

City of Fall River Massachusetts
Office of the City Clerk

ALISON M. BOUCHARD
CITY CLERK

JANUARY 20, 2012
MEETINGS SCHEDULED FOR NEXT WEEK
TUESDAY, JANUARY 24, 2012

INÊS LEITE
ASSISTANT CITY CLERK

6:30 P.M. COMMITTEE ON FINANCE **NOTE LATER TIME**

1. Disc. of proposed loan order re Refinancing Outstanding Bonds for Interest Cost (see #2 below)

AGENDA

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

PRIORITY MATTERS

1. *Confirmation of Charles Turcotte as the tenant representative for the Housing Authority
2. *Mayor and loan order re Refinancing Outstanding Bonds for Interest Cost (see #1 Finance)

PRIORITY COMMUNICATIONS

3. *Administrator of Community Utilities re President Avenue CSO Facilities
4. *Chr., Bd. of Election Cmsnrs. & order designating polling places & changes for March 6, 2012
Presidential Primary

COMMITTEE REPORTS - None

ORDINANCES - None

RESOLUTIONS

5. *Invite Southcoast Regional Coordinator for Commonwealth of MA Green Communities Div. to future Com. on Finance meeting to discuss making Fall River a greener community
6. *Invite Preservation Society to future Com. on Finance meeting to allow presentation re: proposed Highlands 40c District
7. *Com. on Ordinances and Legislation meet to review Sec. 66-64 re: removal of curbing & installation of private driveways
8. *Community Maintenance Director meet with City Council to discuss ways to purchase street sweeping equipment & increase street sweeping schedules
9. *Com. on Ordinances and Legislation meet to discuss abandoned shopping carts throughout City
10. *Administration, Building Inspector & Fire Department take action to bring Kilburn Street mill into compliance or request demolition
11. *Zoning Board of Appeals submit quarterly updates to City Council with detailed reasons for approval or denial
12. *Com. on Ordinances and Legislation review Sec. 26-40 re: duty of property owners to keep property clean
13. *City request that landlords participate in semi-annual inspection of smoke alarms

CITATIONS - None

ORDERS - HEARINGS FOR TONIGHT - None

ORDERS - HEARINGS TO BE SCHEDULED

Jt. pole location:

14. Hawthorne Street - One (1) joint pole location

ORDERS - NO HEARING REQUIRED - None

ORDERS – MISCELLANEOUS

- 15. Police Chief's report on licenses
- 16. Auto Repair Shop license renewal
- 17. Auto Body Shop license renewal

COMMUNICATIONS – INVITATIONS – PETITIONS

- 18. *Claims
- 19. *Bristol County Mosquito Control Project - 2011 Annual Report
- 20. *Massachusetts Department of Transportation re: Project Need Form Submission

BULLETINS – NEWSLETTERS – NOTICES – None


City Clerk



City of Fall River
Massachusetts
Office of the Mayor

RECEIVED

WILLIAM A. FLANAGAN
Mayor

2012 JAN 19 P 1:30

CITY CLERK _____
FALL RIVER, MA

January 19, 2012

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

Honorable Members of the City Council:

I hereby request the confirmation of the City Council for the following appointment to the Fall River Housing Authority Board of Commissioners as the Tenant representative. This appointment was left vacant with the death of Mr. John English.

Name: Charles Turcotte

Address: Baressi Heights
1863 Pleasant Street, Apt. # 206
Fall River, MA 02723

To: Housing Authority

Term to Expire: July 12, 2014

Sincerely:

William A. Flanagan
Mayor



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

WILLIAM A. FLANAGAN
Mayor

January 19, 2012

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

RECEIVED
2012 JAN 19 P 3:50
CITY CLERK
FALL RIVER, MA

RE: Order - Refinancing Outstanding Bonds for Interest Cost

Dear Honorable Members of the Council:

It is respectfully requested that the attached Order be approved by your honorable body. This Order will allow the City, under M.G.L. C44 §21A, to reduce interest costs by refunding all or any portion of the remaining principal, redemption premium, and interests on any outstanding City Bonds.

Thank you in advance for your consideration of this request to accept the order. City Administrator Shawn Cadime will be available to answer any questions the Council may have during their consideration.

Sincerely,

William A. Flanagan
Mayor

City of Fall River, *In City Council*

Loan Order Refinancing Outstanding Bonds for Interest Cost Savings

ORDERED, that in order to reduce interest costs, the Treasurer, with the approval of the Mayor, is authorized to provide for the sale and issuance of refunding bonds under G.L. c44, Sec.21A to refund all or any portion of the remaining principal of and redemption premium and interest on any bonds of the City outstanding as of the date of adoption of this Order, and for the payment of all other costs incidental and related thereto, and that the Mayor and the Treasurer are each authorized to take any and all other action necessary to carry out the purposes of this order.

BE IT FURTHER ORDERED, that the Treasurer is authorized to file an application to qualify under Chapter 44A of the General Laws any and all of the bonds or notes authorized to be issued pursuant to this order, and to provide such information and execute such documents as may be required for such purposes.



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

RECEIVED

2012 JAN 13 A 10:11

CITY CLERK _____
FALL RIVER, MA

WILLIAM A. FLANAGAN
Mayor

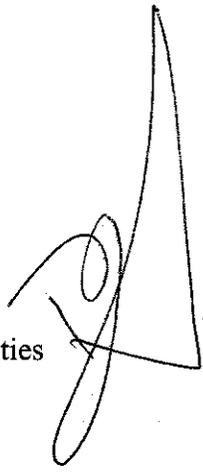
TERRANCE SULLIVAN
Administrator

TO: City Council

FROM: Terrance J. Sullivan
Administrator of Community Utilities

DATE: January 13, 2012

RE: President Avenue CSO Facilities



This memo has been prepared to provide an update on the CSO (Combined Sewer Overflow) Project and to initiate the permitting process regarding the next construction project at the President Avenue site.

1. History.

Sewer construction in Fall River started in the mid 1800's. Combined sewers were constructed to:

- Drain stormwater from the roads to prevent flooding, erosion, and destruction of roads.
- Deliver sanitary and industrial waste directly to the rivers.

In 1948, the first Wastewater Treatment Plant was constructed to treat dry-weather flow to abate pollution of the rivers. Wet-weather flows were deemed too voluminous and dilute to treat and CSO Diversions were constructed.

In 1980, the Wastewater Treatment Plant was expanded to Secondary Treatment.

From 1984 to the present, the city has been planning, designing, and constructing the CSO Abatement Program. A Federal Court Order was issued in 1992 that directs the construction schedule. Said Order has been amended multiple times to extend the construction schedule due to the severe negative economic impact of the cost of the project.

To date, \$160,000,000 has been expended on CSO construction for the following:

- Expansion of the Wastewater Treatment Plant to increase the peak flow rate from 50/MGD to 106/MGD.
- 3/mile, 20/foot diameter deep rock tunnel for conveyance of CSO flow.
- 9/dropshafts to deliver flow from the near surface sewers to the CSO Tunnel.
- Expansion of the Quequechan Valley Intercepting Sewer.
- Cove Street Screening and Disinfection Facility.
- Central Street Pump Station Rehabilitation (scheduled for completion in August of 2012).

The next phases of the CSO Project include the President Avenue, City Pier, and Alton Street CSO systems, as well as limited sewer separation in the southwest portion of the city.

2. Future Activities.

The Federal Court Order was amended on November 23, 2011. A summary of the required activities is attached.

The next major project is the construction of the President Avenue Screening and Disinfection Facility. A preliminary schedule for the project is also attached. The project requires numerous permit authorizations including Article 97 Authorization due to construction within a park.

Said Article 97 Authorization shall require approvals from the Sewer Commission, Park Department, City Council, MEPA and State Legislature.

The Project involves:

- Construction of underground chambers for treating and pumping the CSO flow. Said chambers shall be underneath the existing parking lot and park entrance. A new parking lot and park entrance shall be constructed when the underground chambers are completed.
- The existing building is proposed to be demolished and replaced with a new building being constructed to service both the Park Department (public restrooms and storage) and the CSO Facility functions.

- An emergency generator shall be installed.
- Improved road access in the site shall be needed for delivery of chemicals and fuel, as well as access for maintenance personnel.

Given the recent altered traffic patterns north of Bicentennial Park, and the resultant controversy of roadway access in this area, I thought it prudent to put this matter before you prior to initiating the approval process through other agencies.

Three options for long-term site access are attached.

- Option 1: Access from President Avenue to Brownell Street.
- Option 2: Access from President Avenue to Davol Street south.
- Option 3: Access from President Avenue only (dead-end).

Option #1 provides the best access for delivery and access for maintenance Personnel, as well as improves access to landowners off Brownell Street as well as the public utilizing the boat ramp area. This option does require the cooperation of the MA Department of Fish and Game (State boat ramp landowner) and additional Article 97 permitting.

Option #2 provides suitable access for delivery and access for maintenance personnel, but does not improve access to landowners off Brownell Street or the public utilizing the boat ramp area. Further, it creates another traffic input to Davol Street South close to Brownell Street which could cause additional traffic safety concerns.

Option #3 is not recommended, as it would require backing up large delivery trucks to get them off site.

Although construction is not scheduled to start until May of 2013, the permitting process is lengthy and we need to start now.

I look forward to your input.

Cc: Sewer Commission
Park Board
Ken Pacheco
Byron Holmes
Elizabeth Dennehy
Laura Ferreira

CLF v. Fall River et al., Case no. 1:87-cv-03067

Timeline Reflected in Nov. 23, 2011 Joint Proposed Order*

December 10, 2011

- Parties jointly submit proposed monitoring protocol for Cove Street Screening and Disinfection Facility, to remain in effect until May 31, 2013.

January 31, 2012

- Defendant to submit to Plaintiff a proposed protocol for computation of the "Residential Indicator", as defined in the 1997 EPA Combined Sewer Overflows – Guidance For Financial Capability Assessment and Schedule Development (the "Guidance"), using actual household water consumption and billing information for the period from July 1, 2009 to June 30, 2011.

December 31, 2012

- Defendant to submit to Plaintiff a report on alternative CSO control methods for City Pier and Alton Street drainage areas, including: evaluation of sewer separation, screening and disinfection with dechlorination and volumetric reporting, and green infrastructure alternatives; assessment of project funding by direct payment; re-computation of financial capability analysis using actual billing information; and determination of projected volume for 3-month storm using certain rainfall data.

May 31, 2013

- Defendants to commence construction of President Avenue Screening and Disinfection Facility
- Defendants and Plaintiffs to reach agreement on details of monitoring and sampling protocol for testing of effluent and downstream impacts of President Avenue Screening and Disinfection facility (and City Pier and Alton Street outfalls, if screening and disinfection is the chosen alternative for those drainage areas).
- Parties to submit to Court a motion to finalize remaining aspects of City's CSO remediation plan and schedule, and monitoring and sampling protocols, if agreement has been reached. Or, if no agreement has been reached, Defendants submit motion to finalize disputed matters.

December 31, 2015

- Defendants to complete construction of President Avenue Screening and Disinfection Facility

December 31, 2018

- Defendants to complete construction of Phase IIIA sewer separation and Screening and Disinfection for the City Pier and Alton Street drainage areas, if screening and disinfection is the selected alternative for these areas. This milestone shall be reconsidered if the cost of the final plan will require sewer rates, determined on the basis of the actual household water consumption and billing information to reach at least 1.99% of median household income.

**This document was jointly drafted by the parties for convenience of reference and was not submitted to the Court. If there is any conflict between the content of this exhibit and the Order proposed by the parties on 11/23/11, the text of the proposed Order governs. Action is to be completed no later than date indicated above.*

**City of Fall River, Massachusetts
 President Avenue CSO Screening and Disinfection Facility
 Preliminary Schedule**

Item	2012												2013					
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Project Phase																		
Conceptual Design																		
Design																		
Bidding																		
Award																		
Construction																		
Permits and Approvals																		
Park Department																		
City Council																		
MEPA (NPC)																		
MA Legislature																		
Coastal Zone Management																		
Conservation Commission																		
DEP Air Quality (TBD)																		
DEP Design Review																		
MassDOT Permit																		
Zoning/Building Variances (TBD)																		
Temporary Land Taking																		
Permanent Land Taking (TBD)																		
Construction Parking at Boat Ramp																		

Legend	
Conceptual Design	
Design	
Pre-Bidding/Place Advertisement	
Bidding	
Contract Award	
Construction	

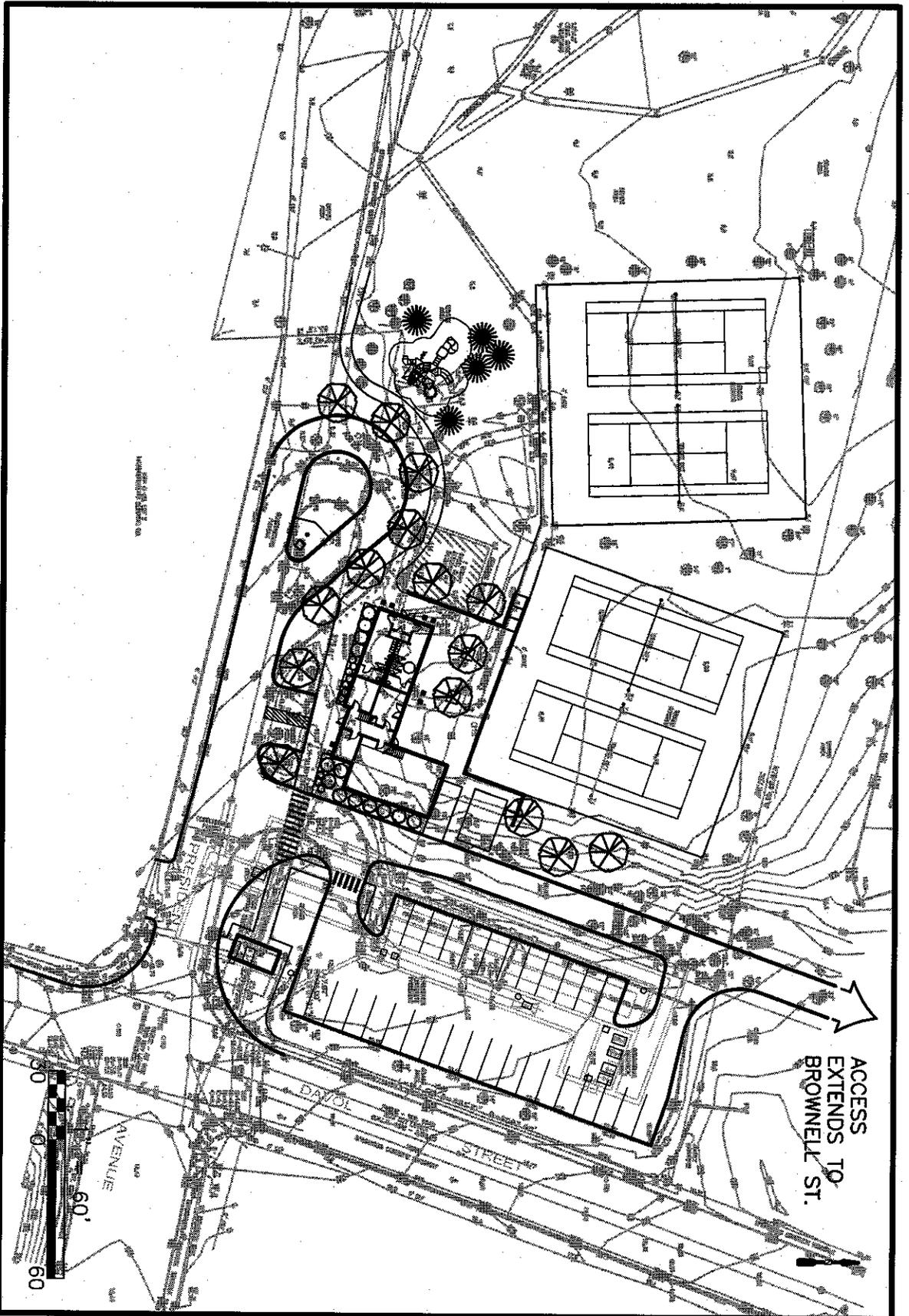


Figure No. 1
OPTION 1
JAN 2012

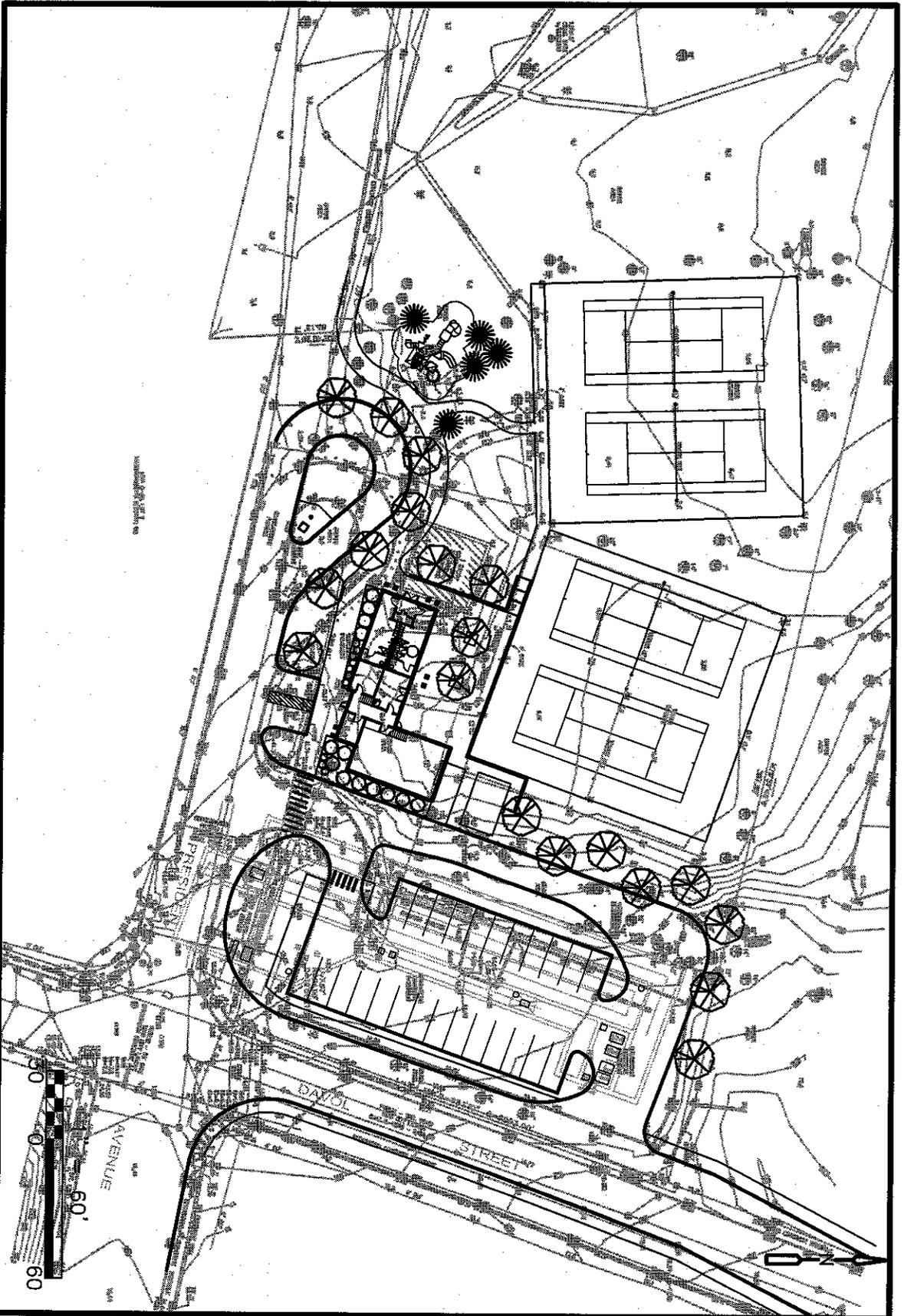


Figure No. 2
OPTION 2
JAN 2012

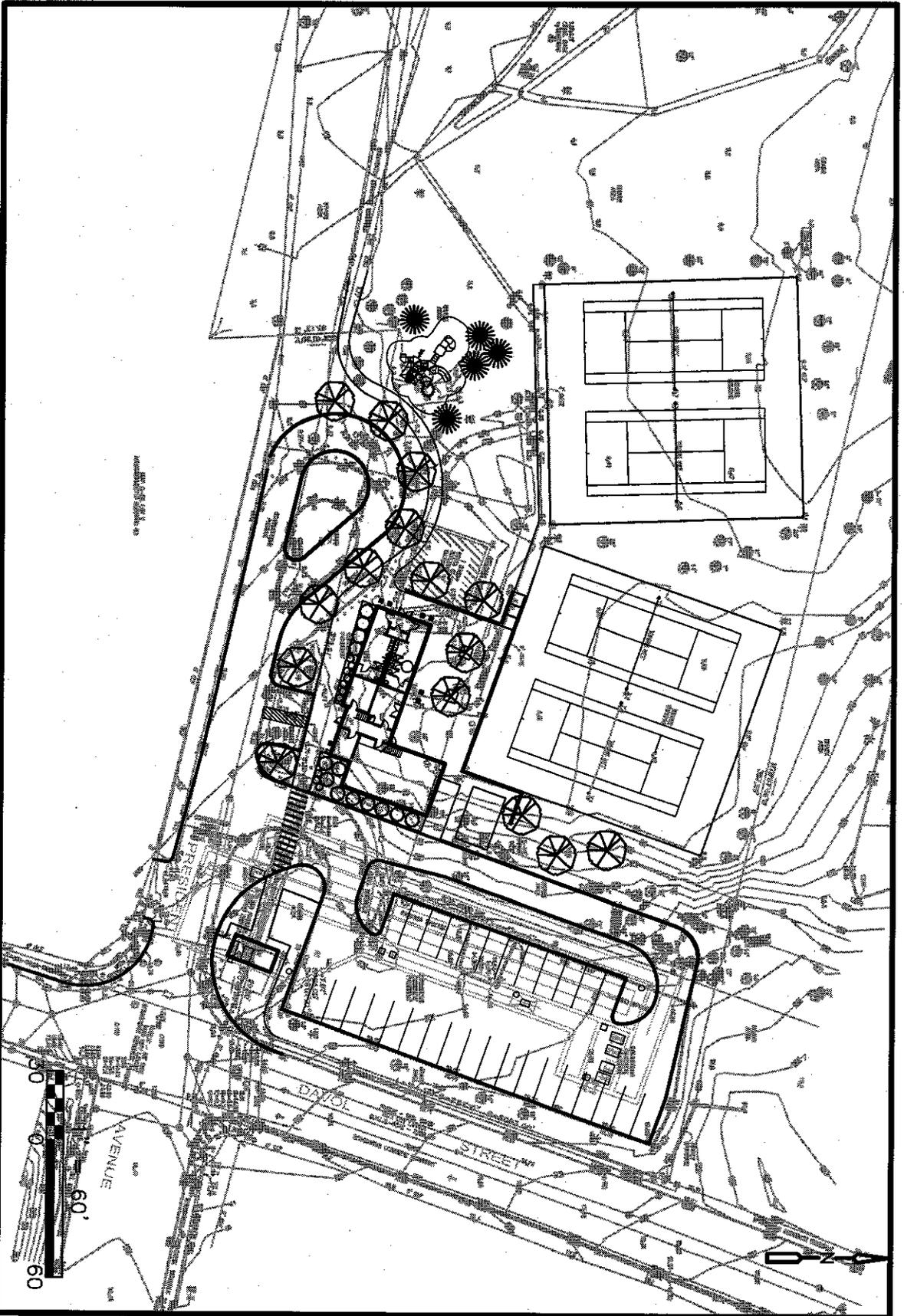
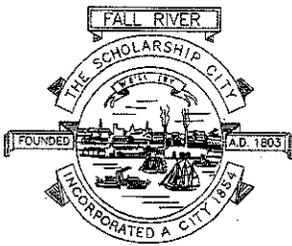


Figure No. 3
OPTION 3
JAN 2012



CITY OF FALL RIVER, MASSACHUSETTS

BOARD OF ELECTION COMMISSIONERS

ONE GOVERNMENT CENTER

TEL. 508-324-2630

RECEIVED

2012 JAN 19 P 3:23

CITY CLERK _____
FALL RIVER, MA

COMMISSIONERS

ELIZABETH A. CAMARA, CHAIRPERSON

AILEEN H. BELFORD, CLERK

MICHAEL P. DUNN

MARGARET SOUSA

January 19, 2012

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

Dear City Councillors:

The Board of Election Commissioners is requesting your approval on changing the following precincts and request that the attached list of locations be designated as polling precincts for the upcoming Presidential Primary being held on March 6, 2012. The Presidential Primary Election is for Presidential Preference, State Committee Man, State Committee Woman and Ward Committee.

Ward 1 Precinct C – Alfred Letourneau School
323 Anthony Street

Ward 2 Precinct A – Blessed Trinity Church
1340 Plymouth Avenue

Ward 4 Precinct C – The Atrium at Government Center
Entrance on Sullivan Drive

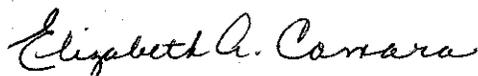
Ward 7 Precinct B – The Atrium at Government Center
Entrance on Sullivan Drive

Ward 8 Precinct A – Mary L. Fonseca School
160 Wall Street

Due to the reprecincting of Fall River, I have been informed by the Secretary of State's office that the Congressional line running through Fall River for the 4th and 9th Congressional Districts will split two of the precincts. They will be called 5B, 5B1 located at the Bishop Eid Apartments and 6C, 6C1 located at the Roney/Eastwood Fire Station. 5B1 and 6C1 will be in the 4th Congressional District and 5B and 6C will be in the 9th Congressional District.

The polls will open from 7:00 AM to 8:00 PM. Thank you for your consideration on this important matter.

Sincerely,

A handwritten signature in cursive script that reads "Elizabeth A. Camara".

Elizabeth A. Camara, Chairperson
Board of Election Commissioners

City of Fall River, *In City Council*

ORDERED, that in accordance with provisions of law, notice is hereby given that meetings of the citizens of Fall River qualified to vote at a Presidential Primary, that will be held on Tuesday, March 6, 2012, in the several polling places designated by this Council, to cast their votes for the election of candidates of political parties for the following offices:

*Presidential Preference

*District Members of State Committee (one man and one woman)

*Ward Committee members for each political party

BE IT FURTHER ORDERED, that the Election Commission be and they are hereby authorized and empowered to cause all necessary rooms, fixtures, apparatus and supplies for the holding of the State and Presidential Election to be prepared and furnished for the same, the use of the same to be charged to the appropriation for elections.

The polls to be opened from seven o'clock A.M. to eight o'clock P.M. and all voting precincts to be used.

City of Fall River, *In City Council*

ORDERED, that the following locations, formally designated as polling places in the City of Fall River, be and the same is hereby cancelled:

Ward 1 Precinct C	Blessed Trinity Church, 1340 Plymouth Avenue
Ward 2 Precinct A	Kosior-Globe Fire Station, Entrance on Fenner Street
Ward 4 Precinct C	Riverview Towers, 301 Milliken Blvd.
Ward 7 Precinct B	Municipal Veterans Memorial, 72 Bank Street
Ward 8 Precinct A	Oak Village, 1177 Locust Street

and, BE IT FURTHER ORDERED, that the following places be designated as polling places:

Ward 1 Precinct C	Alfred Letourneau School, 323 Anthony Street
Ward 2 Precinct A	Blessed Trinity Church, 1340 Plymouth Avenue
Ward 4 Precinct C	The Atrium at Government Center, Entrance on Sullivan Drive
Ward 5 Precinct B1	Chor Bishop Eid Apartments, 33 Quequechan Street
Ward 6 Precinct C1	Reney/Eastwood Fire Station, 400 Eastern Avenue
Ward 7 Precinct B	The Atrium at Government Center, Entrance on Sullivan Drive
Ward 8 Precinct A	Mary L. Fonseca School, 160 Wall Street

City of Fall River, In City Council

ORDERED, that the following places be and the same are hereby designated as polling places for the Presidential Primary Election to be held on March 6, 2012. The polls to be opened from 7:00 AM to 8:00 PM, and all polling places shall be used.

CITY OF FALL RIVER

List of Wards, Precincts and Polling Places

<u>Ward</u>	<u>Precinct</u>	<u>Polling Place Name</u>	<u>Polling Place Address</u>
1	A	Alfred Letourneau School	323 Anthony Street
	B	Edward F. Doolan Apartments	Corner of Laurel & Mitchell Dr
	C	Alfred Letourneau School	323 Anthony Street
2	A	Blessed Trinity Church	1340 Plymouth Avenue
	B	Blessed Trinity Church	1340 Plymouth Avenue
	C	Candeias-Niagara Fire Station	Corner Plymouth Ave & Warren St
3	A	Mitchell Apartments	2100 South Main Street
	B	Carlton M. Viveiros School	200 Lewis Street
	C	Matthew J. Kuss Middle School	Entrance on Shaw Street
4	A	Frank B. Oliveira Apartments	170 William Street
	B	James O'Brien Apartments	Morgan & Second Streets
	C	The Atrium – Government Center	Entrance on Sullivan Drive
5	A	Candeias-Niagara Fire Station	Corner Plymouth Ave & Warren St
	B	Chor Bishop Eid Apartments	33 Quequechan Street
	B1	Chor Bishop Eid Apartments	33 Quequechan Street
	C	Mary L. Fonseca School	160 Wall Street
6	A	Francis J. Barresi Heights	1863 Pleasant Street
	B	George H. Cottell Heights	1685 Pleasant Street
	C	Reney/Eastwood Fire Station	400 Eastern Avenue
	C1	Reney/Eastwood Fire Station	400 Eastern Avenue
7	A	Union United Methodist Church	600 Highland Avenue
	B	The Atrium – Government Center	Entrance on Sullivan Drive
	C	Raymond D. Holmes Apartments	Fulton & Essex Streets
8	A	Mary L. Fonseca School	160 Wall Street
	B	Cardinal Medeiros Towers	1197 Robeson Street
	C	Spencer Borden School	Entrance on Chestnut Street
9	A	James Tansey School	711 Ray Street
	B	Calvary Temple Assembly of God	4321 North Main Street
	C	Calvary Temple Assembly of God	4321 North Main Street

City of Fall River, *In City Council*

5

(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.

City of Fall River, *In City Council*

6

(City Councilor Eric Poulin)

WHEREAS, the city's Master Plan identified 15 Priority Actions to Implement the Master Plan, and

WHEREAS, one of those action items stated as follows, "Provide community support to the Preservation Society, as needed, to complete the package required for the adoption of the Highlands 40c District such that it can be presented to the City Council for adoption within one year", and

WHEREAS, the Preservation Society has requested to make a presentation regarding the proposed 40c district before all 9 Councilors at one of the Council meetings in February, now therefore

BE IT RESOLVED, that the Preservation Society be allowed to make said presentation to the City Council, sitting as the Committee on Finance, at one of the City Council meetings scheduled in February.

City of Fall River, *In City Council*

7

(Councilor Michael L. Miozza)

WHEREAS, Ordinance 66-64, addressing the removal of curbing for the installation of a private driveway does not address situations where driveways are constructed without the need to remove curbing, and

WHEREAS, the lack of language addressing this situation has led to different and varying interpretations of the ordinance, and

WHEREAS, there is an apparent need to close loopholes and better define the ordinance, now therefore

BE IT RESOLVED, that Ordinance 66-64 be reviewed by the Committee on Ordinances and Legislation.

City of Fall River, *In City Council*

8

(Councilor Michael L. Miozza)

WHEREAS, the City appears to be in need of additional street sweeping equipment, and

WHEREAS, it appears there is no street sweeping policy or schedule in effect, and

WHEREAS, there is currently no system in place to allow street sweepers clear access to one side of the road to provide effective street sweeping services, now therefore

BE IT RESOLVED, that the Community Maintenance Director meet with the City Council to discuss ways to purchase street sweeping equipment, develop a street sweeping policy as well as schedule and determine the methodology for clear access on one side on the road.

City of Fall River, *In City Council*

9

(Councilor Daniel M. Rego)

WHEREAS, there are many stores in the City of Fall River that have shopping carts for the convenience of their customers, and

WHEREAS, these carts are taken from the parking lots and not returned to the stores and left on the city streets, causing a safety hazard, and

WHEREAS, stores should have a telephone number posted on their property for citizens to call and report abandoned carts, so that they may be returned to the stores, and

WHEREAS, many stores now have a system of a brake mechanism that locks when the cart is removed from the parking lot, now therefore

BE IT RESOLVED, that the Committee on Ordinances and Legislation meet to discuss this matter.

10
City of Fall River, *In City Council*

(Councilor Raymond A. Mitchell)

WHEREAS, the fire at the mill located on Kilburn Street could have been much worse, and

WHEREAS, after investigation it was found that the sprinkler system in this property is not working, and

WHEREAS, this is a major public safety hazard, now therefore

BE IT RESOLVED, that the Administration along with the Building Inspector and the Fire Department take action as soon as possible to bring this building into compliance or request it's demolition.

City of Fall River, In City Council

(Councilor Daniel M. Rego)

WHEREAS, the Zoning Board of Appeals approves and denies many projects throughout the City, and

WHEREAS, many of these projects may include projects that would provide many jobs for the citizens of Fall River, now therefore

BE IT RESOLVED, that the Zoning Board of Appeals provides quarterly updates with detailed reasons for approval or denial of the projects that are approved and denied.

City of Fall River, *In City Council*

12

(Councilor Daniel M. Rego)

WHEREAS, trash and litter is abundant in the City of Fall River, and

WHEREAS, a bi-weekly cleanup in front of properties would make Fall River a cleaner city, now therefore

BE IT RESOLVED, that the Committee on Ordinances and Legislation review Ordinance 26-40 regarding the duty of property owners to keep their premises clean, to include the possibility of implementing a requirement for landlords to conduct a biweekly cleaning in front of their property.

City of Fall River, In City Council

13

(Councilor Daniel M. Rego)

WHEREAS, smoke alarms have been a major source of saving lives and property, and

WHEREAS, many smoke alarms are found to be not working due to dead batteries, now therefore

BE IT RESOLVED, that the City requests landlords to participate in a semi-annual inspection of smoke alarms to verify they are in working order.

RECEIVED

CLAIM FORM
City of Fall River, Massachusetts

NOV 20 11 P 2:51

#12-01
FALL RIVER, MA

Name: Rui Araujo

Address: 291 High St
Fall River, Mass 02724

Phone #: 1508 677 3600

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

Date of Incident: Nov. 17 of 2011

Time of Incident: Between 6 to 7 PM

Location of Incident: 291 High St. Fall River MASS

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

On November 17 at 6 to 7 P.M. at migh lot's of cops
surronded my house on 291 High st. to get my
tenant, named Sean Finglas living on the 2nd floor
front, he didnt open the door to the police so
they decided to break the door to get Sean because
he was inside the apartment to arrest him being
the door and lock broken.

arrest 2 cops Law

Police Dept

ICS

city clerk

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



CMR CLAIMS DEPARTMENT
P.O. BOX 60770
OKLAHOMA CITY, OK 73146-0770
1-866-887-4066

*******NOTICE OF CLAIM*******

12-02

Date: 12-28-2011

CERTIFIED MAIL, RETURN RECEIPT REQUESTED

To: CITY OF FALL RIVER
CITY CLERK
ONE GOVERNMENT CENTER
FALL RIVER, MA 2722

CERTIFIED MAIL# 9171 9690 0935 0012 9413 50

RECEIVED
DEC 28 9 15 AM '11
CITY OF FALL RIVER, MA

RE: Damage to Verizon Property

Verizon Claim Num: MAPR111986
Damage/Discovery Date: 12-21-2011
Damage Location: BETWEEN MH59B & MH59C PEARL ST & COLUMBIA ST, FALL RIVER, MA
Damage County: BRISTOL
Damage Amount: UNDETERMINED

Dear Sir/Madam:

Please be advised that Verizon Facilities sustained damage as a result of the negligent acts or omissions by employees or agents of CITY OF FALL RIVER.

Investigation has revealed that on or about 12-21-2011 employees or agents of CITY OF FALL RIVER, L & J CONSTRUCTION DAMAGED A VERIZON UNDERGROUND CABLE WITH A BACKHOE DURING WATER EXCAVATION FOR FALL RIVER WATER DEPARTMENT in the area of BETWEEN MH59B & MH59C PEARL ST & COLUMBIA ST, FALL RIVER, MA.

This letter is the written presentment of Verizon's claim pursuant to G.L. c. 258, sec. 4.

REQUEST FOR GOVERNMENTAL NOTICE FORM

If your Governmental Entity requires the completion of its own form to complete proper notice, please forward a copy to the address listed above. Every good faith effort has been made to identify the proper office and address to perfect our notice. Please forward to your attorney, if misdirected, to contact us. Matters herein stated are alleged on information and belief this pleader believes to be true. If there is insurance to cover this matter, kindly advise as to the name of the insurance company, its address and the claim number assigned. If you have any questions, or need additional information, please contact me at 1-800-321-4158 ext 8232.

Sincerely,
Holly Finley

Holly Finley

CMR Claims DEPT



NOTARY

Jane Winters

Commission Expires

3-3-13

arg v 2 case Lau
1 water
1 CC
1 int. clw

CC

Date: 1/5/2012 03:16 PM
Estimate ID: 751
Estimate Version: 0
Preliminary
Profile ID: Mitchell

#12-03

Five Star Collision Center

683-A American Legion Highway, Westport, MA 02790
(508) 636-3152
Fax: (508) 636-7234
Email: fivestar204@aol.com

MASS RS# 3939

orig + 2 copies done

*1 cc
1 copy done*

Damage Assessed By: Antone Rodrigues 13798

Deductible: UNKNOWN

Owner: NICOLE MEDEIROS

Mitchell Service: 911116

RECEIVED
MILL RIVER, MA
2012 JAN -9 P 4:15

Description: 2010 Acura TSX
Body Style: 4D Sed
VIN: JH4CU2F62AC038238
OEM/ALT: A

Drive Train: 2.4L Inj 4 Cyl 5A FWD

Search Code: B874281

Options: PASSENGER AIRBAG, DRIVER AIRBAG, POWER DRIVER SEAT, POWER LOCK, POWER WINDOW
CRUISE CONTROL, TILT STEERING COLUMN, POWER PASSENGER SEAT
TELESCOPIC STEERING COLUMN, ANTI-LOCK BRAKE SYS., TRACTION CONTROL, FOG LIGHTS
ALUM/WALLOY WHEELS, AUXILIARY INPUT, HIGH INTENSITY DISCHARGE HEADLIGHTS
LEATHER STEERING WHEEL, SATELLITE RADIO, AUTOMATIC TRANSMISSION, FRONT AIR DAM
TINTED GLASS, AUTO AIR CONDITION, TRIP COMPUTER, SUBWOOFER
UNIVERSAL GARAGE DOOR OPENER, VARIABLE ASSISTED STEERING, SIDE AIRBAGS
ANTI-THEFT SYSTEM, AUTOMATIC HEADLIGHTS
INTERIOR AUTOMATIC DAY/NIGHT OR ELECTROCHROMATIC MIRROR
SIDE HEAD CURTAIN AIRBAGS, DAYTIME RUNNING LIGHTS, DRIVER HEATED MEMORY SEAT
ELECTRONIC STABILITY CONTROL, FRONT HEATED BUCKET SEATS, INTERIOR AIR FILTER
KEYLESS ENTRY SYSTEM, POWER DISC BRAKES, POWER HEATED EXTERIOR MIRRORS
POWER LIFTGATE/TRUNK, STEERING WHEEL AUDIO CONTROLS, SUNROOF/MOONROOF (POWER)

Line Item	Entry Number	Labor Type	Operation	Line Item Description	Part Type/ Part Number	Dollar Amount	Labor Units
1	101724	BDY	OVERHAUL	Frt Bumper Cover Assy			2.8 #
2	100331	BDY	REPAIR	Frt Add w/Fog Lamps			0.0*
3	100950	BDY	REPAIR	Frt Bumper Cover	Existing		2.0* #
4	AUTO	REF	REFINISH	Frt Bumper Cover			C 2.6 #
5	AUTO	REF	ADD'L OPR	Clear Coat			1.0*
6	900500	BDY*	REMOVE/REPLACE	FLEX ADDITIVES	** QUAL REPL PART	8.00 *	0.0*
7	933003	BDY*	ADD'L OPR	TINT COLOR			0.5*
8	933017	REF	ADD'L OPR	COLOR SAND & BUFF			1.0*
9	AUTO		ADD'L COST	Paint/Materials		86.40 *	
10	AUTO		ADD'L COST	Hazardous Waste Disposal		3.00 *	

ESTIMATE RECALL NUMBER: 01/05/2012 15:16:00 751
Mitchell Data Version: OEM: NOV_11_V

Software Version: 7.0.436

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January 12, 2012

RECEIVED

City Clerk

1 Government Center

Fall River, MA. 02722

JAN 13 A 10:47
CITY CLERK 12-04
FALL RIVER, MA

Dear City Clerk,

Please open a street damage claim regarding my 2012 Hyundai Elantra.

On December 21, 2011, approximately at 4pm, I hit a pot hole in Fall River coming off the N. Main St. exit, see enclosed photos. I was traveling over the Veterans Memorial Bridge, took exit on left toward Route 79 Taunton, then I took the N. Main St., N. Fall River exit. As I came off the exit, I was bearing right onto the North Main when I hit the pot hole with my right front tire. The pot hole was so big it sliced my tire and damaged my rim. I didn't realize the tire was flat till the next day. I contacted 24 hour roadside with Hyundai which is included with my car warrantee. I had the car towed to Empire Hyundai on Pleasant St where I purchased the car. They said the slice in the tire was un-repairable and that the tire had to be replaced which cost me \$126.77 with tax and labor, see enclosed bill. They also said my rim was damaged and it would have to be ordered which will cost \$576.36 with taxes and labor, see enclosed information.

This is a brand new car and as you can see from the receipt, I just had my 3000 mile oil change done.

My mom, Donna Nadeau co-signed the loan for the car so I could establish credit, that's why you see her name on the Dealer's invoice, but the car is registered and only driven by me.

Lastly, the pot hole is still there and getting bigger if you could please have someone fix it ASAP so this does not happen to anyone else.

Thank you,

Ashley Nadeau

Ashley Nadeau

1556 N. Main St #12

Fall River, MA. 02720

anadeau2@hotmail.com

Cell 774-488-2007

*Orig + 2 copies to Law
1 copy to DPW
1 copy to City Clerk
1 copy to City Council*



CC

Gregory V. DiPaolo
ATTORNEY AT LAW

RECEIVED

2012 JAN 17 P 1:38

CITY CLERK 12-05
 FALL RIVER, MA
 January 17, 2012

Alison M. Bouchard
 Office Of The City Clerk
 1 Government Center
 Fall River, MA 02721

Hand-delivered

Re: **NOTICE OF INJURY**
 My Client: Donna Chasse
 D/O/L: December 18, 2011
 Location: 158 Forest Street, Fall River, MA 02721

Dear Ms. Bouchard:

Please be advised that my office represents Ms. Donna Chasse, who currently resides at 1017 Middle Street, Apt. 118, Fall River, MA 02721. This letter is to notify the City Of Fall River, pursuant to M.G.L. c. 84 § 18, that on or about, Sunday, December 18, 2011, at approximately 12:00 PM, Ms. Chasse was walking Southbound on Forest Street when she tripped on a piece of metal that was sticking up from the sidewalk located in front of 158 Forest Street. It is my understanding that the concrete surrounding the metal piece was raised or broken. As a result of her fall, Ms. Chasse landed on her right knee and then came to rest up against a parked car injuring her right shoulder.

Ms. Chasse presented herself to St. Anne's Hospital that afternoon, where she was diagnosed with a shoulder sprain and a contusion. She continues to experience pain and discomfort and is expected to treat further with Coastal Orthopedics.

I have enclosed a photograph of the metal piece that caused Ms. Chasse to fall. It is my understanding that the piece of metal has not been repaired to date. At this time, I am awaiting receipt of Ms. Chasse's medical documentation and will contact you as soon as possible to further discuss this claim. Please contact me if you have any questions.

Thank you.

*orig & copies Law
 1 DPW
 1 City Council
 1 City Clerk*

Very Truly Yours,

Gregory V. DiPaolo

GD/md
 Enclosure

2012 JAN -5 A 11: 12

THE COMMONWEALTH OF MASSACHUSETTS
STATE RECLAMATION AND MOSQUITO CONTROL BOARD
CLERK _____
FALL RIVER, MA

BRISTOL COUNTY MOSQUITO CONTROL PROJECT
140 NORTH WALKER STREET * TAUNTON, MA 02780
Tel: (508) 823-5253 * Fax: (508) 828-1868

ANNUAL REPORT – FALL RIVER, MASSACHUSETTS
January 1, 2011 – December 31, 2011

The calendar year 2011 marks the fifty- second anniversary of the Bristol County Mosquito Control Project and its services to the cities and towns of Bristol County. The Project was established in 1958 as a result of numerous human and horse cases of Eastern Equine Encephalitis. Over the years, the Bristol County Mosquito Control Project has greatly reduced the exposure to this arbovirus and also the newly introduced West Nile virus.

Since the 1958 formation much has changed. New biological larvicides have been developed and used to suppress mosquito emergence. The Project has acquired new GPS guidance systems for the trucks and GIS mapping capabilities. Newer environmentally sensitive adulticides have been developed and adopted by the Project. During water management projects, low ground pressure machines are used to reduce secondary impacts to the environment. Increased mosquito surveillance, the cornerstone of Integrated Pest Management, continues every summer. The addition of molecular techniques by the Massachusetts Department of Public Health increased sensitivity of virus isolations and decreased turn around time between collections and results.

For the past 9 years, Bristol County Mosquito Control Project reported the most EEE isolations from mosquitoes in Massachusetts. During the 2011-mosquito season, over 46,167 mosquitoes were collected. There were 31 isolations of EEE with three collections from human biting mosquitoes and two human cases for the County. We had 28 mosquito isolates of WNV in the County with no reported human or horse cases. We also saw an expansion of the invasive Asian Tiger Mosquito- *Ae. albopictus*, within Bristol County.

The mosquito control project works year-round in its efforts to reduce mosquito breeding sites and adult mosquito populations. The Project uses several different measures of control in its never-ending fight against mosquitoes.

Spring and Summer Larviciding - To reduce the emergence of adult mosquitoes in areas where mosquito larvae are present.

Catch Basin Treatment - To stop mosquito emergence from rain-filled catch basins and storm drains.

Mosquito Surveillance Program - To monitor mosquito populations as to their type and number - a program necessary in encephalitis surveillance. Light trapping of mosquitoes is also useful to determine what areas have nuisance populations of mosquitoes.

Water Management - A year round endeavor to clean and maintain mosquito drainage ditches in areas to reduce standing water conducive to mosquito larvae.

Public Outreach: - Providing important information to the residents of the county with respect to personal protection against mosquito bites, mosquito breeding prevention on one's property and mosquito data.

It is the policy of the Bristol County Mosquito Control Project to use pesticides that are environmentally sensitive so that they do not negatively impact people or the environment. We use as many of the biological insecticides as are practical with the environmental conditions present in the New England area.

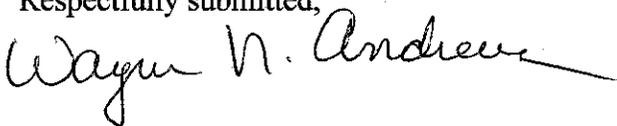
All of our spray equipment is calibrated periodically in order to insure that dosage rates remain at legal levels but are adequate to reduce mosquito populations. The operators of our spray equipment are state licensed pesticide applicators that are required to attend classes on pesticide safety on a yearly basis.

During the time period January 1, 2011 December 31, 2011 the Bristol County Mosquito Control Project:

- Sprayed over 9,526.6 acres
- Treated 48 acres in 41 locations with *B.t.i.* for mosquito larvae
- Received 78 requests for spraying
- Cleared and reclaimed 6572 feet of brush
- Treated 1,673 catch basins

I would like to thank the city officials and the people of Fall River for their continued support and cooperation and look forward to serving them in the coming year. Should anyone have a question as to what might be done to relieve a mosquito problem in their area, whether it is water management work, treatment of a breeding site, or just having an area checked, please feel free to call our office.

Respectfully submitted,



Wayne N. Andrews, Superintendent
December 30, 2011

Bristol County Mosquito Control Commissioners:

Arthur F. Tobin, Chairman
Gregory D. Dorrance
Joseph Barile
Christine A. Fagan
Robert F. Davis



Deval L. Patrick, Governor
 Timothy P. Murray, Lt. Governor
 Richard A. Davey, Secretary & CEO
 Frank DePaola, Administrator



20

RECEIVED

January 12, 2012

2012 JAN 17 P 2:35

Mr. Byron R. Holmes
 City Engineer
 City of Fall River
 One Government Center
 Fall River, MA 02722

CITY CLERK _____
 FALL RIVER, MA

Subject: Project Need Form Submission
Fall River – Quequechan River Shared Use Path – Existing Railroad Right-of-Way from
Brayton Avenue to Plymouth Avenue

Dear Mr. Holmes:

This letter serves as acknowledgment of receipt of a Project Need Form (PNF) submitted for a potential future transportation improvement project in the City of Fall River. The proposal consists of constructing a shared use path along an existing Railroad right-of-way beginning at the termination of the South Watuppa Pond bike path from Brayton Avenue to Plymouth Avenue. The Project Need Form serves as notification to MassDOT that a municipality is interested in pursuing improvements in its community.

The District has reviewed the Project Need Form and is supportive of this proposal to connect the existing South Watuppa Pond bike path to a municipal park along the subject alignment. There are seven railroad bridges that exist over the extent of the proposed bike path. It was stated in the PNF that the seven facilities have been evaluated and were found to have no structural integrity with a recommendation to replace all seven crossings. Due to the location of the Shared Use Path it is noted that there will be an extensive environmental permitting process.

As you advance the proposal it is important to coordinate with the MassDOT's Rail Division. Please provide documentation of coordination with the MassDOT's Rail Division with the submission of the Project Initiation Form (PIF). The District is available to meet to help facilitate discussion.

If there are any questions, please contact Pamela Haznar, P.E., Project Development Engineer at (508) 884-4239.

Sincerely,

Mary-Joe Perry
 District Highway Director

TJK/tjk

cc: MJ, MJD, PRH

City Council ✓

James Hadfield, Transportation Program Manager, SRPEDD

Ethan Britland, MassDOT Office of Transportation Planning

Kurt Gaertner, Executive Office of Energy and Environmental Affairs

District 5, 1000 County Street, Taunton, MA 02780
 Tel: 508-824-6633, Fax: 508-880-6102