONS

15. Frederick Mayo – WWI Hero
16. Selma Brown – 100<sup>th</sup> Birthday

ORDERS – HEARINGS FOR TONIGHT

Curb Removals:

17. People, Inc. – 39 feet at 1040 Eastern Avenue
18. People, Inc. – 50 feet at 4 South Main Street
19. Ted Zmuda – 19 feet at 143 Primrose Street

Jt. Pole Location:

20. Commerce Drive – One (1) joint pole location

ORDERS – HEARINGS TO BE SCHEDULED – None

ORDERS – NO HEARING REQUIRED – None

ORDERS – MISCELLANEOUS

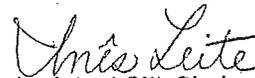
21. Police Chief's report on licenses
22. Auto Repair Shop license renewals
23. Auto Body Shop license renewals
24. Transfer auto repair license no. 106 from Roger E. Khoury to Bachir El Khoury d/b/a Warren Auto Repair located at 857 Warren Street
25. Transfer auto repair license no. 39 from Vincent B. Fiore, South End Toyota d/b/a Fiore Toyota to Joseph Laham, Premier South Coast 7, Inc. d/b/a Premier Toyota South Coast located at 1480 South Main Street
26. \*Light Order
27. Planning Director prepare plans for the acceptance of No. Underwood Street from Crescent Street to Danis Street and from Langley Street to Hood Street

COMMUNICATIONS – INVITATIONS – PETITIONS

28. Planning Board Minutes – November 7, 2012
29. \*Claims
30. \*City resident re illegal activity on Reading Street

BULLETINS – NEWSLETTERS – NOTICES

31. \*Garofalo & Associates, Inc. re Bridge Superstructure Replacement – Herman Street over Route 79

  
Assistant City Clerk

(Councilor Linda M. Pereira)  
(Councilor Raymond Mitchell)

WHEREAS, UMass Dartmouth, in partnership with the City of Fall River and the Commonwealth of Massachusetts, will break ground on a bio-processing facility that will anchor the development of a bio-park off of Route 24 in the Fall River Executive Park, and

WHEREAS, the bio-processing facility is projected to serve as an anchor facility that will draw life sciences companies to Fall River to test and develop biologic products, now therefore

BE IT RESOLVED, that a representative of the Executive Office of Housing and Economic Development present an overview to the Fall River City Council of the facility and bio-park, as well as the types of companies and jobs most likely to be drawn to the park.

CITY OF FALL RIVER  
IN CITY COUNCIL  
FEB 08 2011

Referred to the  
Committee on Finance

City of Fall River, *In City Council*

2

(Councilor Eric Poulin)

WHEREAS, access to clean water is a fundamental right of every citizen of Fall River; and

WHEREAS, the 42/7 Plan was an initiative aimed at repairing or replacing 42 miles worth of water mains and pipes in the city over a 7-year period, and

WHEREAS, the 42/7 Plan was successful in replacing over 50 miles of water mains and pipes in a period that actually lasted about 10 years, and

WHEREAS, the City of Fall River still has about 70 miles worth of water mains and pipes that are from an era between 1890-1930 and are in need of repair and/or replacement, and

WHEREAS, without a new plan similar to 42/7 the City of Fall River is currently repairing and/or replacing about 1.5 miles worth of water mains and pipes per year, and

WHEREAS, at this pace it would require roughly 47 years to repair and/or replace the remaining 70 miles worth of water mains and pipes that are in need, and

WHEREAS, the establishment of a plan to reduce the number of years required to address the remaining 70 miles would be of great benefit to the citizens of Fall River, now therefore

BE IT RESOLVED, that the Committee on Finance convene a meeting with the Director of Public Utilities and other relevant parties to develop a long-term plan to address this issue.

In City Council, April 5, 2011  
Adopted

A true copy. Attest:



City Clerk

City of Fall River, *In City Council*

(Councilor Raymond A. Mitchell)

WHEREAS, the Fall River Redevelopment Authority has recently borrowed money from the Fall River Office of Economic Development, now therefore

BE IT RESOLVED, that a representative from the Fall River Office of Economic Development be invited to a future meeting of the City Council Committee on Finance to discuss these financial matters and what impact this will have on the City of Fall River.

In City Council, May 10, 2011  
Adopted

A true copy. Attest:



City Clerk

City of Fall River, *In City Council*

(Councilor Eric Poulin)  
(Councilor Raymond A. Mitchell)  
(Councilor Linda M. Pereira)

WHEREAS, City Councilors that attended the Fr. Kelly Park and Flint Neighborhood Association meetings this past week fielded questions which asked, "When is the city going to bring the rolling trash and recycling cart program to the entire community", and

WHEREAS, many other residents throughout the city have asked the same question on a regular and persistent basis, now therefore

BE IT RESOLVED, that the City Administrator, Interim CFO, Director of Community Maintenance, and other relevant parties be invited to a meeting of the Committee on Finance to discuss their plans for bringing this program to the entire city.

In City Council, October 4, 2011  
Adopted

A true copy. Attest:

*Alison M. Brett*  
City Clerk

City of Fall River, *In City Council*

5

(Councilor Raymond A. Mitchell)

WHEREAS, Mr. Jon Delli Priscoli, Chief Executive Officer of First Colony Group is a very successful developer, and

WHEREAS, we need to enhance our community by developing our City, especially our waterfront, now therefore

BE IT RESOLVED, that Mr. Priscoli be invited to a future meeting of the City Council Committee on Finance to discuss this matter.

In City Council, October 4, 2011  
Adopted

A true copy. Attest:



City Clerk

*City of Fall River, In City Council*

(Councilor David J. Dennis)

BE IT RESOLVED, that the Committee on Finance meet with the City Administrator, the Administrator of Assessing, the Chairman of the Board of Assessors and the City Treasurer to review the current tax structure and explore the possibility of the city adopting a residential exemption.

In City Council, January 10, 2012  
Adopted

A true copy. Attest:

*Alison M. Bouchard*

City Clerk

City of Fall River, In City Council

(Councilor Raymond A. Mitchell)

WHEREAS, Fall River is looking at all possibilities of becoming a greener city, and

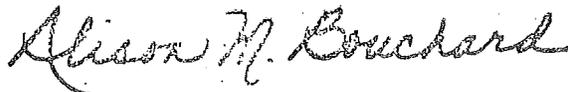
WHEREAS, Seth Pickering is the Southcoast Regional Coordinator for the Green Communities Division for the Commonwealth of Massachusetts, and

WHEREAS; Seth Pickering has agreed to attend a City Council Meeting to discuss making Fall River a greener community, now therefore

BE IT RESOLVED, that Seth Pickering be invited to a future City Council Committee on Finance Meeting to discuss this matter.

In City Council, January 24, 2012  
Adopted

A true copy. Attest:



City Clerk

*City of Fall River, In City Council*

(Councilor Raymond A. Mitchell)

WHEREAS, the former Central Congregational Church/Abbey Grill is a historic building in the City of Fall River, and

WHEREAS, many of our historic buildings have been razed through the years, and

WHEREAS, we now realize that the loss of many of these historic structures are irreplaceable and should never have been demolished, now therefore

BE IT RESOLVED, that the Mayor, the Massachusetts Historical Commission and developers be invited to a future meeting of the Committee on Finance to discuss ways to preserve the former Central Congregational Church/Abbey Grill located at 100 Rock Street.

In City Council, February 28, 2012  
Adopted

Approved, March 5, 2012  
William A. Flanagan, Mayor

A true copy. Attest:

*Alison M. Bouchard*

City Clerk

City of Fall River, *In City Council*

(Councilor Michael L. Miozza)  
(Councilor David J. Dennis)

WHEREAS, the Committee on Health and Environmental Affairs was informed at a meeting held on March 26, 2012 that there could be a \$3.5 million dollar increase in solid waste disposal fees when the landfill closes, and

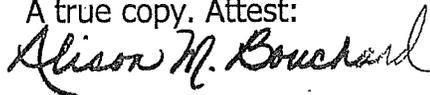
WHEREAS, the current expansion, if approved, will only add ten to fifteen months of additional operating life, and

WHEREAS, the landfill looks as if it will be at capacity by mid-2015, now therefore

BE IT RESOLVED, that representatives from the Mass. Department of Environmental Protection and the city's Administration be invited to a meeting of the Committee on Finance to discuss the future of the landfill, including how much it would cost to bring the facility up to standard, and to discuss programs such as mandatory recycling and pay-as-you-throw collection systems.

In City Council, April 10, 2012  
Adopted, as amended.

A true copy. Attest:



City Clerk

10  
City of Fall River, In City Council

(Councilor Michael L. Miozza)  
(Councilor Raymond A. Mitchell)  
(Councilor Daniel M. Rego)

WHEREAS, the Fall River Office of Economic Development (FROED) has entered into a contract with the Community Development Agency (CDA), and

WHEREAS, federal public funds are provided to FROED, now therefore

BE IT RESOLVED, that the Executive Director/CFO of CDA come before the Fall River City Council Committee on Finance to discuss the contract.

In City Council, June 12, 2012  
Adopted.

A true copy. Attest:



City Clerk



City of Fall River  
Massachusetts  
Office of the Mayor

WILLIAM A. FLANAGAN  
Mayor

RECEIVED

2012 JUN -7 P 2:50

CITY CLERK  
FALL RIVER, MA

June 7, 2012

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

Honorable Members of the Council:

At your request, I am placing before you for your consideration the following item:

1. Small Personal Property Account Exemption
2. Real Property Residential Tax Exemption

Should you have any questions or concerns in regard to this matter, please do not hesitate to contact me.

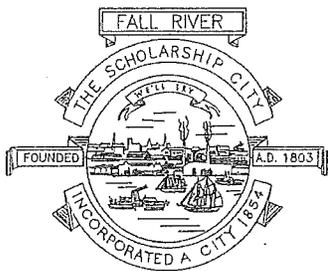
Sincerely,

William A. Flanagan  
Mayor

CITY OF FALL RIVER  
IN CITY COUNCIL

JUN 12 2012

*Referred to the P.  
Committee on Finance*



11

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

**WILLIAM A. FLANAGAN**  
*Mayor*

**RICHARD GONSALVES, MAA**  
Administrator of Assessing

To: Shawn Cadime

RE: May 11, 2012 request for Personal Property Tax Exemption.

If the council adopts a \$5,000 value exemption, 779 accounts totaling \$2,436,880 in assessed value would equal \$52,319.81 in actual tax dollars. The tax rate of \$23.54 would not increase.

If the council adopts a \$7,000 value exemption, 956 accounts totaling \$3,507,900 in assessed value would equal \$75,316.33 in actual tax dollars. This would add 2 cents to the tax rate increasing the CIP tax rate to \$23.56.

If the council adopts a \$10,000 value exemption, 1173 accounts totaling \$5,380,260 in assessed value would equal \$115,514.18 in actual tax dollars. This would add 3 cents to the tax rate increasing the CIP tax rate to \$23.57.

According to the tax collector's office, at \$5,000 in value, there are 202 accounts outstanding for FY 2011 with a tax dollar value of \$14,684.51. At \$10,000, 309 accounts would be outstanding at total tax dollar value of \$32,188.63. If the exemption is adopted in the future, the city could minimize its outstanding uncollectable accounts.

If you are considering an exemption for smaller valued personal property tax accounts, it is important to remember that all businesses would still be required to file the annual Form of List.

The Assessing Department would still be required to keep files and maintain these accounts.

Please do not hesitate to contact this office if you have any further questions.

Sincerely,

Richard Gonsalves  
Administrator of Assessing

ORDERED, that the provisions of Section 5C, of Chapter 59 of the Massachusetts General Laws, which pertains to property exemptions, be and the same is hereby accepted, and

*← should be percentage*

BE IT FURTHER ORDERED, that the City Council establishes an exemption of \$ \_\_\_\_\_ of ~~fair cash~~ value on residential real property accounts to be taxed beginning in Fiscal Year \_\_\_\_\_.  
*the average assessed*

CITY OF FALL RIVER  
IN CITY COUNCIL  
JUN 12 2012

*Referred to the  
Committee on Finance*

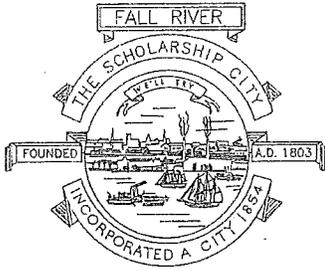
17

ORDERED, that the provisions of Section 5, Clause Fifty-fourth, of Chapter 59 of the Massachusetts General Laws, which pertains to property exemptions, be and the same is hereby accepted, and

BE IT FURTHER ORDERED, that the City Council establishes an exemption of \$ \_\_\_\_\_ of fair cash value on personal property accounts to be taxed beginning in Fiscal Year \_\_\_\_\_

CITY OF FALL RIVER  
IN CITY COUNCIL  
JUN 12 2012

Referred to the Committee  
on Finance



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

RECEIVED

2012 JUN 21 A 11:21

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

WILLIAM A. FLANAGAN  
*Mayor*

17  
IDALINA GERALDES  
City Collector

February 2, 2012

Shawn Cadime  
City Administrator  
City of Fall River  
One Government Center  
Fall River, MA 02722

Re: Motor Vehicle Excise Tax: Demand Fees

Dear Mr. Cadime:

I respectfully request your consideration to increase the Motor Vehicle Excise Tax demand fee from \$5.00 to \$25.00 in accordance with M.G.L. Chapter 60 *Collection of Local Taxes*, Section 15 *Fees of Collector*.

This will facilitate in the continued increasing costs of sending out demand notices as required by M.G.L. Chapter 60A *Excise Tax*. This will affect approximately 15-20% of the total bills issued.

I thank you in advance for your consideration in this matter.

Sincerely,

Idalina Geraldès  
City Collector

Cc: Mr. Ed Iacaponi

CITY OF FALL RIVER  
IN CITY COUNCIL

JUN 26 2012

*Referred to the  
Committee on Finance*

One Government Center • Fall River, MA 02722

TEL (508) 324-2240 • FAX (508) 324-2040 • EMAIL [igeraldes@fallriverma.org](mailto:igeraldes@fallriverma.org)

2

Town	City
Somerset	Taunton
Seekonk	New Bedford
Swansea	Brockton
Freetown	Lawrence
Lakeville	Attleboro
Acushnet	Lynn
Berkley	Cambridge
Dartmouth	Everette
Easton	
Rochester	

We send out approx 22,000 demand notices yearly

\$	5.00	\$	10.00	\$	15.00	\$	20.00	\$	25.00	\$	30.00
\$	110,000	\$	220,000	\$	330,000	\$	440,000	\$	550,000	\$	660,000
increase	\$ 110,000	\$	220,000	\$	330,000	\$	440,000	\$	550,000	\$	660,000

Experience in other communities show that increasing demand fees did not decrease the number of demand notices issued by the municipality.

City of Fall River, In City Council

13

(Councilor Daniel M. Rego)

WHEREAS, the Fall River Falcons Pop Warner Football Team has outgrown its present location and has been looking for a larger location to accommodate its growth, and

WHEREAS, meetings were held with the Administration to assist them in finding a new location, and

WHEREAS, the Fall River Falcons still is without a location, now therefore

BE IT RESOLVED, that the Administration, Director of Community Maintenance, representatives of the Fall River Falcons Pop Warner Football Team and representatives of the Park Board be invited to a future meeting of the City Council Committee on Finance to discuss possible locations as soon as possible, so that they will have a location to play this season, and

BE IT FURTHER RESOLVED, that representatives of the Nor'easter Soccer Club be invited as well.

In City Council, September 11, 2012  
Adopted, as amended

A true copy. Attest:

*Alison M. Bouchard*

City Clerk

*City of Fall River, In City Council*

November 27, 2012

# 3

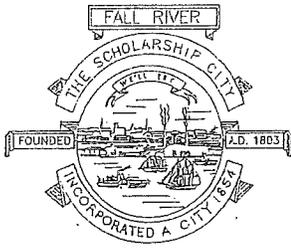
**ORDERED:**

That the sum of \$10,000 be, and the same is, hereby transferred from RESERVE FUND, to be credited to CITY COUNCIL, EXPENSES.

CITY OF FALL RIVER  
IN CITY COUNCIL

NOV 27 2012

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



City of Fall River  
Massachusetts  
Office of the Mayor

WILLIAM A. FLANAGAN  
*Mayor*

SHAWN E. CADIME  
City Administrator

**MEMO**

**TO:** William A. Flanagan, Mayor

**FROM:** Shawn E. Cadime, City Administrator

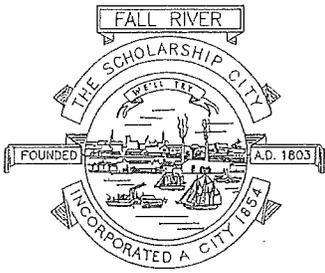
**RE:** Financial Transfers

**DATE:** November 20, 2012

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**FINANCIAL TRANSFERS AND APPROPRIATIONS**

1. The appropriation request of \$29,337 is to appropriate the additional capacity in the FY 13 Tax Levy into the Demolition Revolving Account.
2. The transfer request of \$160,000 for Debt Service is to cover debt service adjustments made after the refunding of bonds in FY 12. The monies will be transferred from the Reserve Fund.
3. The transfer request of \$10,000 for City Council, Expenses is create a budget line item for City Council Legal Opinions. The monies will be transferred from the Reserve Fund.
- 4-5. The transfer request of \$96,000 in the Overlay Account is to cover existing abatement expenses. These monies will be transferred from Community Maintenance, Expenses, which monies are available due to the over budgeting of the CSO line item.



**City of Fall River  
Massachusetts**  
Department of Community Services  
PLANNING • HEALTH & HUMAN SERVICES  
LIBRARY • INSPECTIONAL SERVICES • ELECTIONS

RECEIVED

2012 NOV 30 P 3:56

*Planning Division*

**WILLIAM A. FLANAGAN**  
*Mayor*

CITY CLERK  
**HENRY R. MAULNER** MD, MPH  
*Director*  
*Department of Community Services*

**ELIZABETH R. DENNEHY, MPA**  
*Planning Director*

November 30, 2012

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

RE: Sec. 66-186 Report "Bowenville Green"

Dear Councilors:

The Lower Highlands/Historic Downtown Neighborhood Association has requested that the green space located at the intersection of Durfee, Turner and Old Colony Streets be named the "Bowenville Green" after Joseph Abraham Bowen.

In accordance with Sec. 66-186 of the revised ordinances of the City of Fall River, the Planning Board held a public hearing on November 29, 2012 to hear all interested parties.

**Research:**

Research was limited to the information provided by the Fall River Board of Park Commissioners as part of the original request and additional information and records provided by Margie Charkowski on behalf of the Lower Highlands/Historic Downtown Neighborhood Association.

There were no records readily available that indicated that the area had been previously named. As confirmed by the City Engineer and City Assessor, the green space is owned by the City of Fall River and is part of the City street layout.

**Public Hearing:** Held on November 29, 2012.

**Favor**

Members of the Lower Highlands/Historic Downtown Neighborhood Association were present. Mr. James Bartley and Mr. Steven Camara stated on behalf of the Neighborhood Association that they were in support of naming the green space Bowenville Green.

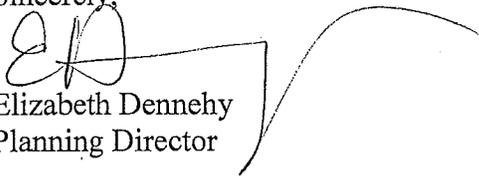
**Opposed**

There was no one present to speak in opposition to the request.

**Recommendation:**

The Board found that the green space located at the intersection of Durfee, Turner and Old Colony Streets was not previously named and recommended naming the green space "Bowenville Green" in accordance with the request submitted by the Lower Highlands/Historic Downtown Neighborhood Association.

Sincerely,



Elizabeth Dennehy  
Planning Director

RECEIVED

2012 NOV 30 P 3:56

CITY CLERK  
FALL RIVER, MA

**CITY OF FALL RIVER**

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To the City Council

Councillors:

The Committee on Ordinances and Legislation, at a meeting held on December 4, 2012 voted unanimously to recommend the accompanying proposed ordinance, accompanied by an emergency preamble, be passed through first reading, second reading, passed to be enrolled and passed to be ordained, with Councilor Miozza absent and not voting.

*Cecilia A. Taylor*  
Clerk of Committees

**EMERGENCY PREAMBLE**

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

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

*City of Fall River, In City Council*

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

That Chapter 70 of the Revised Ordinances of the City of Fall River, Massachusetts, 1999, which chapter relates to traffic be amended as follows:

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

- Downing Street, north side, starting at a point 82 feet east of Haffards Street,  
for a distance of 20 feet easterly
- French Street, south side, starting at a point 45 feet west of Belmont Street,  
for a distance of 20 feet westerly
- Lapham Street, east side, starting at a point 144 feet north of Cambridge Street,  
for a distance of 20 feet northerly
- Lewis Street, west side, starting at a point 351 feet north of Slade Street,  
for a distance of 30 feet northerly
- Middle Street, south side, starting at a point 50 feet east of Ash Street,  
for a distance of 20 feet easterly
- Montaup Street, west side, starting at a point 80 feet north of Dwelly Street,  
for a distance of 20 feet northerly
- Penn Street, south side, starting at a point 123 feet east of King Street,  
for a distance of 20 feet easterly
- Plain Street, east side, starting at a point 20 feet north of Pine Street,  
for a distance of 20 feet northerly
- Snell Street, north side, starting at a point 165 feet east of Terrace Street,  
for a distance of 20 feet easterly
- Washington Street, west side, starting at a point 27 feet north of William Street  
for a distance of 20 feet northerly

**CITY OF FALL RIVER**

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To the City Council

Councillors:

The Committee on Ordinances and Legislation at a meeting held on December 4, 2012, voted 4 yeas to recommend that the accompanying order be adopted, with Councilor Miozza absent and not voting.

*Caitleen A. Taylor*  
Clerk of Committees

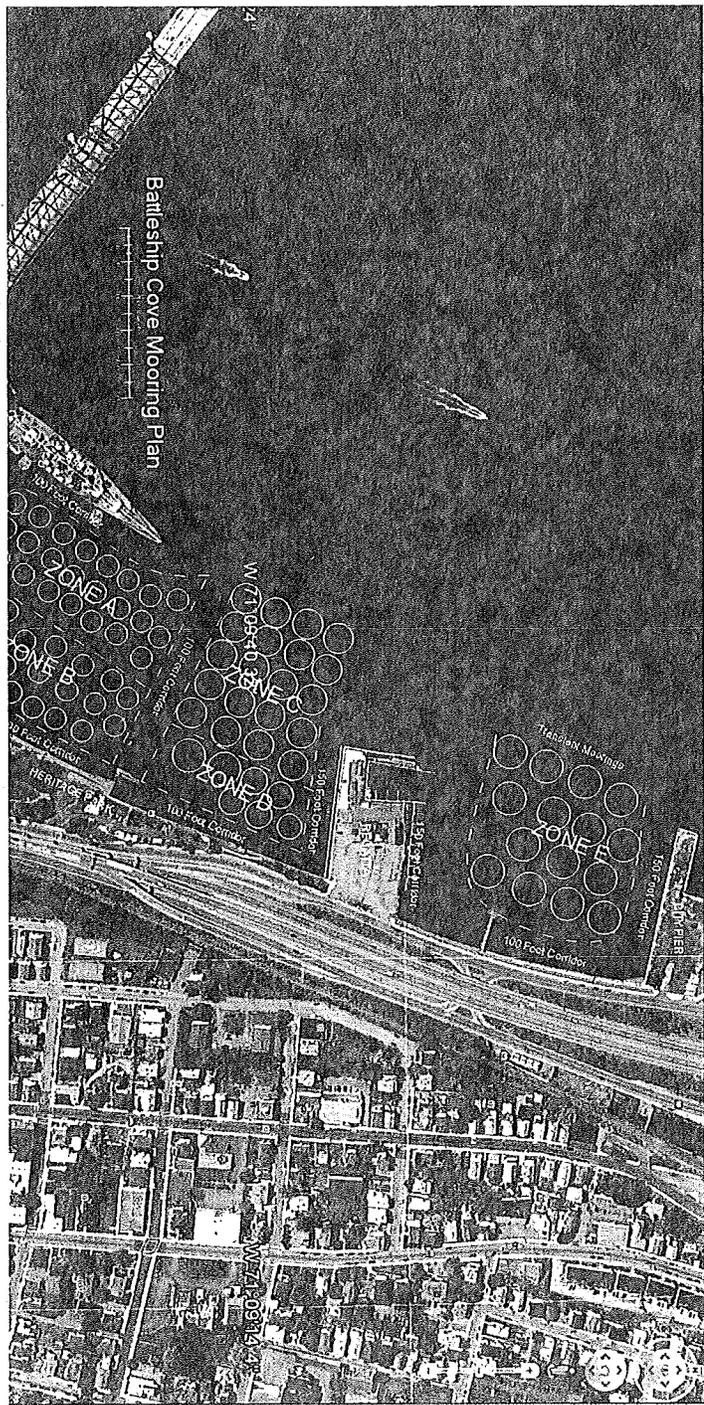
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City of Fall River, *In City Council*

**BE IT ORDERED**, that the City of Fall River adopts the seasonal mooring plan below and further that a request is hereby made to the Honorable William A. Flanagan to review and consider whether the aforementioned seasonal mooring plan may be expanded into a state-approved municipal harbor plan as set forth in 301 CMR 23.00.

1. That the existing 100 foot wide corridor in Battleship Cove from the mean high water mark along the west shoreline and along vessels of the Battleship Memorial, extending westerly to the United States Bulkhead Line, shall be reserved for safe boat navigation. No vessels will be allowed to anchor or moor in this area.
2. That the existing 100 foot wide corridor in Battleship Cove beginning at the Heritage State Park Boathouse dock, then extending westerly to the main channel in the Taunton River shall be reserved to allow access to the facility and the cove area. No vessels will be allowed to moor or anchor in this area.
3. That a 150 foot corridor in Battleship Cove from the high water mark along the south property line of the Regatta Restaurant pier shall be reserved for future mooring or slips for that facility.
4. That the existing seasonal mooring spaces for up to 24 vessels for Battleship Cove Community Boating (BCCB) south of the existing BCCB boathouse in Battleship Cove shall be reserved in zone B as shown on the attached mooring plan.
5. That the 14 existing seasonal mooring spaces in Battleship Cove in Zone D shall be reserved for transient vessels for Battleship Cove Community Boating (BCCB) as shown on the attached mooring plan.
6. That the existing 25 seasonal moorings in Zone A be reserved for public moorings to be assigned to individuals from an established waiting list in the order of seniority as shown on the attached mooring plan. Fall River residency shall not be a criterion for a mooring assignment.
7. That up to 18 seasonal mooring spaces in Zone C in Battleship Cove shall be reserved for public moorings to be assigned to individuals from an established waiting list in order of seniority as shown on the attached mooring plan. The exact location, size and number of the mooring spaces to be determined by the Harbormaster depending upon size and type of vessel. Fall River residency shall not be a criterion for a mooring assignment.

8. That a 150 foot corridor in Battleship Cove from the high water mark along the north property line of the Regatta Restaurant pier shall be reserved for future mooring or slips for that facility.
9. That a 100 foot corridor shall be established at the high water line along the west shoreline north of the Regatta Property for safe boat navigation. No vessels shall moor or anchor in this area.
10. That a 150 foot corridor be established at the high water line along the north edge of the City Pier shall be reserved for future moorings or slips for that facility.
11. That up to 15 seasonal transient mooring spaces shall be established in Zone E for public rental on a day by day basis by the City of Fall River. The mooring gear shall be owned and maintained by the City of Fall River. Additional transient mooring spaces may be applied for if there is a public need. The size, locations and number of these mooring spaces to be determined by the Harbormaster.
12. That in addition to the aforementioned moorings, seasonal moorings shall be generally allowed from the New Brightman Street Bridge southward along the City shoreline to the Tiverton, RI State Line. Temporary recreational moorings may be allowed in this area only with the approval of the Harbormaster and by issuance of a seasonal mooring permit. The location of the mooring to be determined by the Harbormaster. Riparian rights of land owners shall be the criterion before allowing a mooring to be put in place.
13. The Harbormaster may refine mooring permit and mooring inspection form as the need arises as long as it does not violate the approved Harbor Rules and Regulations. The Harbormaster may also develop any additional forms needed for implementing the mooring plan and harbor rules.
14. That the use of these mooring and corridors shall be patrolled by the Harbormaster and his designee to ensure that all rules and regulations are followed.



14

*City of Fall River, In City Council*

(Councilor David J. Dennis)

WHEREAS, the implementation of tolls on the Sakonnet River Bridge would have an adverse impact on commerce and tourism between Rhode Island and Massachusetts, now therefore

BE IT RESOLVED, that the Fall River City Council go on record opposing a plan to institute tolls on the Sakonnet River Bridge.

*City of Fall River, In City Council*

26

The City Council hereby recommends that the Director of Public Works conduct a lighting survey at the following location:

**Bay Street (corner of Douglas Street)**

**(Councilor Pat Casey)**

**Pole # 19**

11/29/12 Second Request.

29

Clean Holdings LLC

661 Quequechan Street  
Fall River, MA 02721  
Phone: 508-676-9355  
Fax: 508-676-9430

RECEIVED

2012 NOV 29 A 11:22

CITY CLERK 12-55-B  
FALL RIVER, MA

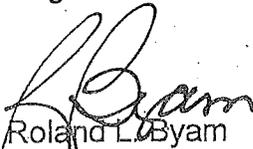
September 27, 2012

Law Department  
City of Fall River  
1 Government Center  
Fall River, MA 02722

Gentlemen:

Recently our company hired Red Hawk Fire & Security to inspect the water line from our property at 763 Quequechan Street (aka 759 Queauechan, aka 537 Quequechan) to the water main to determine the reason we were not receiving the proper water pressure. During this inspection the water department and Red Hawk Fire & Security determined that the water main had been turned off during recent road work and had not been turned back on. We are requesting to be reimbursed for these charges we incurred which were due to negligence on the part of the water department.

Regards.



Roland L. Byam  
Corporate Accountant

copy + 2 copies - Law  
1 Water  
1 CC  
1 City Clerk

#12-62 29

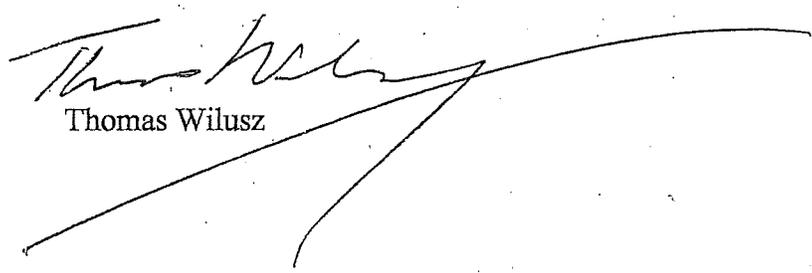
Thomas Wilusz  
244 Wilbur St. Apt #1  
Fall River, MA 02724

City Clerk,

On November 6, 2012 there was blockage of a sewer pipe and a breach that resulted in seepage into my residence basement on 244 Wilbur St. Fall River. The City Public Works/Maintenance Department discovered the source in the sewage line running from Slade Street to Wilbur Street and made the necessary repair. Fortunately, the seepage was minimal and did not cause damage to my property. However, this incident did require me to obtain the services of a cleaning agency in order to disinfect the affected areas of my basement.

I was advised by the City maintenance workers to contact your office for reimbursement for the cleaning charges since the incident was due to a problem with the city sewage infrastructure. Therefore I am requesting reimbursement of \$140.00 from the City of Fall River for the charges incurred. You will find a photocopy of the cleaning bill attached. If you have any questions or require further information, please contact me at 508-679-9166 or email at [twilusz244@comcast.net](mailto:twilusz244@comcast.net). I appreciate your prompt response on this matter.

Respectively,

  
Thomas Wilusz

orig & 2 Copies Law  
DPW  
1 cc  
1 city clerk

CITY CLERK  
FALL RIVER, MA

2012 DEC 11 AM 11:14

RECEIVED

CC

29

ANDREA G. WALKER  
64 Mason Rd.  
Barrington, RI 02806

#12-63

December 9, 2012

To Whom It May Concern:

At approximately 4pm on November 14, 2012, I hit a very deep pot hole on Graham Rd in the Fall River Industrial Park near the intersection of Graham and Airport Roads. The force of this hit was so strong that both the passenger side front and rear rims bent, the alignment was knocked off, and the right front wheel bearing was damaged.

On my way home after the accident, the front tire lost air and my husband had to come get me to change the tire. That night he checked the rear tire also and noticed it had been dented as well (see attached pictures). More recently, I brought the car in for an inspection sticker and the garage alerted me that the car pulled to the left and wheel bearing was "loose". Without me commenting about the pothole accident, he asked if I had hit anything recently because this type of "play" in a wheel bearing was unusual. The car failed inspection because of this "loose" wheel bearing.

I would like to be reimbursed for the following damages as a result of my car hitting this massive pothole:

Repair wheels	\$8.39	
Alignment and		
Wheel Bearing Repair	\$402.88	(see attached estimate)
2 hours of missed work	\$80.00	(during the wheel repair)
Total	\$491.27	

Please reimburse as soon as possible as I have only 30 days to fix the problem and get the car re-inspected.

I can be reached for additional comment at 401-447-0113 or I can be emailed at [andragraywalker@gmail.com](mailto:andragraywalker@gmail.com).

Sincerely,

*Andrea Walker*  
Andrea Walker

*orig & 2 copies to law  
1 PD W  
1 CC  
1 city clerk*

RECEIVED  
2012 DEC 12 A 10:51  
CITY CLERK  
FALL RIVER, MA

29

RECEIVED

November 7, 2012

2012 NOV 21 P 12: 53

Hon. William Flanagan  
Mayor's Office  
City of Fall River  
One Government Center  
Fall River, MA 02722

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

Dear Mayor Flanagan,

This letter is being sent to notify you that due to the broken and uneven sidewalk at the northwest corner of the block of St. Anthony of Padua's Church, Bedford Street, Fall River, MA, my father, Luis Medeiros of 123 Covell Street, Fall River, Ma., fell there on Sunday, October 28, 2012. My father is 78 years of age and has requested that I send this letter on his behalf.

My father had gone to 11 o'clock Mass at St. Anthony's and after Mass had gone to the Barcello's Bakery at the next block and as he was returning from the bakery, he tripped and fell due to the broken and uneven pavement, causing him to strike his face on the pavement. As a result, he was bleeding profusely from his nose and face and was unable to move and get up. He was taken by ambulance to the hospital where he was treated and released. Enclosed are copies of the discharge papers from Charlton Memorial Hospital.

My father does have insurance and Medicare coverage which we hope will cover most of the hospital and ambulance charges. However, we request that any medical costs not covered by insurance be paid for by the City. It was suggested to me at the scene of my father's fall that the condition of the sidewalk needed to be taken care of and that we should notify the City and ask that the City also pay any out-of-pocket medical bills. This was suggested by several people, including an off-duty police officer and an EMT. Please advise what is required in order to process this claim to have those medical costs paid once he receives the medical bills

We request that the sidewalk be repaired as soon as possible as it is in a state that has become hazardous to the public and will become even more dangerous with snow and /or icy conditions.

Thank you.

Sincerely,



Gracinha Kipp  
74 Seaward Lane  
Fall River, MA 02720.

774-930-1394

Encs. (including photographs of sidewalk area).

I, Luis Medeiros, hereby request and give my consent for any communications concerning this matter to be made through my daughter, Gracinha Kipp.

Luis Medeiros

Luis Medeiros

RECEIVED

CLAIM FORM

City of Fall River, Massachusetts NOV 21 P 12:53

Name: Luis Medeiros CITY CLERK 12-61  
FALL RIVER, MA

Address: 123 Cove Street  
Fall River, MA 02723

Phone #: 508-676-1385

Type of Claim:  M.G.L. Chapter 84  M.G.L. Chapter 258  Other

Date of Incident: October 28, 2012

Time of Incident: 12:00 p.m.

Location of Incident: Corner of Bedford Street and 16<sup>th</sup> Street

Provide a detailed description of your claim (attach additional sheets if necessary):

Please see attached for description of the incident.  
Thank you for your attention to this matter.

Multiple horizontal lines for additional text input.

\*You should consult with your own attorney in preparing this Claim Form to understand your legal rights

Chairlady: Linda Pereira  
Vicechair: Ray Mitchell  
Members of the Fall River City Council

I am a Fall River resident and taxpayer seeking relief from my neighborhood being used As a construction yard. On Reading st between Milton and Harvard there are stake body Diesel trucks with construction co signage parked / stored upon the city sidewalk. Often Times with a tag along low boy with a construction roller. At times other construction Vehicles with company signage..

Prior to 6 am these trucks are started, diesels with back up alarms. These folks talk loud Like the workers who work outdoors in these occupations. Annoying ! Also returning at Super time and later disturbing the peace and quite of this neighborhood and residents. This neighborhood has never been zoned for this type of industry nor should construction Equipment be allowed to be parked, stored and dispatched from. RELIEF SOUGHT

Feared  
Reprisal                      December, 2012

CITY CLERK  
FALL RIVER, MA

2012 DEC 11 P 12:06

RECEIVED



December 11, 2012

Ms. Linda M. Pereira  
President  
CITY COUNCIL  
One Government Center, 2<sup>nd</sup> Floor  
Fall River, MA 02722

RECEIVED Garofalo & Associates, Inc.

Consulting Engineers  
Surveyors & Land Planners

2012 DEC 12 A 10:46

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

**RE: Bridge Superstructure Replacement  
Bridge No F-02-052 (3XF) – Fall River, MA  
Herman Street over Route 79**

Dear Ms. Pereira:

Garofalo & Associates, Inc. (Garofalo) is preparing the design for the above referenced project on behalf of the Massachusetts Department of Transportation in the City of Fall River, Massachusetts. The project consists of replacing the existing two-span superstructure with a new two-span superstructure utilizing the existing abutments and pier, along with approximately 200 feet of approach roadway reconstruction.

We are requesting your review and comment with respect to any anticipated impacts or issues within your community. Please respond to us with your determination. Below is a description of the project.

The proposed superstructure replacement will consist of removing the entire existing two-span bridge superstructure and replacing it with the new proposed superstructure. The removal shall include the concrete deck, prestressed concrete I-girders, bridge sidewalks, bridge railing, protective screen, endposts, abutment backwalls, gas line, water line, and relocating the overhead utilities. The bridge will be closed during the construction, with a traffic detour route assigned. Access will be provided at all times during construction to abutting residences.

The new proposed superstructure will have the same horizontal alignment as the existing superstructure. The proposed roadway profile will closely match the existing profile, with slight improving adjustments. The proposed superstructure will maintain the two existing spans and consist of Prefabricated Bridge Units (PBU) supported from the existing abutments and pier. Each span will be 52'-6" and will closely match the existing span lengths. The PBU's will consist of rolled steel stringers supporting a reinforced concrete slab. Utilizing the PBU's will allow for quicker construction time when compared to the conventional type of construction for this bridge type. The out to out width of the superstructure will be 50'-0" matching the existing. The roadway width crossing the bridge will match the existing roadway width with two 12'-0" wide travel lanes and 5'-0" wide shoulders. Each side of the bridge will have a 6'-7 1/2" wide concrete sidewalk, supporting a S3-TL4 Bridge Railing with a Type I Protective Screen. The bridge wearing surface will be a 1 1/2" thick layer of a Latex Modified Concrete. A link slab will be used over the pier with no roadway joint. The vertical roadway clearance along Route 79 below the bridge will be increased by approximately one foot. The existing gas line will not be replaced; the new insulated water line will be relocated in a utility bay below the sidewalk. The existing approach slabs will remain.



The abutments and pier will remain with modifications to raise the beam seats, and add keeper blocks. The abutments will also have new backwalls. All substructure concrete spalls, delaminations and cracks will be repaired.

During demolition and erection of the superstructure beams, a slight shift in the two Route 79 southbound travel lanes may be required. All four existing wingwalls will remain, with the northwest and southwest wingwalls having slight modifications done to accommodate the new bridge railing.

Enclosed are a locus map, general plan, and typical bridge section of the proposed bridge. Should you have any questions, please don't hesitate to contact this office.

Sincerely,  
*Garofalo & Associates, Inc.*

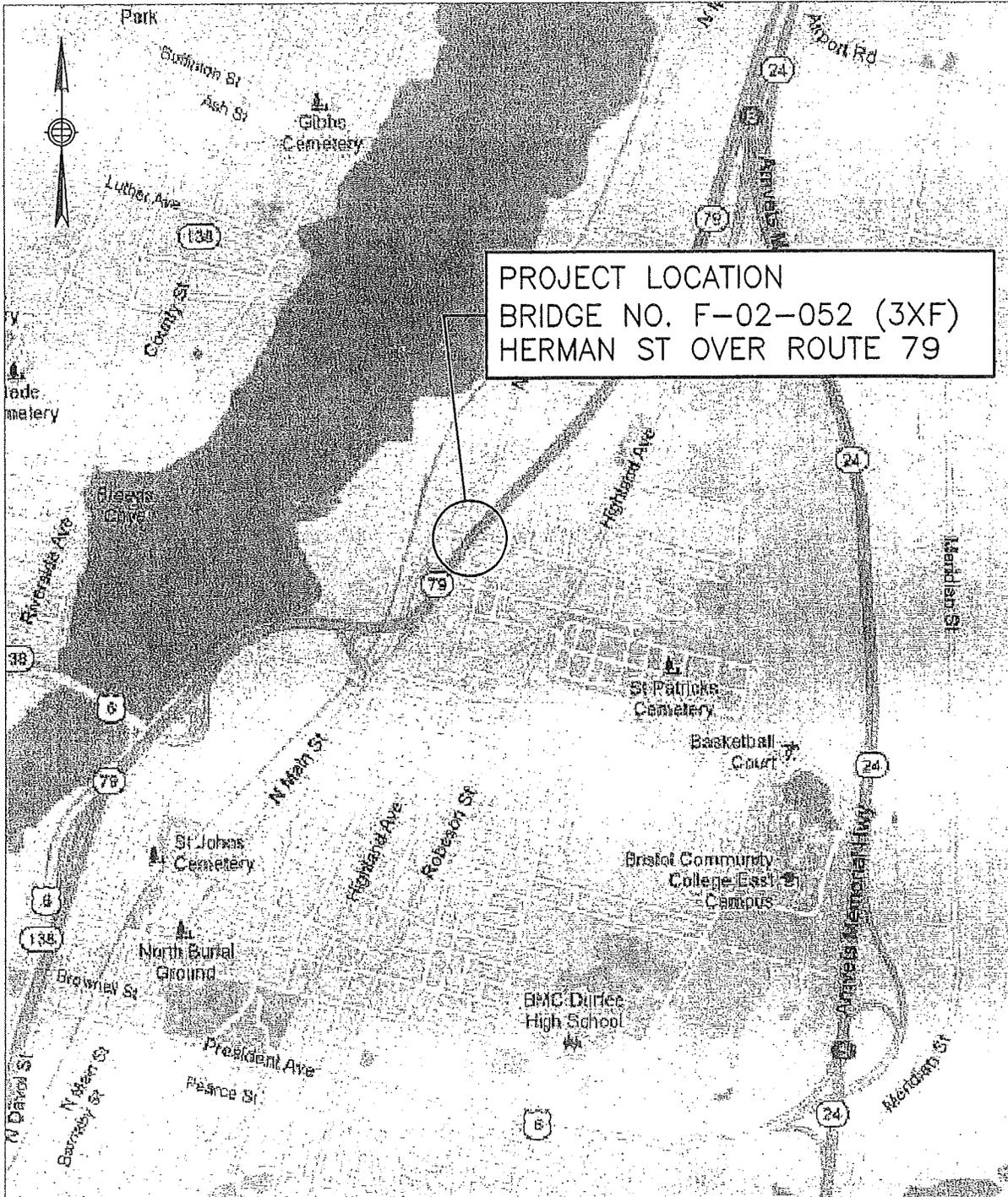


Jeff E. Lewis, P.E.  
Senior Project Manager

Attachment(s)

SPC: spc





BRIDGE NO. F-02-052 (3XF)  
 HERMAN STREET OVER ROUTE 79  
 FALL RIVER, MA

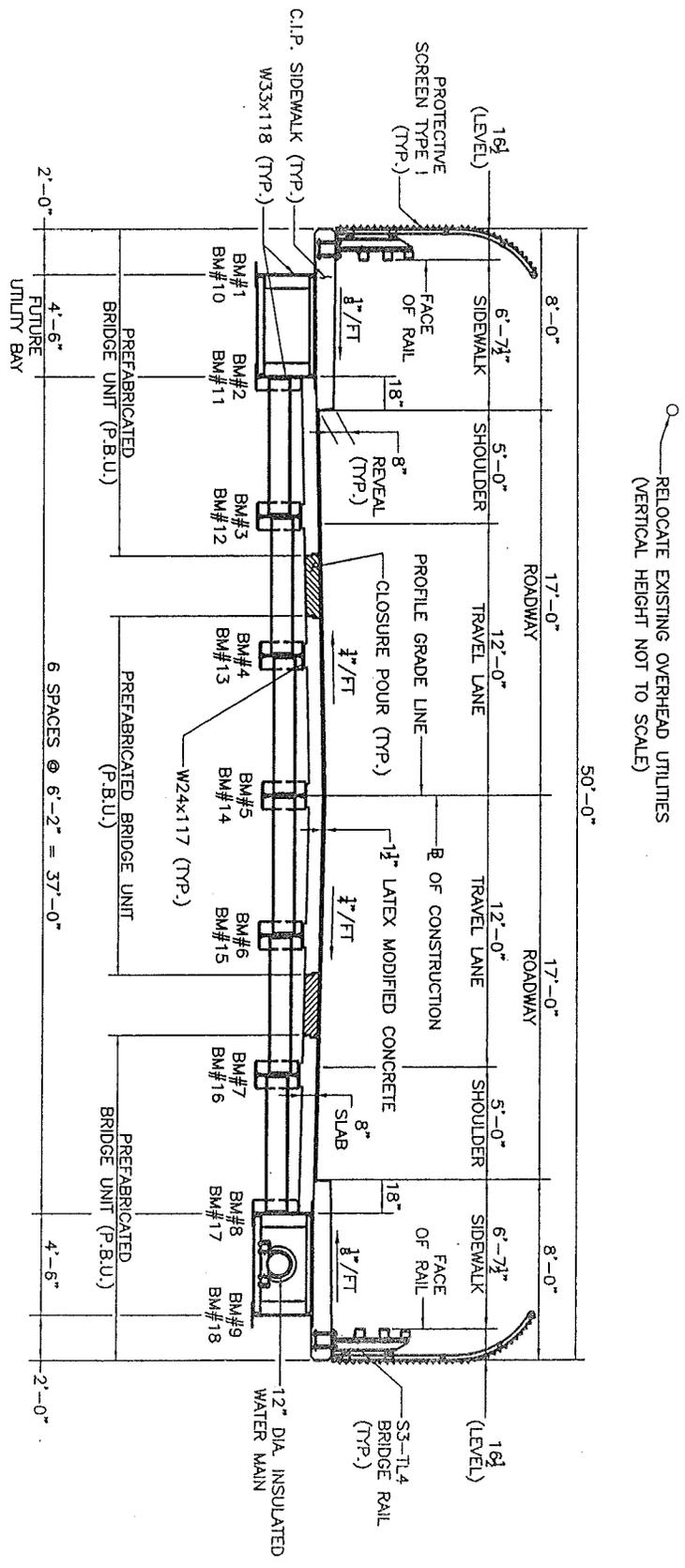
LOCUS MAP

Date: 12/11/12

Scale: 1" = 2000'

Sheet: 1 of 3

27



○ RELOCATE EXISTING OVERHEAD UTILITIES  
(VERTICAL HEIGHT NOT TO SCALE)

BRIDGE NO. F-02-052 (3XF)  
HERMAN STREET OVER ROUTE 79  
FALL RIVER, MA

PROPOSED TYPICAL BRIDGE CROSS-SECTION

Date: 12/11/12

Scale: 1/8" = 1'-0"

Sheet: 2 of 3