City of Fall River Massachusetts
Office of the City Clerk

ALISON M. BOUCHARD
CITY CLERK

INÊS LEITE
ASSISTANT CITY CLERK

JULY 5, 2013
MEETINGS SCHEDULED FOR NEXT WEEK
TUESDAY, JULY 9, 2013

6:00 P.M. COMMITTEE ON FINANCE

1. Discussion of Home Rule Petition for the CSO Project at Bicentennial Park (see #1 below)
2. Discussion of Proposed Base Meter Fee Ordinance (see #13 below)
3. Transfers and appropriations (see #2 below)
4. Discussion of Single Audit Report – Year ended June 30, 2012

AGENDA

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

PRIORITY MATTERS

1. *Mayor and Home Rule Petition for the CSO Project at Bicentennial Park (see Finance #1)

PRIORITY COMMUNICATIONS

2. *Transfers and appropriations (see Finance #2)
3. *Board of Election Commissioners and orders authorizing polling precincts for:
   a. Special State Primary Election, August 13, 2013 and Special State Election, September 10, 2013 for State Representative – 6th Bristol District
   b. Municipal Preliminary Election, September 10, 2013 and Municipal Election, November 5, 2013
4. Traffic Commission recommending amendments to the traffic ordinances

COMMITTEE REPORTS

Committee on Public Safety recommending:
Grant leave to withdraw:

5. Communication regarding construction yard on Reading Street
6. Resolution – Traffic patterns at Alfred S. Letourneau School
7. Resolution – Traffic patterns at Holy Trinity School

Refer to the Committee on Finance:

8. Communication – Assistant Corporation Counsel regarding Workers' Compensation claims

Committee on Ordinances and Legislation recommending:
All readings with Emergency Preamble:

9. Proposed ordinance – Traffic, handicapped parking

First reading:

10. Proposed ordinance – Salary adjustments
11. Proposed ordinance – Traffic, miscellaneous
12. Proposed ordinance – Water leak abatement policy

First reading, as amended:

13. *Proposed ordinance – Base meter fee
14. Proposed ordinance – Reorganization of municipal government

ORDINANCES

Second reading and enrollment:

15. *Proposed ordinance – Zoning Revision

RESOLUTIONS – None

CITATIONS

16. Empire Hyundai – Van donation to Disabled American Veterans – William S. Greene – Chapter 9

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

ORDERS – HEARINGS FOR TONIGHT

Pole location:

17. MA Electric – Washington Street

Underground conduit:

18. MA Electric – North Main Street

ORDERS – HEARINGS TO BE SCHEDULED

Pole location:

19. MA Electric – Lawrence and Lewiston Streets

ORDERS – NO HEARING REQUIRED – None

ORDERS – MISCELLANEOUS

20. *Warrant – Special State Primary Election, August 13, 2013 and Special State Election, September 10, 2013
21. *Warrant – Preliminary Municipal Election, September 10, 2013 and Municipal Election, November 5, 2013
22. Police Chief's report on licenses
23. Auto repair shop license renewals

COMMUNICATIONS – INVITATIONS – PETITIONS

24. *Claims
25. *Communication from the Town of Wareham regarding support for House Bill 1115, An Act relative to the definition of low and moderate income housing
26. Drainlayer Bond
27. *Structure on or over a public way – Banner for Flint Pride Days – Pleasant Street

BULLETINS – NEWSLETTERS – NOTICES – None

Inês Leite

Assistant City Clerk

City of Fall River
Massachusetts
Office of the Mayor

WILLIAM A. FLANAGAN
Mayor

RECEIVED
2013 JUL -2 P 4:10
CITY CLERK
FALL RIVER, MA

July 2, 2013

Honorable City Council
One Government Center
Fall River, MA 02722

Re: Article 97 Home Rule Petition – CSO Project at Bicentennial Park

Dear Councilors:

Enclosed please find a proposed Home Rule Petition necessary for Article 97, for the CSO Screening and Disinfection Facility Project at Bicentennial Veterans Memorial Park. Construction of this facility is in accordance with the federal court order for the CSO Project.

An underground CSO treatment facility will control solid materials and disinfect the flow to control bacteria in accordance with the Federal Clean Water Act. Please also note that the CSO project includes other above ground improvements at Bicentennial Park, such as handicap accessible public bathrooms, reconditioned tennis courts, and public parking with driveway access back to Davol Street (roadway option #2 as approved by the Park Board and suggested by the City Council).

Since Bicentennial Park was acquired in or about 1979 using a grant from the Land and Water Conservation Fund Act of 1965 *viz-a-viz* the U.S. Department of the Interior, the City is required to replace approximately 3,326 sq. ft. of park land that will be permanently unavailable for public access after construction of the CSO project (due to said area being devoted to CSO abatement). The "no public access" areas are depicted on a plan entitled *Article 97 Area President Avenue CSO Screening and Disinfection Facility Sheet: 1 of 1, EX-1,* dated 10/18/2012, revised 11/8/12 and 2/19/13 (copy enclosed herewith).

Approximately 10,136 sq. ft. of land will be acquired from the Roman Catholic Bishop – land contiguous with Maplewood Park – to mitigate the 3,326 sq. ft. of land that will be lost to the public for the CSO project at Bicentennial Park. The remediation parcel is identified as "Parcel D" on the enclosed *Approval Not Required Plan of Land Map E-22 Lots 3 & 28 Fall River, MA* dated April 3, 2013.

Your approval of this Home Rule Petition is respectfully requested.

Sincerely,

Wiiliam A. Flanagan
Mayor

Enclosures (3)

One Government Center • Fall River, MA 02722
TEL (508) 324-2600 • FAX (508) 324-2626 • EMAIL mayor@fallriverma.org

City of Fall River, *In City Council*

ORDERED, that the City of Fall River hereby petition the General Court for the passage of a special law substantially in the following form:

AN ACT AUTHORZING THE CITY OF FALL RIVER TO
USE CERTAIN PARK LAND FOR
COMBINED SEWER OVERFLOW CONTROL

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. The city of Fall River may use portions of the land known as Bicentennial park in said city for combined sewer overflow control, including the construction, installation, repair, maintenance and operation of a treatment facility and pipelines for the purpose of treating, transporting and storing wastewater and storm water. The parcel of land is further described as follows:

Being a portion of the Land on Davol Street in the City of Fall River, the County of Bristol, and the Commonwealth of Massachusetts, described in Deed book 1134 Page 87;

Beginning at a point on the westerly side line of Davol Street, said point being eighty-five and sixty-one hundredths feet (85.61) northeasterly from the north west corner of Davol Street and President Avenue, thence turning and running;

Southwesterly along a curve to the right having a radius of six-thousand three and zero hundredths feet (6003.00) with a length of seventy-seven and sixty-four hundredths feet (77.64) to a point at the northwest corner of Davol Street and President Avenue, thence turning and running;

Southwesterly along a curve to the right having a radius of twenty-four and zero hundredths feet (24.00) with a length of seven and ninety-seven hundredths feet (7.97) to a point at the northwest corner of Davol Street and President Avenue, thence turning and running;

N 76° 58' 20" W for a distance of twenty-nine and thirty hundredths feet (29.30) by the side line of President Avenue, thence turning and running;

N 76° 58' 20" W for a distance of one hundred seventy-six and ninety-six hundredths feet (176.96), by the side line of President Avenue, thence turning and running;

N 21° 39' 10" E for a distance of eighty and twenty-one hundredths feet (80.21) to a point, thence turning and running;

S 70° 13' 20" E for a distance of sixty-four and ninety-seven hundredths feet (64.97) to a point, thence turning and running;

N 19° 38' 54" E for a distance of fifty-seven and sixty-five hundredths feet (57.65) to a point, thence turning and running;

S 70° 21' 06" E for a distance of twenty-seven and fifty hundredths feet (27.50) to a point, thence turning and running;

S 19° 38' 54" W for a distance of twenty-eight and forty-one hundredths feet (28.41) to a point, thence turning and running;

S 70° 21' 06" E for a distance of one hundred eleven and fifty-four hundredths feet (111.54) to the point of beginning.

The parcel being described has an area of eighteen thousand seven hundred and fifty-nine square feet (18,759) more or less.

SECTION 2. In consideration for the change of use of the parcel described in section 1, the city of Fall River shall dedicate 10,136 square feet, more or less, of land in Fall River to be acquired from the Roman Catholic Bishop of Fall River which shall be added to Maplewood Park as remediation for the 3,326 square feet, more or less, of land that the public will not have access to at Bicentennial Park due to the combined sewer overflow control authorized in said section 1. The remediation land is further described as follows:

Being a portion of land in the City of Fall River, the County of Bristol, and the Commonwealth of Massachusetts more fully described as follows:

Beginning at a point on the northwesterly corner of the parcel described herein; thence

S 62° 01' 19" E for a distance of two hundred and 01/100 feet (200.01) to a point; thence

S 27° 58' 41" W for a distance of fifty and 00/100 feet (50.00) to a point; thence

N 62° 26' 15" W for a distance of one hundred ninety nine and 64/100 feet (199.64) to a point; thence

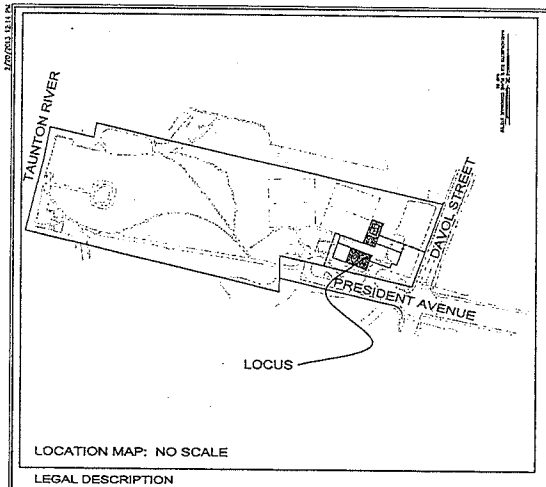
N 27° 33' 45" W for a distance of fifty one and 45/100 feet (51.45) to the point of beginning.

The parcel being described has an area of ten thousand one hundred thirty six square feet (10,136) more or less.

The parcel being described is also shown as Parcel D as shown on that certain plan of land entitled "Approval Not Required Plan of Land, Map E-22, Lots 3 & 28 in Fall River, MA" prepared for the Roman Catholic Bishop of Fall River dated April 2, 2013 by SITEC, Inc.

For the grantor's title see: a deed dated April 27, 1961 and recorded with the Bristol county, Fall River district registry of deeds in book 753, page 71; a deed dated April 27, 1961 and recorded with the Bristol county, Fall River district registry of deeds in book 753, page 73; a deed dated April 27, 1961 and recorded with the Bristol county, Fall River district registry of deeds in book 753, page 74; a deed dated October 25, 1962 and recorded with the Bristol county, Fall River district registry of deeds in book 788,

page 266; and a deed dated November 19, 1962 and recorded with the Bristol county, Fall River district registry of deeds in book 789, page 446.



LOCATION MAP: NO SCALE

LEGAL DESCRIPTION

BEING A PORTION OF THE LAND ON DAVOL STREET IN THE CITY OF FALL RIVER, THE COUNTY OF BRISTOL, AND THE COMMONWEALTH OF MASSACHUSETTS, DESCRIBED IN DEED BOOK 1134 PAGE 87;

BEGINNING AT A POINT ON THE WESTERLY SIDE LINE OF DAVOL STREET, SAID POINT BEING EIGHTY-FIVE AND SIXTY-ONE HUNDREDTHS FEET (85.61) NORTHEASTERLY FROM THE NORTH WEST CORNER OF DAVOL STREET AND PRESIDENT AVENUE, THENCE TURNING AND RUNNING;

SOUTHWESTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF SIX-THOUSAND THREE AND ZERO HUNDREDTHS FEET (6003.00) WITH A LENGTH OF SEVENTY-SEVEN AND SIXTY-FOUR HUNDREDTHS FEET (77.64) TO A POINT AT THE NORTHWEST CORNER OF DAVOL STREET AND PRESIDENT AVENUE, THENCE TURNING AND RUNNING;

SOUTHWESTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF TWENTY-FOUR AND ZERO HUNDREDTHS FEET (24.00) WITH A LENGTH OF SEVEN AND NINETY-SEVEN HUNDREDTHS FEET (7.97) TO A POINT AT THE NORTHWEST CORNER OF DAVOL STREET AND PRESIDENT AVENUE, THENCE TURNING AND RUNNING;

N76°58'20"W FOR A DISTANCE OF TWENTY-NINE AND THIRTY HUNDREDTHS FEET (29.30) BY THE SIDE LINE OF PRESIDENT AVENUE, THENCE TURNING AND RUNNING;

N76°58'20"W FOR A DISTANCE OF ONE HUNDRED SEVENTY-SIX AND NINETY-SIX HUNDREDTHS FEET (176.96), BY THE SIDE LINE OF PRESIDENT AVENUE, THENCE TURNING AND RUNNING;

N21°39'10"E FOR A DISTANCE OF EIGHTY AND TWENTY-ONE HUNDREDTHS FEET (80.21) TO A POINT, THENCE TURNING AND RUNNING;

S70°13'20"E FOR A DISTANCE OF SIXTY-FOUR AND NINETY-SEVEN HUNDREDTHS FEET (64.97) TO A POINT, THENCE TURNING AND RUNNING;

N19°38'54"E FOR A DISTANCE OF FIFTY-SEVEN AND SIXTY-FIVE HUNDREDTHS FEET (57.65) TO A POINT, THENCE TURNING AND RUNNING;

S70°21'06"E FOR A DISTANCE OF TWENTY-SEVEN AND FIFTY HUNDREDTHS FEET (27.50) TO A POINT, THENCE TURNING AND RUNNING;

S19°38'54"W FOR A DISTANCE OF TWENTY-EIGHT AND FORTY-ONE HUNDREDTHS FEET (28.41) TO A POINT, THENCE TURNING AND RUNNING;

S70°21'06"E FOR A DISTANCE OF ONE HUNDRED ELEVEN AND FIFTY-FOUR HUNDREDTHS FEET (111.54) TO THE POINT OF BEGINNING.

THE PARCEL BEING DESCRIBED HAS AN AREA OF EIGHTEEN THOUSAND SEVEN HUNDRED AND FIFTY-NINE SQUARE FEET (18,759) MORE OR LESS.

UTILITY INFORMATION STATEMENT

1. THE SUB-SURFACE UTILITY INFORMATION SHOWN HEREON IS COMPILED BASED ON FIELD SURVEY INFORMATION, RECORD INFORMATION AS SUPPLIED BY THE APPROPRIATE UTILITY COMPANY'S, AND PLAN INFORMATION SUPPLIED BY THE CLIENT, IF ANY; THEREFORE WE CANNOT GUARANTEE THE ACCURACY OF SAID COMPILED SUB-SURFACE INFORMATION TO ANY CERTAIN DEGREE OF STATED TOLERANCE. ONLY PHYSICALLY LOCATED SUB-SURFACE UTILITY FEATURES FALL WITHIN NORMAL STANDARD OF CARE ACCURACIES.

2. THE LOCATIONS OF UNDERGROUND PIPES, CONDUITS, AND STRUCTURES HAVE BEEN DETERMINED FROM SAID INFORMATION, AND ARE APPROXIMATE ONLY. COMPILED LOCATIONS OF ANY UNDERGROUND STRUCTURES, NOT VISIBLY OBSERVED AND LOCATED, CAN VARY FROM THEIR ACTUAL LOCATIONS.

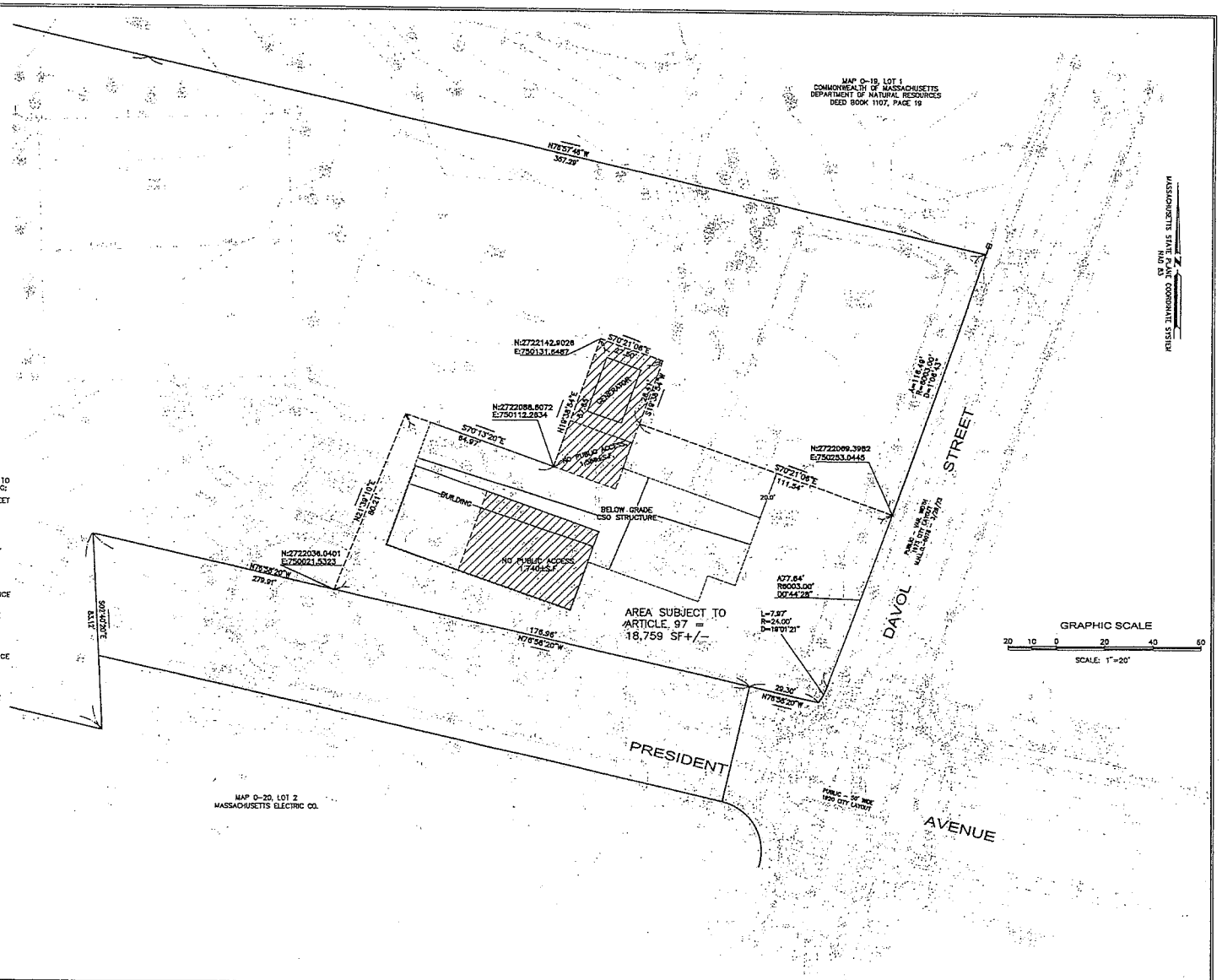
3. ADDITIONAL BURIED UTILITIES/STRUCTURES MAY BE ENCOUNTERED.

4. THE STATUS OF UTILITIES, WHETHER ACTIVE, ABANDONED, OR REMOVED IS AN UNKNOWN CONDITION AS FAR AS OUR COMPILATION OF THIS INFORMATION.

5. IT IS INCUMBENT UPON INDIVIDUALS USING THIS INFORMATION TO UNDERSTAND THAT COMPILING UTILITY INFORMATION IS NOT EXACT, AND IS SUBJECT TO CHANGE BASED UPON VARYING PLAN INFORMATION RECEIVED, AND ACTUAL LOCATIONS.

6. THE ACCURACY OF MEASURED UTILITY INVERTS AND PIPE SIZES IS SUBJECT TO FIELD CONDITIONS, THE ABILITY TO MAKE VISUAL OBSERVATIONS, DIRECT ACCESS TO THE VARIOUS ELEMENTS AND OTHER MATTERS.

7. THE PROPER UTILITY ENGINEERING/COMPANY SHOULD BE CONSULTED AND THE ACTUAL LOCATIONS OF SUBSURFACE STRUCTURES SHOULD BE VERIFIED IN THE FIELD (V.I.F.) BEFORE PLANNING FUTURE CONNECTIONS. CONTACT THE DIG SAFE CALL CENTER AT 1-888-344-7233, SEVENTY-TWO HOURS PRIOR TO EXCAVATION, BLASTING, GRADING, AND/OR PAVING.



Nitsch Engineering

www.nitscheng.com
2 Center Plaza, Suite 430
Boston, MA 02108
T: (617) 338-0063
F: (617) 338-6472

- Civil Engineering
- Land Surveying
- Transportation Engineering
- Sustainable Site Consulting
- Planning
- GIS

COMMONWEALTH OF MASSACHUSETTS
MICHAEL D. DONIO
NO. 34808
PROFESSIONAL ENGINEER

2/20/13

PROJECT #	8725.2
FILE:	8725_21ogo1.dwg
SCALE:	1" = 20'
DATE:	10/18/2012
PROJECT MANAGER:	MDB
FIELD BOOK:	
DRAFTED BY:	JCW
CHECKED BY:	

REV.	COMMENTS / REVISIONS	DATE
2	REVISED PERIMETER, AREA, LEGAL D. FOR ARTICLE 97	02/19/13
1	ADD PROPOSED DETAIL	11/06/12

ARTICLE 97 AREA

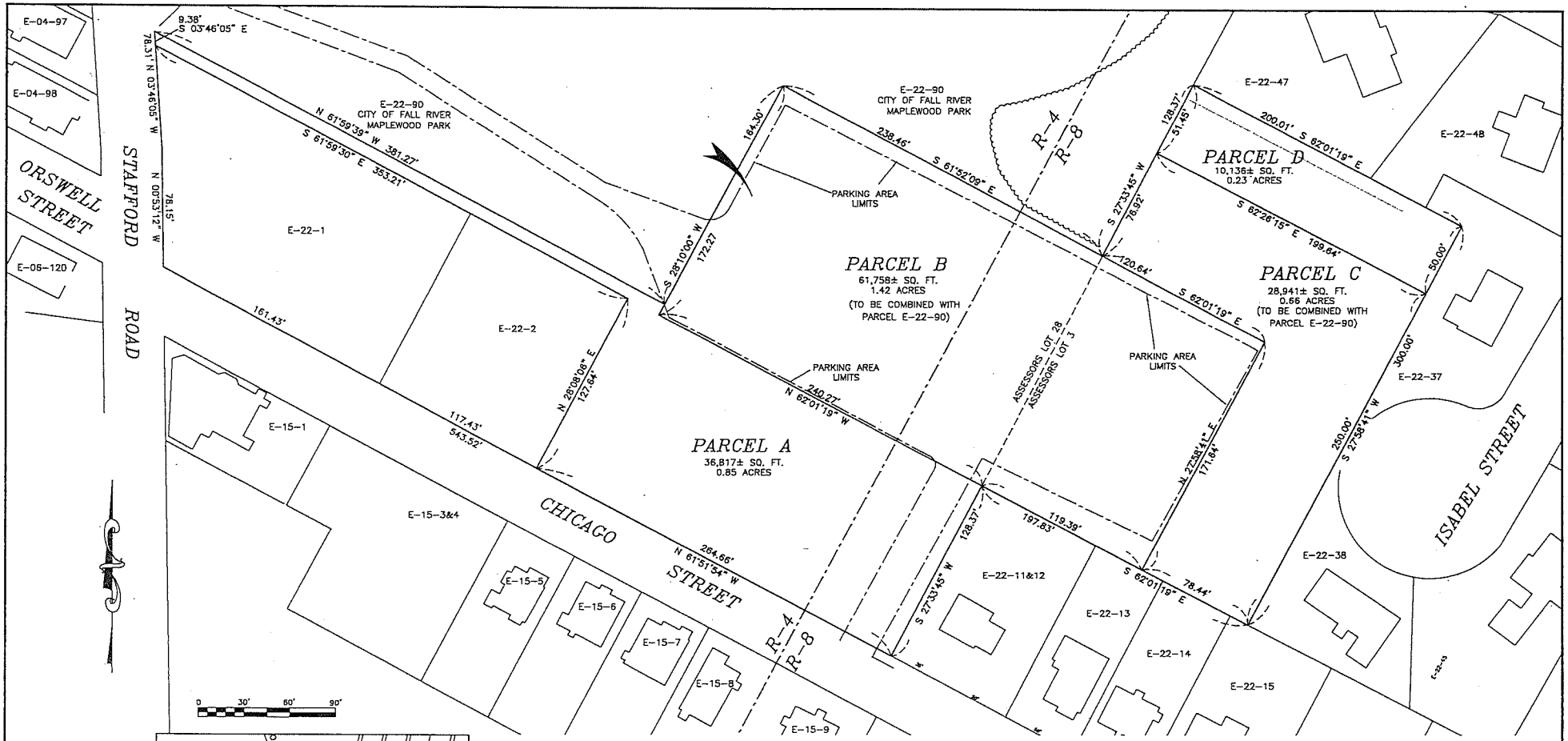
PRESIDENT AVENUE CSO SCREENING AND DISINFECTION FACILITY

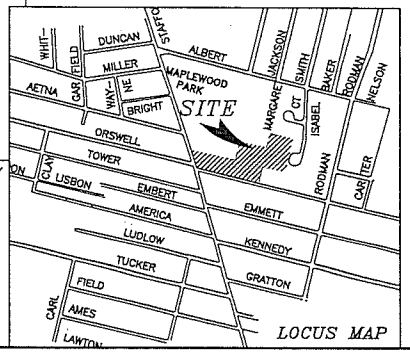
PREPARED FOR:
CDM SMITH
260 West Exchange Street, Suite 300 Providence, RI 02903

SHEET: 1

EX-1

OF 1





FOR REGISTRY USE ONLY

APPROVAL NOT REQUIRED
UNDER THE SUBDIVISION
CONTROL LAW

FALL RIVER PLANNING BOARD

DATE:

PARCEL SUMMARY

ASSESSORS REF: MAP E-22 LOTS 3, 28

LOT AREA=77,961 SQ. FT.

ZONING: R-8 AND R-4

DEED REFERENCE: BK:115 PG:304,
BK:506 PG:280,
BK:753 PG:73

OWNER: ROMAN CATHOLIC BISHOP OF FALL RIVER
394 HIGHLAND AVE.
FALL RIVER, MA 02720

I HEREBY CERTIFY THAT THIS PLAN CONFORMS WITH THE RULES AND REGULATIONS OF THE REGISTER OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

PROFESSIONAL LAND SURVEYOR DATE

APPROVAL NOT REQUIRED
PLAN OF LAND
MAP E-22 LOTS 3 & 28
IN
FALL RIVER, MA

PREPARED FOR

ROMAN CATHOLIC BISHOP OF FALL RIVER

SCALE: 1"=30' APRIL 3, 2013

PREPARED BY

SITEC
Civil and Environmental Engineering
Land Use Planning

SITEC, Inc.
449 Faunce Corner Road
Dartmouth, MA 02747
(508) 998-2125
FAX (508) 998-7554

2

City of Fall River
Massachusetts
Office of the Mayor

WILLIAM A. FLANAGAN
Mayor

RECEIVED
2013 JUL -3 P 12:00
CITY CLERK
FALL RIVER, MA

July 3, 2013

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

Dear Honorable Council Members:

In accordance with the provisions of Chapter 44, Section 32 of the Massachusetts General Laws, I recommend the following transfers to your Honorable Body.

1.	$900,000	That the sum of $900,000 be, and the same is, hereby transferred from **PENSION CONTRIBUTIONS,** to be credited to **COMMUNITY MAINTENANCE, EXPENSES**.
2.	$89,062	That the sum of $89,062 be, and the same is, hereby transferred from **INSURANCE,** to be credited to **COMMUNITY MAINTENANCE, EXPENSES**.
3.	$116,193	That the sum of $116,193 be, and the same is, hereby transferred from **INSURANCE,** to be credited to **COMMUNITY MAINTENANCE, SALARIES.**

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

Sincerely,

William A. Flanagan
Mayor

One Government Center • Fall River, MA 02722
TEL (508) 324-2600 • FAX (508) 324-2626 • EMAIL mayor@fallriverma.org

2

City of Fall River
Massachusetts
Office of the Mayor

RECEIVED
2013 JUL -3 P 12:02
CITY CLERK
FALL RIVER, MA

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: July 3, 2013

FINANCIAL TRANSFERS AND APPROPRIATIONS

1. The transfer request of $1,105,255 for Community Maintenance is needed to cover the snow and ice deficit. An original requested loan order, which was approved by the City Council, to cover this cost was denied by the Department of Revenue. The transfer will be coming from the Pension and Healthcare account, which have surplus due to the SAFER Grant reimbursement for both pension and healthcare related costs.

One Government Center • Fall River, MA 02722
TEL (508) 324-2600 • FAX (508) 324-2626 • EMAIL scadime@fallriverma.org

2

City of Fall River, *In City Council*

July 9, 2013
 # 1

ORDERED:

That the sum of $900,000 be, and the same is, hereby transferred from **PENSION CONTRIBUTIONS,** to be credited to **COMMUNITY MAINTENANCE, EXPENSES.**

2

City of Fall River, *In City Council*

July 9, 2013
 # 2

ORDERED:

That the sum of $89,062 be, and the same is, hereby transferred from **INSURANCE,** to be credited to **COMMUNITY MAINTENANCE, EXPENSES.**

2

City of Fall River, *In City Council*

July 9, 2013
 # 3

ORDERED:

That the sum of $116,193 be, and the same is, hereby transferred from **INSURANCE,** to be credited to **COMMUNITY MAINTENANCE, SALARIES.**

FY 13 Appropriation/Transfer Analysis

Line	Original/Revised Appropriation	Amount Transferred	New Appropriation
Pension Contributions	$ 19,607,360	$ (900,000)	$ 18,707,360
Insurance	$ 41,289,093	$ (205,255)	$ 41,083,838
Community Maintenance, Salaries	$ 3,559,297	$ 116,193	$ 3,675,490
Community Maintenance, Expense	$ 3,170,939	$ 989,062	$ 4,160,001

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

Krishan Gupta, City Auditor
7/2/2013

RECEIVED
2013 JUL -3 P 3:40
CITY CLERK
FALL RIVER, MA

2

3

CITY OF FALL RIVER, MASSACHUSETTS

BOARD OF ELECTION COMMISSIONERS
ONE GOVERNMENT CENTER
TEL. 508-324-2630

COMMISSIONERS

ELIZABETH A. CAMARA, CHAIRPERSON
AILEEN H. BELFORD, CLERK
MICHAEL P. DUNN
GREGORY A. BRILHANTE

RECEIVED
2013 JUL -2 P 2:59
CITY CLERK
FALL RIVER, MA

July 2, 2013

Honorable City Council
One Government Center
Fall River MA

Dear City Councillors:

The Board of Election Commissioners is requesting the attached list of locations be designated as polling precincts for the upcoming Special State Primary being held on Tuesday, August 13, 2013 and the Special State Election being held on Tuesday, September 10, 2013. The Special State Primary and Special State Election is for the office of:

State Representative – 6th Bristol District

The Board of Election Commissioners is also requesting the attached list of locations be designated as polling precincts for the upcoming City Preliminary being held on Tuesday, September 10, 2013 and the City Election being held on Tuesday, November 5, 2013. The City Preliminary and City Election is for the office of:

Mayor
City Council
School Committee

Also for any questions appearing on the ballot. The polls will open at 7:00 AM and close at 8:00 PM.

Sincerely,

Elizabeth A. Camara

Elizabeth A. Camara, Chairperson
Board of Election Commissioners

30

City of Fall River, *In City Council*

ORDERED, that the following places be and the same are hereby designated as polling places for the Special State Primary Election to be held on Tuesday, August 13, 2013 and the Special State Election to be held on Tuesday, September 10, 2013. The polls to be opened from 7:00 AM to 8:00 PM, and all polling places shall be used.

3a

CITY OF FALL RIVER

List of Wards, Precincts and Polling Places

State Representative – 6th Bristol District

Ward	Precinct	Polling Place Name	Polling Place Address
5	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	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	Entrance on Fulton Street
8	A	Mary L. Fonseca School	160 Wall Street
	B	Cardinal Medeiros Towers	1197 Robeson Street (Entrance on Stanley St)
	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

3b

City of Fall River, *In City Council*

ORDERED, that the following places be and the same are hereby designated as polling places for the Municipal Preliminary Election to be held on Tuesday, September 10, 2013 and the Municipal Election to be held on Tuesday, November 5, 2013. The polls to be opened from 7:00 AM to 8:00 PM, and all polling places shall be used.

3b

CITY OF FALL RIVER

List of Wards, Precincts and Polling Places

Ward	Precinct	Polling Place Name	Polling Place Address
1	A	Alfred Letourneau School	323 Anthony Street
	B	Edward F. Doolan Apartments	Corner of Laurel and Mitchell Drive
	C	Alfred Letourneau School	323 Anthony Street
2	A	Blessed Trinity Church	1340 Plymouth Avenue (Entrance on Winthrop St.)
	B	Blessed Trinity Church	1340 Plymouth Avenue (Entrance on Winthrop St.)
	C	Candeias-Niagara Fire Station	Corner Plymouth Avenue and 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 Avenue and Warren Street
	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	Entrance on Fulton Street
8	A	Mary L. Fonseca School	160 Wall Street
	B	Cardinal Medeiros Towers	1197 Robeson Street (Entrance on Stanley 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

Proposed Ordinance – Base Meter Fee

CITY OF FALL RIVER

13

To the City Council

Councillors:

The Committee on Ordinances and Legislation, at a meeting held on July 2, 2013 voted 4 yeas, 1 nay to recommend that the accompanying proposed ordinance be passed through first reading, as amended with Councilor Mitchell voting in the negative.

Colleen A. Taylor
Clerk of Committees

13

City of Fall River, *In City Council*

Be it ordained, by the City Council of the City of Fall River, as follows:

That Section 74-366 of Appendix A-Fee Schedule of the Revised Ordinances of the City of Fall River, Massachusetts, 1999, which Section relates to the Base Meter Fee, be amended as follows:

By striking out the existing table of fees and inserting in place thereof, the following:

Section 74-366 Base Meter Fee:

Water Service Size	Fee Per Quarter
5/8"	$ 12.00
3/4"	$ 12.00
1"	$ 16.00
1-1/2"	$ 30.00
2"	$ 50.00
3"	$100.00
4"	$120.00
6"	$200.00
8"	$240.00
10"	$300.00

CITY OF FALL RIVER
IN CITY COUNCIL
JUN 1 1 2013

Referred to the Committee on Ordinances and Legislation

City of Fall River, *In City Council*

ORDERED, that in accordance with provisions of law, notice is hereby given that meetings of the citizens qualified to vote at a Special State Primary Election will be held on August 13, 2013 and the Special State Election on September 10, 2013 in the several voting places designated by the Council, to cast their votes for the candidate of political parties for the following office:

State Representative – 6th Bristol District

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 Election to be prepared and furnished for the same, the use of 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.

City of Fall River, *In City Council*

ORDERED, that in accordance with the provisions of law, the City Clerk be and is hereby authorized and directed to cause notices to be given that meetings of the voters of the city qualified to vote at a preliminary municipal election, to be held on Tuesday, September 10, 2013 and the Municipal Election to be held on Tuesday, November 5, 2013 in the several polling places designated by this Council, to cast their votes for the nomination of candidates for the offices of:

Mayor
City Council
School Committee

and any questions that may appear on the ballot, and

BE IT FURTHER ORDERED, that the Board of Election Commissioners be and the same are hereby authorized and empowered to cause all necessary rooms, fixtures, apparatus, and supplies for the holding of the municipal election to be prepared and furnished for the same, the cost 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 polling places to be used.

C C

24

RECEIVED
2013 JUN 21 A 11:30
CITY CLERK 13-101
FALL RIVER, MA

CLAIM FORM
City of Fall River, Massachusetts

Name: Bryan Melo

Address: 33 Barclay St.
Fall River, Ma 02724

Phone #: 508-287-4449

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

Date of Incident: 06/03/13
Time of Incident: 11:05 a.m.
Location of Incident: Slade St.

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

PLEASE SEE ATTATCHED FORM.

— THANK YOU.

orig & 2 copies Law
1 DPW
1 CC
1 City clerk

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

24

June 20, 2013

To whom it may concern,

My name is Bryan Melo and I am a resident of the City of Fall River. On June 3, 2013 at approximately 11:05 a.m., I was driving my vehicle eastbound on Slade St. towards East Main St. when my vehicle struck a pothole. The pothole was located directly in front of the Thomas Chew Playground. As my car struck the pothole, I heard a loud noise come from my front left tire that resembled a "pop" sound. I immediately pulled my car over to the side of the road and checked my tire. No visible damage could be detected on the vehicle or my front left tire.

Later on that day, however, I noticed that my front left tire was making unusual noises. Immediately I consulted a professional mechanic and upon inspection determined that my front strut assembly was broken and no longer operable and suggested immediate repair. I was also made aware that the expenses would run in excess of $300 dollars. The mechanic indicated that two struts would be required in order to ensure proper alignment of the vehicle.

Attached to this form I have included a bill from LaCava Brothers Auto Supply on Bedford St. in Fall River. This bill, in the amount of $305.60, was paid in full on June 4, 2013. I have also attached photos of the pothole that I struck with my vehicle. The pothole in over 12 inches in length and about 6 inches in width, and is considerably deep in relation to the street.

I hope that the board will consider a careful review of my claim. As an undergraduate college student, these unwarranted expenses are quite expensive and tedious. I feel that these damages are a result of no fault of my own and I would appreciate it if the board or persons responsible would take the time to review and consider my claim.

As always your time is greatly appreciated.

Thank you,

Bryan Melo

Bryan Melo

orig + 2 Copies Law
1 DPW
1 CC
1 City Clerk

Print : CUSTOMER COPY
Print Type : Original
Delivery Method :

INVOICE

LaCava Brothers Auto Supply

LACAVA BROTHERS AUTO SUPPLY
1262 Bedford St
Fall River, MA 02723-2638
P:508 676-1951 F:5086725863

Created Date : 06-04-2013
Finalized Date : 06-04-2013
Time Printed : 06-04-2013 09:56 AM
By : dennis

24

INVOICE NUMBER:S878

Vehicle : 1997 NISSAN-DATSUN ALTIMA 4-2389 2.4L Chassis & Steering - Shocks & Struts

Ord	Ship	B/O	MFR	Item #	Desc	List	Cost	Core	Extended
1	1	0	MON	171941	MONROE QUICK ST	$ 143.81	$ 143.81	$ 0.00	$ 143.81
Vehicle : 1997 NISSAN-DATSUN ALTIMA 4-2389 2.4L Chassis & Steering - Shocks & Struts BUY OUT - PO# : P229 WH Code : 215									
1	1	0	MON	171942	MONROE QUICK ST	$ 143.81	$ 143.81	$ 0.00	$ 143.81
Vehicle : 1997 NISSAN-DATSUN ALTIMA 4-2389 2.4L Chassis & Steering - Shocks & Struts BUY OUT - PO# : P229 WH Code : 215									

Total Cost	Total Core	Total Freight	Total Labor	Total Tax	Invoice Total
$ 287.62	$ 0.00	$ 0.00	$ 0.00	$ 17.98	$ 305.60

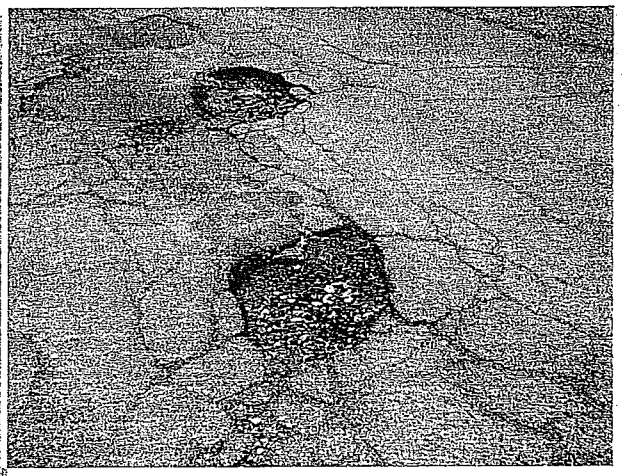
Payment Detail

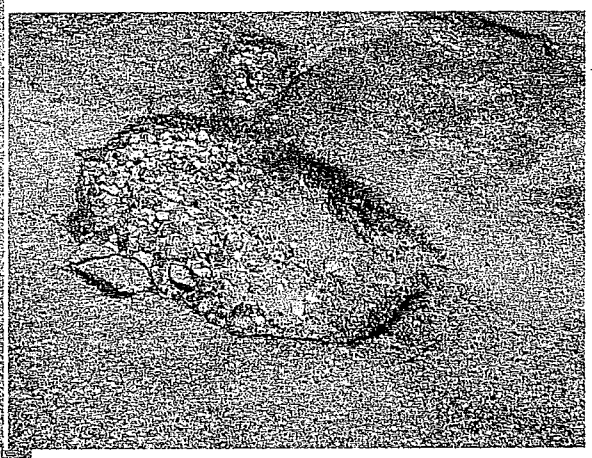
Type	Date	Amount
Cash	06-04-2013	$ 305.60

Received By : _____

Date By : _____

Paid in full
Dennis





CC

#13-102

24

REILLY, MANSOLILLO & CALABRO, LLC

Attorneys and Counselors at Law

John B. Reilly
Raymond A. Mansolillo
Daniel Calabro, Jr.
Sean R. Doherty

100 North Main Street, 2nd Floor
Providence, Rhode Island 02903
(401) 272-2800
Fax (401) 272-2811

Federal and State Court Litigation and Trials
www.lawyers-online.us

Boston Office:
101 Federal Street
Boston, Massachusetts 02110
(617) 342-7181
Fax (617) 342-7080

June 21, 2013

By Federal Express

RECEIVED
2013 JUN 24 A 9:06
CITY CLERK
FALL RIVER, MA

Alison M. Bouchard, City Clerk
City of Fall River
One Government Center
Room 227
Fall River, MA 02722

RE: Our Clients: Maritza Gustave, Personal Representative
Estate of Marie G. Joseph (and certain claims of heirs)
Maritza Gustave, Ruddy Joseph, Fritz Gustave,
Tanicole Vanquier and Reddy Joseph

Agencies/Employees Involved:
City of Fall River
Roger Casavant and Lisa Golden

PRESENTMENT OF CLAIM(S) UNDER M.G.L. c. 258

Dear Ms. Bouchard:

Please be advised that this office is now representing Maritza Gustave of Fall River, Massachusetts who on February 10, 2012 was appointed Personal Representative in the Administration of the Estate of Marie G. Joseph, who died on June 26, 2011. An informational copy of a certification of Ms. Gustave's appointment is attached, for reference purposes, at Exhibit "A".

You have previously received a notice in this regard from Attorney David Sullivan dated November 16, 2011. While we believe that constituted a valid Presentment Letter under the provisions of M.G.L. c. 258 §4, et. seq. to which there has been a response, this further presentment notification is issued to avoid any potential procedural issues as may have occurred due to the decision in *Estate of Gavin v. Tewksbury State Hospital,* 83 Mass. App. Ct. 139 (March 28, 2013) and to amplify the nature of the claim(s) presented.

2 copies + orig Law
1 Health
1 CC
1 city clerk

As you are likely well aware, Marie Joseph was an invitee at the Vietnam Veterans Memorial Pool, Lafayette Park, Fall River, Massachusetts which had opened to the public for the Summer, 2011 season on the 26th of June of that year. We attach, and incorporate herein, by reference, copies of the *Final Investigative Report of the Massachusetts Department of Conservation & Recreation* issued on or about April 20, 2012 and the *"District Attorney's Findings and Conclusions of the Drowning Death of Marie Joseph in the Fall River, Vietnam Veterans Memorial Pool"* at Exhibit "B" and "C" respectively. Additionally, please find a copy of the *Hearing Officer's Recommended Findings of Fact and Conclusions* from the Disciplinary Hearing of Roger Casavant at Exhibit "D".

It is our position and contention that Ms. Joseph's death was directly and proximately caused by the actions, inactions, reckless and/or wanton conduct by the persons and agencies identified in these reports, including the officials of the City of Fall River and/or the City of Fall River, Massachusetts. The Department of Public Health is named for (among other things) its failure to promptly arrange inspections of the pool and/or to properly notify Fall River agencies to do so. The individual claims include all non-derivative claims they may have, including but not limited to negligent and/or intentional infliction of emotional distress and negligent mistreatment or interference with their mother's dead body.

In considering this situation, please note that Ms. Joseph was born on May 25, 1975, meaning that as of the date of her death she was 36 years of age. She had five (5) children; each of whom are heirs and (to the extent permitted by law) individual claimants. Namely, Ms. Gustave (d/o/b: 8/15/92), Ruddy Joseph (d/o/b: 6/24/91), Fritz Gustave, Jr. (d/o/b: 2/3/94), Tanicole Vanquier (d/o/b: 5/17/95), and Reddy Joseph (7/7/96) (individually and collectively "the heirs"). (A court-appointed guardian *ad litem* for one or more of the decedent's minor children and has prior knowledge of and assents to the issuance of this Presentment Notice.)

It is the purpose of this further notification to officially present any and all claims that may be properly brought and are recoverable by Ms. Gustave on behalf of the Estate and the heirs, including, but not limited to claims for conscious pain and suffering by the decedent during this tragic event. The individual heirs assert any and all separate claims that may not be encompassed by the action or claim made by the Personal Representative of the Estate.

We look forward to the City's response.

Very truly yours,

John B. Reilly

JBR/ss
Enclosures

cc: David Sullivan, Esq.
Mark Zajac, Esq.
Maritza Gustave *(w/o enclosures)*

24

#13-103

RECEIVED

CLAIM FORM

City of Fall River, Massachusetts

2013 JUN 26 A 9:43

CITY CLERK
FALL RIVER, MA

Name: Richard Bohun

Address: 698 South Main St. Apt. 2W
Fall River MA

Phone #: 774-488-6626

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

Date of Incident: 6/5/13
Time of Incident: 2:00 pm.
Location of Incident: Rodman Street.

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

On the afternoon of June 5th, 2013 I was traveling on Rodman St. in Fall River, MA and couldn't avoid an extremely large pot hole that was located in my travel lane. The impact caused my right front tire to become unsafe and undrivable. I am hoping to be refunded for my damaged tire due to your unavoidable and under-functioning road conditions. I have already address this matter/concern with Perry Long and this is why I am completing this claim form. Thank you for your time and attention to my problem. I have attached my repair bill that wass associated with this issue.

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

any + 2 copies Law
1 DPW
1 C.C.

Quote #260083

24

Henry's Tire Service

714 Globe St., Fall River, MA 02724
Phone: 508-678-5362 Fax: 508-679-9755

Customer Information	Quote	Additional Information
Richard Bohun Fall River, MA P: 774-488-6626 Contact:	Date: 6/17/2013 Reference: Q-260083 Salesperson: Aaron Gauthier Route: Delivery Date: 6/17/2013	PO Number: Work Order#: Comment: Comment: Entered By: Aaron Gauthier

Qty	Description	Unit Price	Ext. Price
1.00	P225/4517 91H, Continental ContiProContact SSR	238.00	238.00
1.00	Tire Mount/Dismount A	10.00	10.00
1.00	Tire Balance A	12.00	12.00
	MA Taxable	Subtotal:	260.00
		MA Sales Tax:	14.88
		Tire Disposal Pass/LT:	2.00
	Terms: Net 30th	Total:	$276.88

Terms:

Due Date	Due Amount	Amt Remain
7/30/2013	$276.88	$276.88

"Thank You"

~ THE FOLLOWING SECURITY AGREEMENT AREA IS CUSTOMIZABLE BY USER ~ I hereby authorize the stated repair work to be done along with the necessary material, and hereby grant [Company Name] permission to operate the vehicle herein described on streets, highways or elsewhere for the purpose of testing and/or inspection. An express mechanic's lien is hereby acknowledged on above vehicle to secure the amount of repairs thereto. [Company Name] is not responsible for loss or damage to vehicles, or articles left in vehicles, in case of fire, theft or any other cause beyond it's control. A 1.5% (18% APR) service charge will be assessed on any amount which becomes delinquent beyond 30 days.

Expiration Date: 9/15/2013

Signature _____

24

RECEIVED

2013 JUN 27 A 9:21

CITY CLERK 13-104
FALL RIVER, MA

CLAIM FORM
City of Fall River, Massachusetts

Name: VERONICA MARTINEZ

Address: 67 GARFIELD ST APT 2
FALL RIVER MA 02721

Phone #: 774-930-7262

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

Date of Incident: June 6, 2013
Time of Incident: 10:00 pm
Location of Incident: ____

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

TAKING A LEFT TURN ONTO ROUTE 81 FROM STOP & SHOP at NEWTON ST, MY VEHICLE HIT A POT HOLE, TIRE BLEW OUT AND I HIT THE CURB CAUSING MAJOR DAMAGE. THE RIM IS NO GOOD AND THE "SWING ARM" BROKE. I HAD to HAVE TOWED FROM SCENE

orig + 2 copies Law
1 DPW
1 CC
1 city clerk

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

24

RECEIVED

2013 JUN 27 A 9:21

CITY CLERK
FALL RIVER, MA

M&M Tire Company
510 Belleville Avenue
New Bedford, MA 02740

06/17/2013 12:45PM 01
000000#5421 CLERK01

TIRE	$30.00
MISC LABOR	$8.00
MDSE ST	$38.00
TAX1	$1.88

ITEMS 2Q
CASH $39.88

30 DAY GUARANTEE
VISIT
US AGAIN

M & M TIRE COMPANY INC.
510 BELLEVILLE AVE
NEW BEDFORD, MA 02746

Merchant ID: 0085 Ref #: 0010-

Sale

XXXXXXXXXXXX8165
VISA Entry Method: Swiped

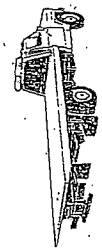
Total: $ 39.88

06/17/13 13:33:20
Inv #: 000010 Appr Code: 163332
Transaction ID: 203168632004850
Apprvd: Online BatchH: 000130

Customer Copy

THANK YOU!

Flat Bed Service
Junk Car Removal



FOGERTY'S TOWING & AUTO SALVAGE
Road Service • Lock-Out • Car Crushing
New & Used Tires • Batteries
Used & Aftermarket Parts
508-285-7440

97 Oak Street
Norton, MA 02766

Randy Fogerty

date 6 / 18 / 13 No. 030509

received from VERONICA MARTINEZ 40 -

amount FORTY DOLLARS

for payment of 98 IMPREZA WHEEL

✓ cash ◯ money order ◯ credit card ◯ check #

amount due	40	-
amount paid	40	-
balance	Ø	

from to

signature

SC1152WS

24

Xtreme Paint & Collision

320 BELLEVILLE RD
New Bedford, MA 02745
(508) 992-3899
(508) 992-3883

RECEIVED
2013 JUN 27 A 9:21
CITY CLERK
FALL RIVER, MA

June 13, 2013

Attention:

For: 's 1993 Subaru Impreza
Claim #:
Report #: 2120

Dear ,

The following is the final bill for the repairs we performed on the car listed above.

Repair Order:	$153.62
Supplement:	$0.00
Total Amount:	$153.62
Minus Payments:	$0.00
Minus Deductible:	$0.00
Minus Betterment:	$0.00
Current Balance:	**$153.62**

PAID
CASH

Please issue prompt payment for the current amount due. If you have any questions, please feel free to call.

Sincerely,

Moses Lima
Owner

Xtreme Paint & Collision

Registration #: 4395
320 BELLEVILLE RD
New Bedford, MA 02745
Phone #: (508) 992-3899
Fax #: (508) 992-3883
E-Mail: Xtremepaintandcollision@verizon.

24

Estimate

6/20/2013

Customer No: 2120
Report No: 2948
Claim #:
Assign No:

RECEIVED
2013 JUN 27 A 9:21
CITY CLERK
FALL RIVER, MA

Vehicle Information	Owner - Veronica Martinez	Accident Location
1993 Subaru Impreza	67 garfield st	
Style: 4D SED L	Fall River, MA 02721	
Color:	Home Phone: (508) -	
Color Code:	Work Phone: (508) -	Phone #1: -
Production Date: / 0	Fax #: (508) -	Phone #2: -
License: State: MA	**Insured -**	**Claimant -**
VIN: JF1GC244XPK527319		
Miles In: 0		
Miles Out: 0	Home Phone: (508) -	Home Phone: (508) -
Condition:	Work Phone: (508) -	Work Phone: (508) -
Estimator:	Fax #: (508) -	Fax #: (508) -
Date Assigned: 6/10/2013	Date of Loss: 6/10/2013	Date of Inspection: 6/10/2013

Options: Impreza, 1800 Engine Size (cubic Cm)

Description of Work	Part Number	Price	Labor	Paint	Other
FRONT BUMPER - BUMPER & COMPONENTS					
Replace Front Bumper cover	57720FA001	$249.95	2.1 body	2.7	
+Clearcoat (1.1)				1.1	
FRONT LAMPS - PARK & SIDE MARKER LAMPS					
Replace Aftermarket Left Front Side Marker Park lamp	84451FA0701	$64.62 *	Included		
FENDER - FENDER & COMPONENTS					
Replace Aftermarket Left Fender	57110FA0301	$90.77 *	2.0 body	2.8	
+Edging (0.5) +Clearcoat (0.7) -Body Overlap (0.4)			-0.4	1.2	
Replace Left Fender liner, rear	59110FA010	$23.22	0.3 body		
Replace Left Fender liner, front	59110FA051	$28.20	0.3 body		
FENDER - EXTERIOR TRIM					
R&I Left Body side mldg, black			0.3 body		
FENDER - STRUCTURAL COMPONENTS & RAILS					
Repair Left Apron panel, rear			4.0* body	0.5	
-Adjacent (0.2) +Clearcoat (0.1)				-0.1	
WHEELS - WHEELS					
* Replace Aftermarket Remanufactured wheel 5 spoke 15"	28111FA4401	$220.00 *	0.3 mech		
FRONT SUSPENSION - SUSPENSION COMPONENTS					
Replace Left Front Control arm, lock nut	20207AA000	$3.87			
Replace Left Front Control arm, washer	20206AA000	$5.77			
Replace Left Front Control arm, stopper, rear	20202AA011	$7.07			
Replace Left Front Control arm, rear bushing	20201AA041	$83.28			
Replace Left Control arm, stopper, front	20202AA001	$3.02			
Replace Left Front Ball joint	20206AJ000	$41.57			
Replace Left Front Control arm	20200AC210F	$172.55	1.0 mech		
FRONT SUSPENSION - STABILIZER BAR & COMPONENTS					
Replace Left Front Stabilizer link	20420AA004	$57.22	0.4 mech		
FRONT SUSPENSION - STRUTS & COMPONENTS					
Replace Left Front Strut, 1.8 liter	20311FA230	$159.95	1.5 mech		
STEERING GEAR & LINKAGE - STEERING GEAR & LINKAGE					
Replace Left Outer tie rod, 2WD, sedan, wagon, w/o LS	31320GA200	$54.95	0.5 mech		
FRONT DOOR, SEDAN & STATION WA - DOOR & COMPONENTS					
Repair Left Front Door shell			2.5* body	3.0	
-Adjacent (0.4) +Clearcoat (0.5)				0.1	

Xtreme Paint & Collision

Registration #: 4395
320 BELLEVILLE RD
New Bedford, MA 02745
Phone #: (508) 992-3899
Fax #: (508) 992-3883
E-Mail: Xtremepaintandcollision@verizon.

RECEIVED

Estimate

6/20/2013

Customer No: 2120
Report No: 2948
Claim #:
Assign No:

24

2013 JUN 27 A 9:21
CITY CLERK
FALL RIVER, MA

Description of Work	Part Number	Price	Labor	Paint	Other
Hazardous Waste Disposal					$5.00* taxed
Cover car for paint overspray		$5.00*	~~0.3* body*~~		
Car cover for primer overspray		$5.00*	~~0.3* body*~~		
Undercoating			0.5* body*		$12.00* taxed
Collision Access Time			0.5* body*		
Misc. Clips & Hardware		$20.00 *			
D&R Battery / Reset Electronics			0.3* mech*		
Repair Four Wheel Alignment		$69.95 *	1.8* mech*		
Sub Totals		$1,365.96	18.5	11.3	

This appraisal is prepared and sworn to under the penalties of perjury in compliance with Massachusetts General Law, Chapter 26 Section 8G.

Thank you for choosing Xtreme Paint & Collision Inc.
We are committed to exceptional service and quality work. Please call us with all of your autobody needs.

Xtreme Paint & Collision Inc.

	Hours	Rate	Total	
Body Labor	12.7hrs	$40.00/hr	$508.00	
Paint Labor	11.3hrs	$40.00/hr	$452.00	
Mech Labor	5.8hrs	$40.00/hr	$232.00	
OEM Parts			$990.57	T
Aftermarket Parts			$375.39	T
Paint Supplies	11.3hrs	$24.00/hr	$271.20	T
Misc Taxed			$17.00	T
Tax	$1654.16 @ 6.2500%		$103.39	
Grand Total			**$2,949.55**	

Estimate based on MOTOR CRASH ESTIMATING GUIDE. Unless otherwise noted all items are derived from the Guide. NAGS Part Numbers and Benchmark Prices are provided by National Auto Glass Specifications. Labor operation times listed on the line with the NAGS information are MOTOR suggested labor operation times. NAGS labor operation times are not included. Guide used is (AEL7590). 1/13

* Indicates Estimator's Judgment
T Indicates Taxed Item
1-Indicates aftermarket part taken from keystone pricing guide. Call (508) - to order.

24

RECEIVED

2013 JUL -2 A 10:16

CITY CLERK
FALL RIVER, MA

13-105

CLAIM FORM
City of Fall River, Massachusetts

Name: Angeline Pontes

Address: 107 Willard St.
Fall River, Mass.

Phone #: 508-679-3528- 508-979-6220

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

Date of Incident: June 8 2013
Time of Incident: approx 4 pm
Location of Incident: Boardwalk, Heritage State Park

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

Went for a walk with granddaughter. Was a beautiful day - After walking for several minutes I tripped and fell on an uneven part of the boardwalk - The area as you must know is very dangerous - The boards are uneven and even feel loose when you step on them - Result of my fall was a broken shoulder - It is very painful and debilitating - The area to be in a sling for six weeks - It heals well - PT will be needed - If healing does not

LEFT

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

go well - Surgery will be needed - I am 72 years old and just lost my husband - This comes at a very bad time in my life - I have never fallen before so this is caused by the pathway -

I was told that the boardwalk was suppose to be checked and fixed - apparently it wasn't done well or not at all -

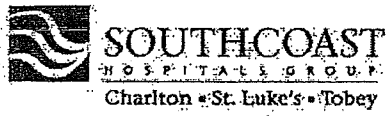
I am contacting a lawyer for pain and suffering -

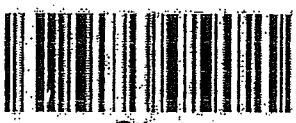
Thank you

Angeline Portes

RECEIVED
2013 JUL -2 A 10: 16
CITY CLERK
FALL RIVER, MA

24





Date: 06/08/13
Account No: CZ55886568
Unit No: CM0255798
Patient: PONTES,ANGELINE
Location: C-ERF
Physician: Busby,Eric PA-C

Patient Visit Information

You were seen today for:

LEFT HUMERUS NON-DISPLACED HEAD/NECK FRACTURE

RECEIVED
2013 JUL -2 A 10: 16
CITY CLERK
FALL RIVER, MA

Staff

Your caregivers today were:

Physician: Busby,Eric PA-C
Nurse: KMA

Patient Instructions Reviewed

** Tell Us About Your Visit **
*** Southcoast Information ***
*** Southcoast Safety Info ***

received 06/08/13 - 1902

Activity Restrictions or Additional Instructions

COASTAL ORTHOPEDICS - DR MABIE'S OFFICE WILL CALL YOU FOR FOLLOW-UP
ICE
MEDS AS DIRECTED
SLING

Medication Dose and Instructions

Docusate Sodium (Colace) 100 MILLIGRAM, BY MOUTH Two Times A Day, 14 Days

oxyCODONE *Immediate* (Roxicodone) 5 MILLIGRAM, BY MOUTH EVERY 4-6 HOURS AS NEEDED, #30
Instructions: FOR PAIN

Follow-up

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RETAIN WHITE COPY FOR CAPE MEDICAL SUPPLY – PINK COPY TO PATIENT

Phone: (800) 339-3322 *Main Fax:* (508) 888-9266 *Web:* www.CapeMedical.com *Email:* info@capemedical.net
HQ Address: 28 Jan Sebastian Drive, Sandwich, MA 02563 *Accredited by*: The Joint Commission

STOCK AND BILL EQUIPMENT DISPENSING ORDER

For Bracing Products, Please Place Product Sticker Here
OR
If no sticker please write in product description & size

CAPE MEDICAL SUPPLY USE ONLY
☐ St Luke's Hospital ☐ Southcoast Surgical Center
☐ Tobey Hospital ☐ Other: _____
☐ Charlton Hospital

☐ Crutches ☐ Standard Walker ☐ Cane
PD JR A T (Circle size) ☐ Walker w/wheels ☐ Bariatric Crutches

Check here for ALL Bracing and Orthopedic Products and Place Product Sticker in Indicated Box Above

Please Indicate Affected Side for Patient, if applicable: ☐ LEFT ☐ RIGHT

Patient Responsibilities

I agree to receive the above equipment and billing services from Cape Medical Supply (CMS).. I have read and fully understand my rights and responsibilities as a customer of CMS. I hereby give permission for my insurance company to pay CMS directly. **I further agree to pay any balance due, including those resulting from insurance deductibles, partial insurance payments, or denial of claims for any reason.** I understand that my insurance allows this item once every five years and that I will be responsible for full payment if my insurar has paid for a same or similar item in the past five years. I understand and agree that all balances due for this equipment are solely my responsibility. Billing of my insurance company is a service provided by CMS, but in no way relieves me of my financial obligations to p for services rendered. I consent to the review of my patient information, including medical records, by any federal, state or accrediting bo or agency as required. I also consent to CMS obtaining and sharing with my insurance company any and all medical records that pertain t the proper billing of this equipment.

PLEASE PLACE PATIENT STICKER HERE
PLEASE ENSURE PATIENT FACE SHEET ATTACHED

PLEASE COMPLETE THE FOLLOWING:

Date: 6/8/12

Patient Signature: _____

19-202A-02
HCPCS Code* L3670

If patient is under 18 or unable to sign:

Patient representative: _____ Signature: _____

Relationship to patient: _____

Physicians Order

Please dispense the equipment named above. This patient cannot safely ambulate without this equipment and/or th equipment is essential to the patients healing and rehabilitative process.

Diagnosis / Treatment: _____

MD Printed Name: _____ **MD Signature:** _____

Date: _____ Length of Need: (99 = Lifetime): _____

RECEIVED
2013 JUL -2 A 10: 11
CITY CLERK
FALL RIVER, MA

Mission: Cape Medical Supply is dedicated to improving the lives of those we serve through the superior delivery of home medical equipment and respiratory care. We work in collaboration with the communities we serve to ensure positive outcomes for individuals

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Pontes, Angeline CM0255798 08 Jun, 2013 6:32:51 PM

CHARLTON
Pontes , Angeline
DOB: 15-May-1941 72
08-Jun-2013 18:32
ID: CM0255798

RECEIVED
2013 JUL -2 A 10: 17
CITY CLERK
FALL RIVER, MA

409c E 204
Filter None Fact

Cape Medical Supply
Returned Mail Only - No Correspondence
PO Box 13150
Overland Park, KS 66282

Send Payments to:

Cape Medical Supply
28 Jan Sebastian Dr.
Sandwich, MA 02563-2361

24

Account Number
53047
Patient Name
ANGELINE PONTES

Pay Online:
www.capemedical.com

10144-7077

011480

ANGELINE PONTES
107 MILLARD ST
FALL RIVER, MA 02720-1642

BILLING QUESTIONS
(800) 339-3322
Monday - Friday
8:30 am - 5:00 pm

IMPORTANT MESSAGES

- Any insurance provided has been applied, please reference your EOB.
- The balance shown is your responsibility.
- A service charge may apply if payments are late.

INSURANCE ON FILE
MEDICARE - ALL REGIONS

INVOICE: 427142

SERVICE DATE	DESCRIPTION	AMOUNT
06/08/2013	1.000 - Shoulder Orthosis Soft w/ waist strap S	$19.17

RECEIVED
2013 JUL -2 A 10:11
CITY CLERK
FALL RIVER, MA

PATIENT OWES THIS AMOUNT

DUE: 07/08/2013
$19.17

PLEASE DETACH HERE AND RETURN BOTTOM PORTION WITH YOUR PAYMENT

Pay Online: **www.capemedical.com**

☐ VISA ☐ MasterCard ☐ DISCOVER

CARD NUMBER EXPIRATION DATE

CCV/CVN SECURITY CODE BILLING ZIP

CARDHOLDER NAME SIGNATURE

Patient: ANGELINE PONTES
Account: 53047
Invoice: 427142-06/08/2013

PLEASE PAY THIS AMOUNT: **$19.17**

AMOUNT ENCLOSED:_____

LATE AFTER: **07/08/2013**

Mail Payment to:

Cape Medical Supply
28 Jan Sebastian Dr.
Sandwich, MA 02563-2361

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TOWN OF WAREHAM

54 Marion Road
Wareham, Massachusetts, MA 02571

BOARD OF SELECTMEN
Peter W. Teitelbaum, Chairman
Alan H. Slavin, Clerk
Stephen M. Holmes
Patrick G. Tropeano
Judith Whiteside

RECEIVED
2013 JUN 27 P 3:26
CITY CLERK
FALL RIVER, MA

Dear President Pereira:

I am writing to ask that you join the Town of Wareham Board of Selectmen in supporting House Billll15, an Act relative to the definition of low and moderate income housing. This bill is sponsored by Representative Susan Williams Gifford, and seeks to amend Massachusetts General Laws Chapter 40B, § 20 by adding the following sentence:

> *Low and moderate income housing shall also include mobile homes and group homes, manufactured homes, in-law apartments and any first-time home buyers participating in any state or federal assistance program.*

The bill's legislative webpage may be found at the following link where you can view its current status in committee: https://malegislature.gov/Bills/188/House/H1115

Our town, and others similarly situated across the Commonwealth, currently possesses hundreds of housing units in the form of mobile homes and other types of very affordable property that presently do not count towards the ten percent affordable housing quota required by Chapter 408. Accordingly, we remain subject to the provisions of Chapter 40B that allow developers of affordable housing to avoid much of our local zoning controls.

Such development has often proven burdensome to abutters, added traffic flow on Town roads, and has increased strain upon police, fire and emergency medical services. At the same time, the minimal requirement that an affordable housing project pursuant to Chapter 40B contain only twenty percent affordable housing creates a situation where municipalities such as ours end up chasing their tails, by adding non-affordable housing to our overall housing stock at four times the rate of affordable units.

The proposed amendment will have negligible effect upon urban communities where affordable housing remains desperately needed, as cities typically do not have large mobile home parks; nor will the proposed amendment stigmatize or economically harm the property values of the proposed subject properties to be included in the definition of affordable housing. Rather, the proposed amendment seeks merely to appropriately classify what is indeed already very affordable housing as such, under the law.

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The Wareham Board of Selectmen voted unanimously to authorize me to submit correspondence to you on this issue, as we realize that it will take the effort and support of many to bring the bill into law. Accordingly, we ask that you join us in reaching out to our legislators, particularly those serving on the Joint Committee on Housing, to urge their positive action on H. 1115. To discuss this issue with me, please contact me at the above address and phone number, or my town email at pteitelbaum@wareham.ma.us I look forward to hearing from you.

Very truly yours,

Peter W. Teitelbaum, Esq.
Chairman, Wareham Board of Selectmen

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CITY OF FALL RIVER
OFFICE OF THE CITY CLERK

To the City Council:

RECEIVED
2013 JUN 26 P 3:33
CITY CLERK
FALL RIVER, MA

Application for permit to place or maintain a structure or device on or over a public way.

Name of Applicant: Carlos Cesar

Name of Business (if applicable): Flint Merchants

Address: P.O. Box 5241 (Street) Fall River (City) ma (State)

Phone: 774-526-2221

Type of structure or device: Banner to hang across pleasant

Description (include dimensions): a banner advertising the event size is 25x3, & will be hung from 7-10 to 7-26

Location: across Pleasant, in front of sixteenth St.

Dates: July 27th, 2013 - Flint Pride Days

The applicant agrees to maintain this structure or device in accordance with the requirements of the Building Inspector and the City Council and that this permit may be revoked at the pleasure of the City Council.

Signature of Applicant Carlos Cesar

Date 6-26-13

1. I (approve) (disapprove) the issuance of this permit.

Joseph M. Bagley 6/26/13
Building Inspector Date

2. In City Council, _____
Date

Permit (approved) (disapproved)

Alison M. Bouchard
City Clerk

OFFICE USE ONLY
☑ Fee Paid

IS-CLK-030