



# City of Fall River Massachusetts

## Office of the City Clerk

**ALISON M. BOUCHARD**  
CITY CLERK

**DECEMBER 23, 2011**  
**MEETINGS SCHEDULED FOR NEXT WEEK**  
**TUESDAY, DECEMBER 27, 2011**

**INÈS LEITE**  
ASSISTANT CITY CLERK

**6:45 P.M. COMMITTEE ON FINANCE \*\*NOTE LATER TIME\*\***

### AGENDA

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

**PRIORITY MATTERS - None**

**PRIORITY COMMUNICATIONS**

1. \*Mayor and order – lease/purchase agreement for a Medical Rescue Unit

### COMMITTEE REPORTS

**Ordinances & Legislation recommending:**

First reading:

2. Traffic, misc.
3. Revisions for wastewater effluent meters & alternate billing methods

First reading, as amended:

4. Bank Foreclosures
5. Scrap Metals and Junk Dealers

Grant leave to withdraw:

6. Resolution – Residency required prior to running for public office

**ORDINANCES - None**

**RESOLUTIONS**

7. \*Administration work with personnel administrator at civil service to establish protocol to return Fire Chief to a civil service position
8. \*Administration provide update on the Master Plan Implementation Committee
9. \*Committee on Public Safety meet to discuss traffic patterns surrounding the Alfred S. Letourneau School located at 323 Anthony Street

**CITATIONS – None**

**ORDERS – HEARINGS FOR TONIGHT**

Underground conduit:

10. Third Street

Pawnbroker Shop:

11. Empire Loan of New Bedford, d/b/a Empire Loan of Fall River – 340 Rhode Island Avenue

Second Hand Article Store:

12. Empire Loan of New Bedford, d/b/a Empire Loan of Fall River – 340 Rhode Island Avenue

**ORDERS – HEARINGS TO BE SCHEDULED - None**

**ORDERS – NO HEARING REQUIRED – None**

**ORDERS – MISCELLANEOUS**

13. Police Chief's report on licenses
14. Auto Repair Shop license renewals

**COMMUNICATIONS – INVITATIONS – PETITIONS**

15. \*Claims
16. \*Town of Erving re Support of House Bill No. 00200

**BULLETINS – NEWSLETTERS – NOTICES**

17. Notice of Casualty Loss @ 99 Knights Way

*Alison M. Bouchard*  
City Clerk



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

RECEIVED

DEC 22 P 4 12

**WILLIAM A. FLANAGAN**  
*Mayor*

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

December 22, 2011

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

Dear Council President and Members of the Honorable Council:

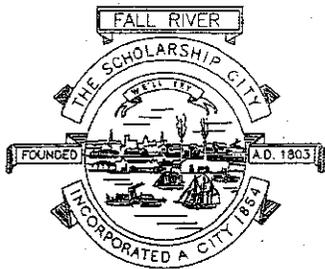
I am respectfully submitting for your consideration an agreement allowing the City of Fall River to enter into a six year (6) year lease purchase agreement that will allow for the purchase of a new medical rescue unit. An agreement had been reached in the past with the State Office of Emergency Medical Services in which we would purchase a new medical rescue vehicle every two years. The funding for this vehicle's payment is included in the FY 2012 EMS budget.

I would greatly appreciate your every consideration with this request. If you have any questions please feel free to contact me at your convenience.

Respectfully:

William A. Flanagan  
Mayor

WF/amos



**City of Fall River**  
**Massachusetts**  
Fire Department Headquarters

RECEIVED

DEC 22 P 2:21

CITY CLERK  
FALL RIVER, MA

**WILLIAM A. FLANAGAN**  
*Mayor*

**WILLIAM A. SILVIA**  
Fire Chief

December 22, 2011

Mayor William A. Flanagan  
City of Fall River  
One Government Center  
Fall River, MA 02722

Dear Mayor Flanagan:

I respectfully request that you present to the City Council the approval to enter into a six (6) year lease purchase agreement for the purchase of a new medical rescue unit.

A past agreement was reached with the State Office of Emergency Medical Services in which we would purchase a new medical rescue vehicle every two years. The funding for this year's payment is included in the FY 2012 EMS budget.

We currently have a low bid from Bulldog Fire Apparatus in the amount of \$223,715.00. All American Investment Group, LLC will provide us with a six year lease purchase agreement with a yearly cost of \$41,929.79, with the first payment due upon delivery.

Yours truly,

William A. Silvia  
Fire Chief

cc: Alison Bouchard, City Clerk

*City of Fall River, In City Council*

ORDERED, that the Mayor, through the Chief of the Fire Department, be and the same is hereby authorized to enter into a six (6) year lease purchase agreement for the purchase of a new Medical Rescue Unit.

**City of Fall River, *In City Council***

7

(Councilor Raymond A. Mitchell)  
(Councilor Eric Poulin)

WHEREAS, there have been many changes recently with regard to the Fire Chief, and

WHEREAS, the City Council requested that the position of Fire Chief be returned to Civil Service, and

WHEREAS, any person hired now as Fire Chief could prolong the Civil Service process if they receive a contract, now therefore

BE IT RESOLVED, that the administration cooperate with the personnel administrator at civil service to establish protocol for a return to the civil service system in March of 2013.

*City of Fall River, In City Council*

8

(Councilor Raymond A. Mitchell)

WHEREAS, the Master Plan Implementation Committee has not yet been formed, and

WHEREAS, the Master Plan cannot go forward until this committee is created, now therefore

BE IT RESOLVED, that the Administration provide an update of the status of the Master Plan Implementation Committee and a list of members to the City Council within thirty days.

City of Fall River, *In City Council*

9

(Councilor Leo O. Pelletier)

WHEREAS, the Alfred S. Letourneau School is located at 323 Anthony Street, and

WHEREAS, this is located is a densely populated residential area, and

WHEREAS, many of the streets in this area are very narrow and hard to navigate with a school bus, and

WHEREAS, there seems to be major traffic tie ups everyday, now therefore

BE IT RESOLVED, that the Committee on Public Safety meet with the School Principal, Director of Traffic and the Police Department to discuss ways to improve the traffic patterns in this area.



- Government Employees Insurance Company
- GEICO General Insurance Company
- GEICO Indemnity Company
- GEICO Casualty Company

15

RECEIVED

Send Correspondence to: 300 Crosspoint Parkway, Getzville NY 14068

Please remit payment to: Attn: Cashiers, PO Box 96008, Washington DC 20090-6008

**PAYMENT RECOVERY NOTICE**

NOV 19 10 30 AM '11  
 CITY OF FALL RIVER  
 #11-227  
 FALL RIVER, MA

**If you have received our demand please e mail me at [sadams@geico.com](mailto:sadams@geico.com) to verify.**

City of Fall River

Our File #: 0430062740101019

Date: 12/14/2011

Our Insured: Maxime Laguerre/Anibel B Femandes

Your Insured/Driver: Fall River Pd/Ronald Furtado

**WHEN RESPONDING-  
PLEASE REFER TO OUR  
CLAIM NUMBER.**

Your File #: pending

Your Vehicle: 07 Ford Explorer Tag #: MA MP275G

Date of Loss/Location of Loss: 11/10/2011

Our investigation shows your insured to be at fault for this accident.

- ✓ Payment for repairs has been made. Documentation is attached. Please honor our claim.

CO's Interest:	\$827.29
Insured's Deductible:	\$500.00
Rental:	\$n/a
 Total:	 \$1327.29

**Please include our claim number when remitting payment.**

- ✓ Please make your check payable to:

GEICO  
 Attention: Cashiers  
 P.O. Box 96008  
 Washington, DC 20090-6008

- ✓ Please pay our insured directly for out of pocket rental of \$

Thank you for your prompt attention.

Payment Recovery Examiner: Shaun Adams  
 Phone Number: 716-276-4633  
 Fax Number: 1-877-861-4095  
 Email: [sadams@geico.com](mailto:sadams@geico.com)

*ary & 2 copies lan*  
*1 Police*  
*1 CS*  
*1 City Clerk*

FALL RIVER FIRE DEPARTMENT  
OFFICE OF DEPUTY FIRE CHIEF

TO NANCY

DATE

SUBJECT:

I SPOKE TO THE CLAIMS  
REPRESENTATIVE AT GEICO. THEY ARE  
SAYING THAT THE FIREFIGHTERS DAMAGED  
THE CAR WITH THEIR HOSES WHILE FIGHTING  
A FIRE AT THIS ADDRESS.

THERE WAS A FIRE AT THAT ADDRESS ON  
THAT DAY. NO ONE HAS ANY RECOLLECTION OF  
DAMAGE TO THE VEHICLE.

— Chief Silvia

Wynn & Sons Law

1 Fire Dept

1 City Council

1 City Clerk



Hadley Insurit Group

CC

CITY OF FALL RIVER, MA  
LAW DEPT.

11 DEC 12 PM 3:33 # 11-229

~~11-2215~~

December 8, 2011

City of Fall River  
One Government Ctr  
Fall River, Ma. 02720

To Whom It May Concern:

On 11/27/2011 my vehicle, 1999 Dodge Intrepid VIN # 2B3HD46R0XH710897 registration # 427MS9, was struck by Engine number A164, Reg # NEXPD while it was parked on 196 County St Fall River Ma. The engine was being operated by Edmund Correia and Barry Goulet. The damage to my vehicle is my driver's side rear quarter panel. I have had an estimate which is included along with the police report.

My auto policy doesn't have collision to provide me with physical damage coverage that is why I am looking to have the damage to my vehicle repaired by the City of Fall River. Please contact me to further discuss so that this matter can be resolved. My contact information is 508-415-3876 or 508-840-7366.

Sincerely,

*Jose Muniz*  
Jose Muniz

*copy 2 copies sent  
1 to the Dept  
1 CC  
1 city clerk*

CITY OF FALL RIVER, MA  
RECEIVED  
DEC 19 10 28 AM '11

Hadley Insurance

Insurit Agency, Inc.  
Paul C. Burke, LIA, CIC, CRM

Cote Insurance

CC

#0351

#11-230

CITY OF FALL RIVER, MA  
LAW DEPT.

11 DEC 12 PM 3:33

RECEIVED

CLAIM FORM

City of Fall River, Massachusetts

Name: Dina A. Warchal

Address: 162 Haffards #10  
Fall River, MA 02723

Phone #: 1-774 360-6812

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

Date of Incident: 11/23/2011

Time of Incident: 8:30 pm

Location of Incident: Osborne St. Fall River

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

While traveling down Osborne St. my car went into  
A 5' x 3' cut asphalt section on Road. My wheel  
was forced suddenly to the right and caught my  
left hand while it suddenly torn - spraining/fracturing  
my left wrist. Also car now makes a noise in  
the front end, pulls, and rim is damaged.  
My car needs to be assessed for damage, to make  
sure its safe, Also I have an orthopedic appointment  
12/5/2011 for care of injured wrist, I have to  
wear a brace till then.

eye 2 copy Law  
DPW  
C  
city clerk  
There were no warning signs nor preventive measures  
taken by your City to warn travelers of construction  
of road - or danger signs warning of 5' x 3' hole.

\*You should consult with your own attorney in preparing this Claim Form to understand your legal rights  
upon request photos + medical documentation is available.

cc

11-231

CITY OF FALL RIVER, MA  
LAW DEPT.

11 DEC -7 AM 10:39

# AUTOMOTIVE RENTALS, INC.



**SUBROGATION UNIT**  
PO Box 5039  
Mt. Laurel, New Jersey 08054

November 30, 2011

#11-231

**PUBLIC WORKS DEPARTMENT  
ATT; CLAIMS  
1 GOVERNMENT CENTER  
FALL RIVER, MA. 02721**

**Our Claim Number:** E-34712283-EP  
**Date of Loss:** 11/17/2011  
**Location of Incident:** SOUTH MAIN STR AND KING PHILLIPS STR, FALL RIVER, MA.

We, Automotive Rentals, Inc. (ARI), have been contracted to collect payment for damages sustained as a result of an accident that occurred with a vehicle insured/ owned / driven by your driver on the above captioned date. ARI is a self insured fleet leasing company; we do not carry collision coverage for our vehicles.

From our investigation, we have determined your driver was responsible for this accident, as he backed into our stopped insured vehicle, as per the enclosed police report. Therefore, we are notifying you of our right to initiate a claim against you for recovery of damages sustained to our vehicle, in the amount of \$3,377.98.

If you are insured, **IMMEDIATELY** notify your insurance company so that your rights and your insurance company's rights are protected. Please provide us with your insurance information in the space provided below and return it to us in the enclosed postage-paid envelope. **Please note that it is vital that we receive this information immediately. You may contact us via telephone at 1-856-222-5744 fax 856-608-7135 or email to EPUIGDOLLERS@ARIFLEET.COM.**

We will need a cashier's, certified check or money order made payable to Automotive Rentals Inc., PO Box 5039, Mt. Laurel, NJ 08054, attention Subrogation Unit. **Our claim number (above) must appear on any correspondence for proper identification.**

**Fill in completely, and return to ARI at the above address**

<b>ARI Claim Number</b>	E-34712283-EP Eileen Puigdollers 856-222-5744 EPR Senior Subrogation Specialist
<b>Insurance Company</b>	
<b>Policy Number</b>	ary & 2 Caps Law
<b>Claim Number</b>	1 DPW

1 CC  
1 ct. d. S

16

# TOWN OF ERVING

## BOARD OF SELECTMEN



12 East Main Street  
ERVING, MASSACHUSETTS 01344

Tel. 413-422-2800  
Fax 413-422-2808

Andrew N. Goodwin, Chair  
James M. Hackett  
Eugene M. Klepadlo  
Board of Selectmen

December 2, 2011

City of Fall River  
1 Government Center  
Fall River MA 02722

Attention: City Mayor

Honorable City Council Members:

As you know, the U.S. Constitution gives each state legislature the right to decide how to appoint its own electors for Presidential elections. We are contacting you in the hopes that you share our opinion that all Massachusetts voters would be provided a stronger voice in Presidential elections if our current Electoral College Votes system (winner takes all) were replaced with a system of Congressional district apportionment of Presidential electors.

The Town of Erving is supporting House Bill No. 00200 filed by Representative Koczera of New Bedford. This proposed legislation would have one Presidential elector be chosen from each Congressional district and two Presidential electors chosen at large. We feel that this system of awarding the votes would elevate the meaning of each vote in our state. It is a system that is currently being used by Maine and Nebraska. While not negatively impacting the influence of large population towns (which have multiple Congressional districts), a Congressional district system of awarding Presidential electors would provide a stronger voice for smaller towns. This change in how our votes are distributed would recognize the diversity of Congressional districts and bring the entire Presidential election process closer to the ground.

Please do your own research and give consideration to asking your legislators to support House Bill No. 00200.

If we can assist your efforts contact Tom Sharp at 413-422-2800 X100.

Sincerely,  
Erving Board of Selectmen

Andrew N. Goodwin, Chairman

James M. Hackett

Eugene M. Klepadlo

CITY OF FALL RIVER MA  
RECEIVED  
DEC 11 10 51  
OFFICE OF THE CITY CLERK