



City of Fall River Massachusetts
Office of the City Clerk

RECEIVED

2014 JUN -6 A 11:03

CITY CLERK
FALL RIVER, MA

ALISON M. BOUCHARD
CITY CLERK

JUNE 6, 2014

INÊS LEITE
ASSISTANT CITY CLERK

MEETINGS SCHEDULED FOR NEXT WEEK
CITY COUNCIL CHAMBER

MONDAY, JUNE 9, 2014

6:00 P.M. COMMITTEE ON FINANCE – FISCAL YEAR 2015 ANNUAL BUDGET

TUESDAY, JUNE 10, 2014

5:30 P.M. COMMITTEE ON FINANCE **PLEASE NOTE EARLIER TIME**

1. Transfers and appropriations (see #1 below)
2. Resolution – Administration attend Committee on Finance to discuss PILOT (Payment in Lieu of Taxes) program (adopted 5-27-14)

AGENDA

7:00 P.M. REGULAR MEETING OF THE CITY COUNCIL OR IMMEDIATELY FOLLOWING THE COMMITTEE ON FINANCE MEETING IF THAT MEETING RUNS PAST 7:00 P.M.

PRIORITY MATTERS – None

PRIORITY COMMUNICATIONS

1. *Transfers and appropriations (see #1 Finance)
2. *Mayor and Fiscal Year 2015 water and sewer division rates
3. *Assistant Corporation Counsel and orders re: Quequechan River Rail Trail – Eminent Domain Takings
4. Traffic Commission recommending amendments to the traffic ordinances

COMMITTEE REPORTS – None

ORDINANCES – None

RESOLUTIONS

5. *School Department be allowed access to MUNIS to develop budget and year end report

CITATIONS – None

ORDERS – HEARINGS FOR TONIGHT

Curb removals:

6. Christine and Jeffrey Gifford – Removal of 5 feet of curbing for a total new driveway opening of 21 feet at 171 Stevens Street
7. Joseph and Carol Gagne – Removal of 23 feet of curbing for a total new driveway opening of 33 feet at 116 French Street
8. Sherwood Building Co. – Removal of 39.5 feet of curbing for a total new driveway opening of 60 feet at 650 Plymouth Avenue

ADA Coordinator: Gary P. Howayeck, Esq. 508-324-2650

One Government Center • Fall River, MA 02722

TEL 508-324-2220 • FAX 508-324-2211 • EMAIL city_clerks@fallriverma.org

ORDERS – HEARINGS TO BE SCHEDULED – None

ORDERS – NO HEARING REQUIRED – None

ORDERS – MISCELLANEOUS

9. Police chief's report on licenses

10. Auto body shop renewal

COMMUNICATIONS – INVITATIONS – PETITIONS

11. *Claims

12. Drainlayer license

BULLETINS – NEWSLETTERS – NOTICES – None


Assistant City Clerk

City of Fall River, In City Council

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

WHEREAS, the Administration is considering a formal PILOT program (Payment in Lieu of Taxes) for Fall River, and

WHEREAS, constituents are asking questions about the Administration's plans to ask tax-exempt entities to make regular voluntary payments to the City in lieu of taxes, now therefore

BE IT RESOLVED, that the Administration come before the Committee on Finance to discuss the particulars of a PILOT program for Fall River.

In City Council, May 27, 2014
Adopted

Approved, June 2, 2014
William A. Flanagan, Mayor

A true copy. Attest:


City Clerk



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

WILLIAM A. FLANAGAN
Mayor

June 4, 2014

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

Mr. President and Members of the Honorable Council:

The following transfers are requested to meet expenditures within the FY 2014 Budget:

From Debt Service	To City Clerk Salaries	\$5,900
	To Police Department Salaries	\$175,000
	To Fire Department Salaries	\$40,000
TOTAL		\$220,900

Your approval of the attached Transfer Orders is respectfully requested.


Mayor William A. Flanagan

CITY CLERK
FALL RIVER, MA

2014 JUN -5 P 3:10

RECEIVED

City of Fall River, *In City Council*

June 10, 2014

1

ORDERED:

That the sum of \$5,900 be, and the same is, hereby appropriated for the City Clerk SALARIES from the Debt Service

City of Fall River, In City Council

June 10, 2014

2

ORDERED:

**That the sum of \$175,000 be, and the same is, hereby appropriated for the
Police SALARIES from the Debt Service**

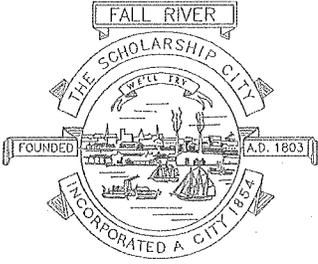
City of Fall River, In City Council

June 10, 2014

3

ORDERED:

That the sum of \$40,000 be, and the same is, hereby appropriated for the Fire SALARIES from the Debt Service



City of Fall River Massachusetts
Office of the City Clerk

ALISON M. BOUCHARD
CITY CLERK

INÊS LEITE
ASSISTANT CITY CLERK

June 5, 2014

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

Dear Mr. Mayor:

It is respectfully requested that \$5,900.00 be transferred to the City Clerk Salaries Account (11610001 511000).

The transfer is necessary to fund the retirement buyout of our Senior Clerk, Theresa Richards, who retired last month.

Sincerely,

Inês Leite
Assistant City Clerk

/ispl

c: Cathy Ann Viveiros, City Administrator

CITY CLERK
FALL RIVER, MA

2014 JUN -5 P 3:11

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City of Fall River, Massachusetts Police Department

Office of the Chief of Police

Daniel S. Racine
Chief of Police

685 Pleasant St.
Fall River, MA 02721
Tel. 508-324-2787
Fax: 508-324-2809
TDD: 508-324-2790

June 5, 2014

Cathy Ann Viveiros
City Administrator
City of Fall River
One Government Center
Fall River, Massachusetts 02721

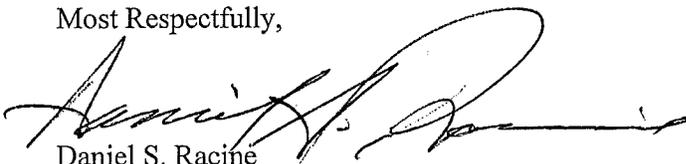
Dear Mrs. Viveiros,

I respectfully request a transfer from the General Fund in the amount of \$175,000.00 to the Fall River Police Department's operating budget salary line item, fund #12100001-511000.

This transfer request is made as a direct result of unfunded salary positions; one of which from the Fall River Housing Authority, and two unfunded positions from the Fall River Public Schools.

I thank you for your cooperation in this very important matter and I expect the budget to be balanced as a result of this transfer.

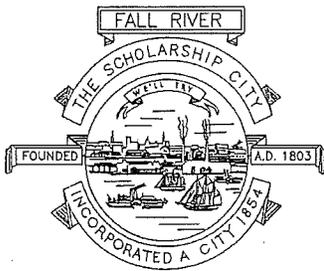
Most Respectfully,


Daniel S. Racine
Chief of Police

CITY CLERK
FALL RIVER, MA

2014 JUN -5 P 3:11

RECEIVED



City of Fall River
Massachusetts
Fire Department Headquarters
Office of the Fire Chief

WILLIAM A. FLANAGAN
Mayor

ROBERT J. VIVEIROS
Fire Chief

June 5, 2014

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

Dear Mayor Flanagan:

I am respectfully requesting a transfer of \$40,000 to Fire Department Salaries in order that we may appropriately meet our financial obligations for the remainder of FY2014.

This transfer is necessitated by the unanticipated cost associated with retirement buyouts that were not included in the FY2014 Budget.

Sincerely,

Robert J. Viveiros
Fire Chief

cc Cathy Ann Viveiros, City Administrator
Krishan Gupta, City Auditor
Alison Bouchard, City Clerk

CITY CLERK
FALL RIVER, MA

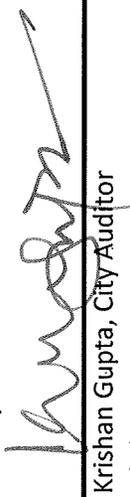
2014 JUN -5 P 3:11

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FY 14 Appropriation/Transfer Number Analysis

Line	Original/Revised Appropriation	Amount Transferred	New Appropriation
Debt Service	\$ 10,224,468	\$ (220,900)	\$ 10,003,568
City Clerk Salaries	\$ 284,944	\$ 5,900	\$ 290,844
Police Department Salaries	\$ 18,334,059	\$ 175,000	\$ 18,509,059
Fire Department Salaries	\$ 10,877,553	\$ 40,000	\$ 10,917,553

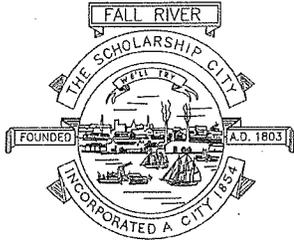
I certify that there are sufficient funds available for these transfers.


 Krishan Gupta, City Auditor
 6/2/2014

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2014 JUN -5 P 3:11

CITY CLERK
 FALL RIVER, MA



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

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2014 JUN -5 A 11: 18

CITY CLERK _____
FALL RIVER, MA

WILLIAM A. FLANAGAN
Mayor

June 4, 2014

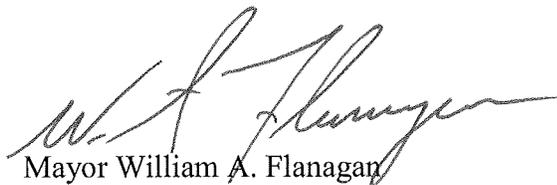
Honorable Members of the City Council
One Government Center
Fall River, MA 02722

Mr. President and Members of the Honorable Council:

The following transfer is requested to meet expenditures within the FY 2014 Budget:

From EMS Retained Earning	To EMS Salaries-Overtime	\$35,000
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Your approval of the attached Transfer Order is respectfully requested.


Mayor William A. Flanagan

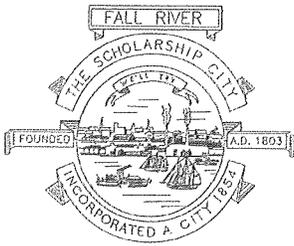
City of Fall River, In City Council

June 10, 2014

1

ORDERED:

That the sum of \$35,000 be, and the same is, hereby appropriated for the EMS SALARIES from the EMS RETAINED EARNINGS



City of Fall River
Massachusetts
Fire Department Headquarters
Office of the Fire Chief

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2014 JUN -5 A 11: 18

ROBERT J. VIVEIROS

CITY CLERK *Fire Chief*
FALL RIVER, MA

WILLIAM A. FLANAGAN
Mayor

May 15, 2014

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

Dear Mayor Flanagan:

I am respectfully requesting the following transfer within the EMS Division to meet our financial obligations for the remainder of Fiscal Year 2014.

Transfer \$35,000.00 from EMS Retained Earnings to EMS Salaries-Overtime
62310001-513000.

Sincerely,

Robert J. Viveiros
Fire Chief

FY 14 Appropriation/Transfer Number Analysis

Line	Original/Revised Appropriation	Amount Transferred	New Appropriation
EMS Retained Earnings	\$ 121,611	\$ (35,000)	\$ 86,611
EMS Salaries	\$ 2,547,238	\$ 35,000	\$ 2,582,238

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



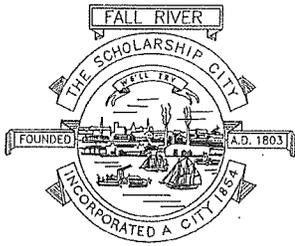
Krishan Gupta, City Auditor

6/2/2014

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2014 JUN -5 A 11: 18

CITY OF ENFIELD
FALL RIVER, MA



City of Fall River
Massachusetts
Office of the Mayor

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2014 JUN -4 P 4: 52

CITY CLERK
FALL RIVER, MA

WILLIAM A. FLANAGAN
Mayor

June 4, 2014

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

Re: FY15 Water and Sewer Division Rates

Dear Councilors:

Per your comments and denial votes on the FY15 Water and Sewer rate adjustments; I have directed Mr. Sullivan to again review and modify the rate adjustments. This request is a further effort to avoid the severe negative impacts on our city as described in Mr. Sullivan's letter to you dated May 23, 2014.

We must continue to provide safe drinking water for the protection of the public health, and protect the environment and property of our city through wastewater management and storm water/flood control. We must continue to comply with the State and Federal requirements for the Water and Sewer Divisions. We must retain control of our destiny.

As such, I respectfully request your approval for the FY15 Water and Sewer Division rate increases proposed in the attached documents from Mr. Sullivan.

The proposed rates for FY15 are as follows:

- Water use \$2.55/ccf. (reduced by 5 cents from the last proposal of \$2.60/ccf)
- Sewer use \$4.19/ccf.

The reduction in the water rate does not come without consequence. To achieve this rate reduction, we have reduced the sidewalk repair fund by 20%, the flowable fill fund by 28%, transitional personnel costs for retiring employees and utility cost estimates. While not optimal, this does avoid layoffs and the severe consequences denoted by Mr. Sullivan.

Please feel free to contact myself or Mr. Sullivan if you have any questions or need further information.

Respectfully,


William A. Flanagan
Mayor

Attachment

City of Fall River, *In City Council*

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

That Chapter 74 of the Revised Ordinances of the City of Fall River, Massachusetts, 1999, which chapter relates to utilities, be amended as follows:

Section 1.

By striking out Section 74-353 in its entirety and inserting in place thereof, the following:

Sec. 74-353 Rate for metered water generally.

The charge for water supplied by the city shall be provided in the fee schedule in Appendix A to this revision.

Section 2.

By striking out in Section 74-354 "This rate shall be \$3.26 per 100 cubic feet for water billed on or after July 1, 2008" and inserting in place thereof, the following: "This rate shall be provided in the fee schedule in Appendix A to this revision".

Section 3.

By striking out Sec. 74-353 in Appendix A-Fee Schedule, which section relates to utilities, in its entirety, and inserting in place thereof, the following:

For water billed on or after July 1, 2014, per 100 cu. ft. \$2.55

City of Fall River, *In City Council*

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

That Section 74-134 of Appendix A-Fee Schedule of the Revised Ordinances of the City of Fall River, Massachusetts, 1999, which section relates to User Charges for Wastewater Collection, be amended as follows:

Section 1.

By striking out in sub-section (1) of said section, "\$4.09", and inserting in place thereof, "\$4.19" and by striking out "July 1, 2011", and inserting in place thereof, "July 1, 2014".

Section 2.

By striking out in paragraph (a) of sub-section (2) of said section, "\$4.09", and inserting in place thereof, "\$4.19", and by striking out "July 1, 2011", and inserting in place thereof, "July 1, 2014".

Section 3.

By striking out in paragraph (b) of sub-section (2) of said section, "\$1.90", and inserting in place thereof, "\$1.95", and by striking out "July 1, 2011", and inserting in place thereof, "July 1, 2014".

Section 4.

By striking out in paragraph (a) of sub-section (3) of said section, "\$6.34", and inserting in place thereof, "\$6.49", and by striking out "July 1, 2011", and inserting in place thereof, "July 1, 2014".

Section 5.

By striking out in paragraph (b) of sub-section (3) of said section, "\$2.95", and inserting in place thereof, "\$3.02", and by striking out "July 1, 2011", and inserting in place thereof, "July 1, 2014".

Section 6.

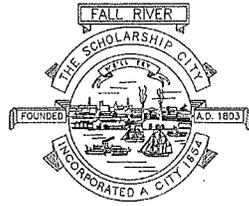
By striking out in sub-section (4) of said section, all dollar values, and inserting in place thereof, the following:

\$ 134.00
\$ 265.00
\$ 400.00
\$ 533.00
\$ 666.00
\$ 798.00
\$ 931.00
\$1,064.00
\$1,198.00
\$1,330.00

and, by striking out in said sub-section (4) "July 1, 2011", and inserting in place thereof, "July 1, 2014".

2

City of Fall River
Office of the Corporation Counsel



WILLIAM A. FLANAGAN
Mayor

ELIZABETH SOUSA
Corporation Counsel

GARY P. HOWAYECK
Assistant Corporation Counsel

CHRISTY M. DIORIO
Assistant Corporation Counsel

June 5, 2014

Joseph Camara
Council President
City of Fall River
One Government Center
Fall River, MA 02722

Re: Quequechan River Rail Trail – Eminent Domain Takings

Dear Council President Camara:

Enclosed please find a proposed Order taking easements for the Quequechan River Rail Trail (“QRRT”) project, along with five Orders of Takings for the Council’s review and consideration on Tuesday, June 10, 2014.

As you are already aware, the QRRT will provide a public recreational purpose for biking and walking along the Quequechan River from Britland Park to Brayton Avenue. The QRRT is funded by the Commonwealth’s Department of Energy and Environmental Affairs and the Department of Transportation, and Phases 2 and 3 of the QRRT are ready to go out to bid forthwith. Prior to doing so, the City is required to obtain the necessary easements in order to construct the recreational path.

Your timely attention to this matter is sincerely appreciated.

Very truly yours,

Christy M. DiOrio

Enclosures (6)

CITY OF FALL RIVER, MA
2014 JUN -5 P 3:13
RECEIVED

City of Fall River, *In City Council*

ORDERED, that the Corporation Counsel be, and is hereby requested to take all necessary steps to acquire by eminent domain, an easement by a Taking pursuant to General Laws Chapters 79 and 82, respectively, for the public recreational purpose of the construction, maintenance, and operation of an alternative transportation facility for pedestrian and bicycle purposes within a linear park within, over and through certain land in the City of Fall River, Massachusetts as more fully described below or to accept an easement for said purposes within, over and through said land from the owners of the land more fully described below or take an easement pursuant to Chapter 79 or accept an easement for all municipal and other purposes reasonably related thereto within, over and through said land as more fully described below:

QRailTrail Easement Parcel 1:

Owner Unknown

The northern portion of the parcel shown on the Fall River Assessors Maps as Parcel ID# J-24-0020 consisting of 19,186 square feet, more or less, as more fully shown as Parcel No. E-5 on the plan attached hereto entitled:

“Plan of Lands in the City of Fall River, MA, Bristol County (Fall River Registry District) Showing Location of Easements to Be Taken Between Route 24 & Brayton Avenue By the City of Fall River” prepared for Fay, Spofford & Thorndike, LLC. By Surveying and Mapping Consultants, dated June 5, 2014 and recorded herewith.

QRailTrail Easement Parcel 2:

Owner Unknown

The southern portion of the parcel shown on the Fall River Assessors Maps as Parcel ID# J-24-0020 consisting of 18,636 square feet, more or less, as more fully shown as Parcel No. E-6 on the plan attached hereto entitled:

“Plan of Lands in the City of Fall River, MA, Bristol County (Fall River Registry District) Showing Location of Easements to Be Taken Between Route 24 & Brayton Avenue By the City of Fall River” prepared for Fay, Spofford & Thorndike, LLC. By Surveying and Mapping Consultants, dated June 5, 2014 and recorded herewith.

QRailTrail Easement Parcel 3:

Registered Land

Cloverleaf Mills, LLC

The parcel shown on the Fall River Assessors Maps as Parcel ID# J-23-0006 consisting of 52,796 square feet, more or less, as more fully shown as Parcel No. E-4 on the plan attached hereto entitled:

“Plan of Lands in the City of Fall River, MA, Bristol County (Fall River Registry District) Showing Location of Easements to Be Taken Between Route 24 & Brayton Avenue By the City of Fall River” prepared for Fay, Spofford & Thorndike, LLC. By Surveying and Mapping Consultants, dated June 5, 2014 and recorded herewith.

QRailTrail Easement Parcel 4:

S-T International, LLC

A portion of the parcel shown on the Fall River Assessors Maps as Parcel ID# K-03-0009 consisting of 1,120 square feet, more or less, as more fully shown as Parcel No. E-2 on the plan attached hereto entitled:

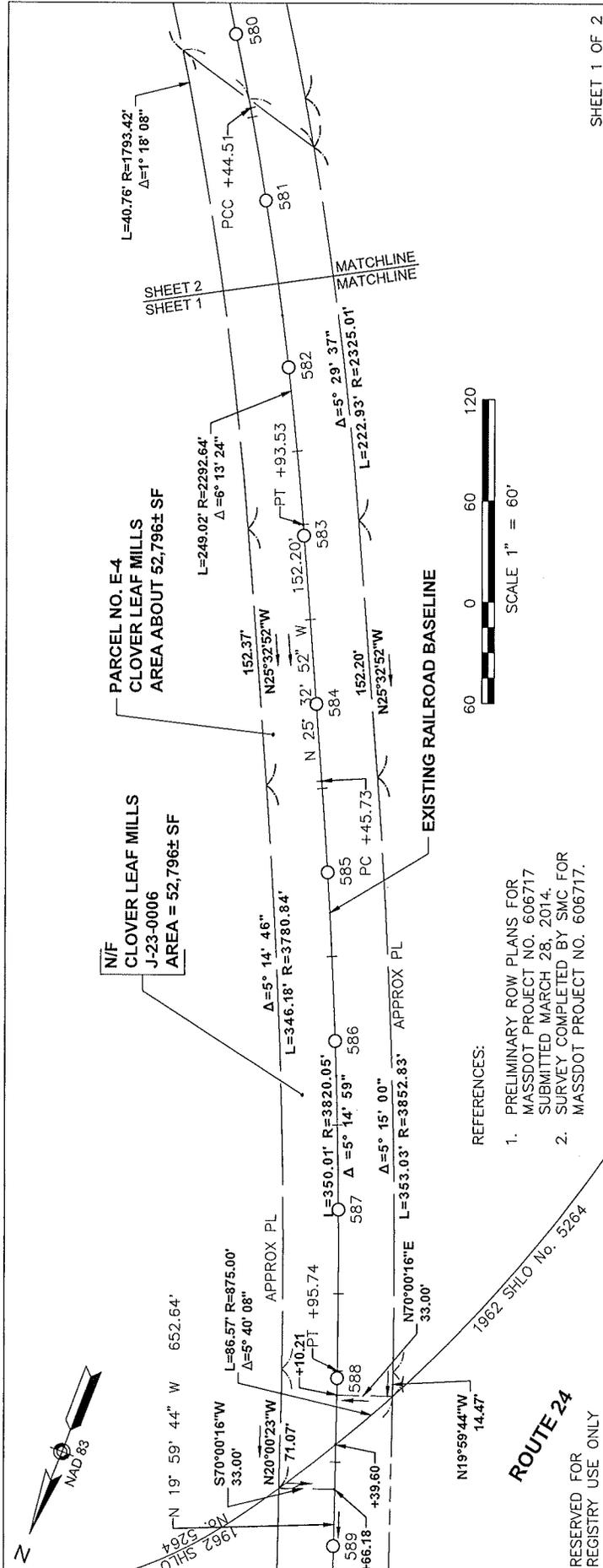
“Plan of Lands in the City of Fall River, MA, Bristol County (Fall River Registry District) Showing Location of Easements to Be Taken Between Wordell Street & the Quequechan River By the City of Fall River” prepared for Fay, Spofford & Thorndike, LLC. By Surveying and Mapping Consultants, dated June 5, 2014 and recorded herewith.

QRailTrail Easement Parcel 5:

Jefferson Realty, LLC

A portion of the parcel shown on the Fall River Assessors Maps as Parcel ID# K-03-0008 consisting of 1,198 square feet, more or less, as more fully shown as Parcel No. E-1 on the plan attached hereto entitled:

“Plan of Lands in the City of Fall River, MA, Bristol County (Fall River Registry District) Showing Location of Easements to Be Taken Between Wordell Street & the Quequechan River By the City of Fall River” prepared for Fay, Spofford & Thorndike, LLC. By Surveying and Mapping Consultants, dated June 5, 2014 and recorded herewith.



RESERVED FOR
REGISTRY USE ONLY

ROUTE 24
1962 SHLO No. 5264

REFERENCES:

1. PRELIMINARY ROW PLANS FOR MASSDOT PROJECT NO. 606717 SUBMITTED MARCH 28, 2014.
2. SURVEY COMPLETED BY SMC FOR MASSDOT PROJECT NO. 606717.

SMC SURVEYING AND MAPPING CONSULTANTS

325 WOOD ROAD
SUITE 109
BRAintree MA 02184
(781)380-7766
FAX (781)380-7757

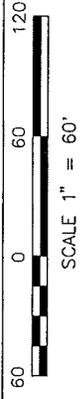
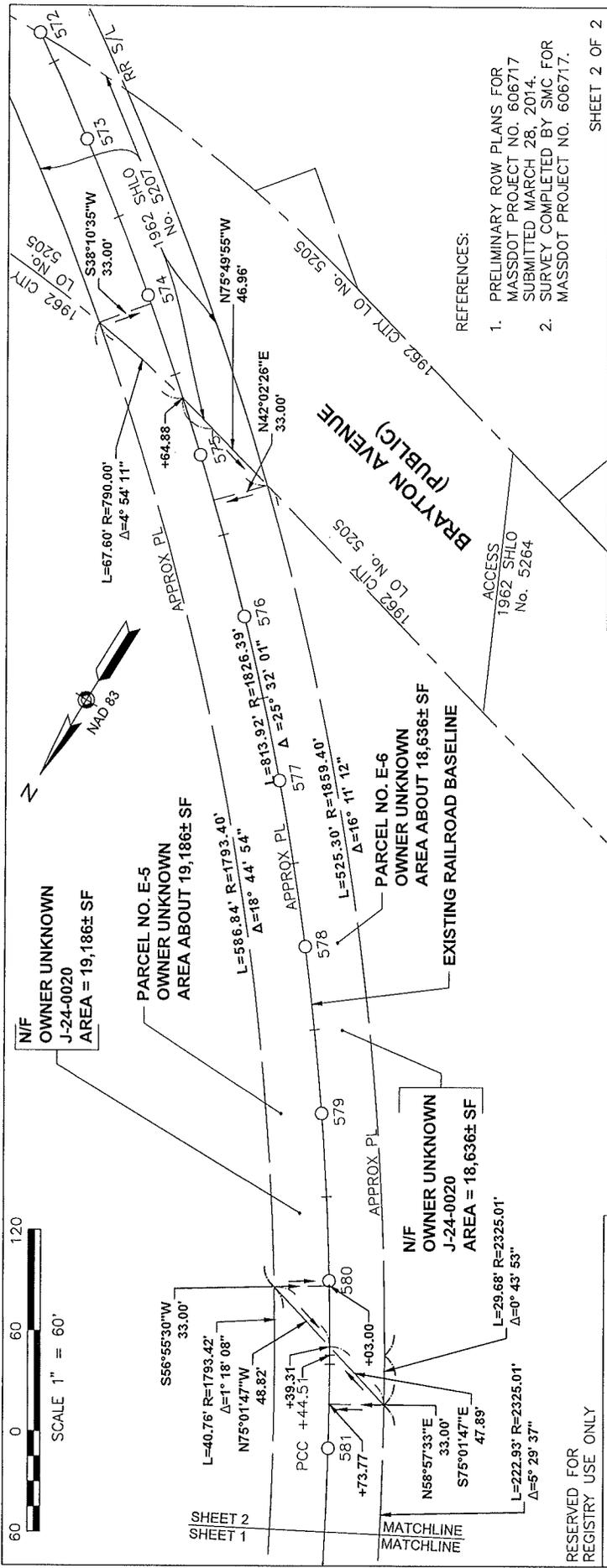
PLAN OF LANDS IN THE CITY OF
FALL RIVER, MA
BRISTOL COUNTY
(FALL RIVER REGISTRY DISTRICT)
SHOWING LOCATION OF EASEMENTS
TO BE TAKEN BETWEEN ROUTE 24 & BRAYTON AVENUE
BY THE CITY OF FALL RIVER
PREPARED FOR: FAY, SPOFFORD & THORNDIKE, LLC.
DATE: JUNE 5, 2014

PROPERTY LINES SHOWN ON THIS PLAN ARE THE LINES DIVIDING EXISTING OWNERSHIPS, AND THE LINES OF THE STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED, AND NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIPS OR FOR NEW WAYS ARE SHOWN (M.G.L. CHAPTER 41 SECTION 81-X)

THIS PLAN HAS BEEN PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

KEVIN HANLEY, PLS
MASSACHUSETTS REG. No. 31313





SHEET 2
SHEET 1

MATCHLINE
MATCHLINE

RESERVED FOR
REGISTRY USE ONLY

REFERENCES:

1. PRELIMINARY ROW PLANS FOR MASSDOT PROJECT NO. 606717 SUBMITTED MARCH 28, 2014.
2. SURVEY COMPLETED BY SMC FOR MASSDOT PROJECT NO. 606717.

SHEET 2 OF 2

325 WOOD ROAD
SUITE 109
BRAintree MA 02184
(781)380-7766
FAX (781)380-7757

SMC SURVEYING AND MAPPING CONSULTANTS

PLAN OF LANDS IN THE CITY OF
FALL RIVER, MA
BRISTOL COUNTY
(FALL RIVER REGISTRY DISTRICT)
SHOWING LOCATION OF EASEMENTS
TO BE TAKEN BETWEEN ROUTE 24 & BRAYTON AVENUE
BY THE CITY OF FALL RIVER

KEVIN HANLEY, PLS
MASSACHUSETTS REG. No. 31313

PREPARED FOR: FAY, SPOFFORD & THORNDIKE, LLC.
DATE: JUNE 5, 2014
SCALE: 1" = 60'

PROPERTY LINES SHOWN ON THIS PLAN ARE THE LINES DIVIDING EXISTING OWNERSHIPS, AND THE LINES OF THE STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED, AND NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIPS OR FOR NEW WAYS ARE SHOWN (M.G.L. CHAPTER 41 SECTION 81-X)

THIS PLAN HAS BEEN PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

City of Fall River, *In City Council*

ORDER OF TAKING

WHEREAS, the City of Fall River (hereinafter the “City”) is a duly organized municipal corporation under the General Laws of the Commonwealth of Massachusetts, with offices at One Government Center, Fall River, Massachusetts; and

WHEREAS, the City has determined that it is a public purpose to acquire easements in certain parcels of land in the City for the public recreational purpose of the construction, maintenance, and operation of an alternative transportation facility for pedestrian and bicycle purposes within a linear park on said parcels of land, and for other municipal purposes reasonably related thereto, now therefore

BE IT ORDERED, that the City of Fall River, Massachusetts, under authority of Massachusetts General Laws Chapters 79 & 82 respectively, does hereby take by eminent domain, an easement to pass, repass, develop, maintain and operate an alternative transportation facility for pedestrian and bicycle purposes within a linear park, and for other municipal purposes reasonably related thereto, within, over and through the following parcel of land located in the City of Fall River:

QRailTrail Easement Parcel 1:

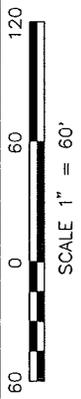
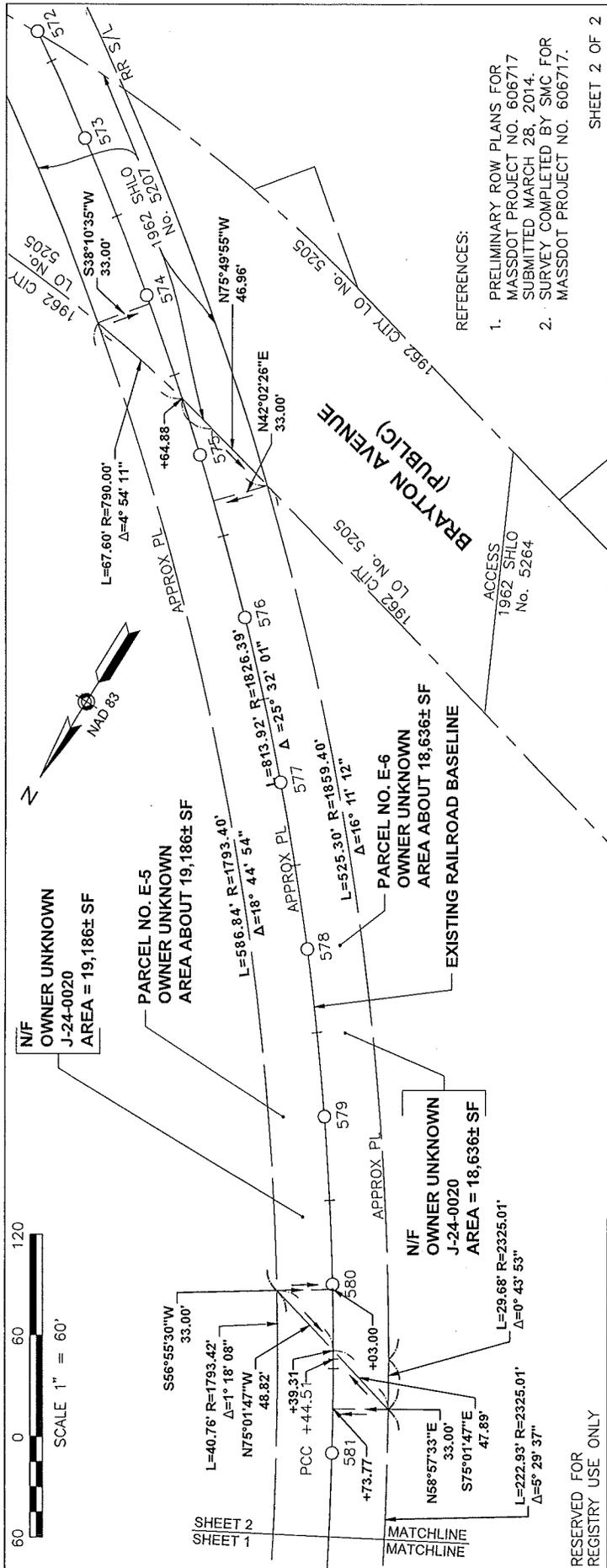
The northern portion of the parcel shown on the Fall River Assessors Maps as Parcel ID# J-24-0020 consisting of 19,186 square feet, more or less, as more fully shown as Parcel No. E-5 on the plan attached hereto entitled:

“Plan of Lands in the City of Fall River, MA, Bristol County (Fall River Registry District) Showing Location of Easements to Be Taken Between Route 24 & Brayton Avenue By the City of Fall River” prepared for Fay, Spofford & Thorndike, LLC. By Surveying and Mapping Consultants, dated June 5, 2014 and recorded herewith.

Being a portion of the land now or formerly owned by Daniel McGowan and Henry J. Langley.

BE IT FURTHER ORDERED, that an award of damages for said taking is hereby made in the amount of Twenty Thousand and 00/100 (\$20,000.00) Dollars for any damages sustained by the supposed owner, Owners Unknown, and all other persons having an interest in said land who are entitled to damages for said taking. Said amount shall be deposited with the Treasurer of the City of Fall River and held pursuant to the provisions of Chapter 79, Section 7D.

BE IT FURTHER ORDERED, that this Order of Taking shall be filed with the Bristol County (Fall River District) Registry of Deeds in accordance with the provisions of Massachusetts General Laws Chapter 79, Section 3.



N/F
OWNER UNKNOWN
J-24-0020
AREA = 19,186± SF

PARCEL NO. E-5
OWNER UNKNOWN
AREA ABOUT 19,186± SF

N/F
OWNER UNKNOWN
J-24-0020
AREA = 18,636± SF

PARCEL NO. E-6
OWNER UNKNOWN
AREA ABOUT 18,636± SF

EXISTING RAILROAD BASELINE

BRAYTON AVENUE
(PUBLIC)

ACCESS
1962 SHILO
No. 5264

REFERENCES:

1. PRELIMINARY ROW PLANS FOR MASSDOT PROJECT NO. 606717 SUBMITTED MARCH 28, 2014.
2. SURVEY COMPLETED BY SMC FOR MASSDOT PROJECT NO. 606717.

SHEET 2 OF 2

325 WOOD ROAD
SUITE 109
BRAintree MA 02184
(781)380-7766
FAX (781)380-7757

SMC SURVEYING AND MAPPING CONSULTANTS

PLAN OF LANDS IN THE CITY OF
FALL RIVER, MA
BRISTOL COUNTY
(FALL RIVER REGISTRY DISTRICT)
SHOWING LOCATION OF EASEMENTS
TO BE TAKEN BETWEEN ROUTE 24 & BRAYTON AVENUE
BY THE CITY OF FALL RIVER

PREPARED FOR: FAY, SPOFFORD & THORNDIKE, LLC.
DATE: JUNE 5, 2014
SCALE: 1" = 60'

PROPERTY LINES SHOWN ON THIS PLAN ARE THE LINES DIVIDING EXISTING OWNERSHIPS, AND THE LINES OF THE STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED, AND NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIPS OR FOR NEW WAYS ARE SHOWN (M.G.L. CHAPTER 41 SECTION 81-X)

THIS PLAN HAS BEEN PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

KEVIN HANLEY, PLS
MASSACHUSETTS REG. No. 31313

RESERVED FOR
REGISTRY USE ONLY

City of Fall River, *In City Council*

ORDER OF TAKING

WHEREAS, the City of Fall River (hereinafter the “City”) is a duly organized municipal corporation under the General Laws of the Commonwealth of Massachusetts, with offices at One Government Center, Fall River, Massachusetts; and

WHEREAS, the City has determined that it is a public purpose to acquire easements in certain parcels of land in the City for the public recreational purpose of the construction, maintenance, and operation of an alternative transportation facility for pedestrian and bicycle purposes within a linear park on said parcels of land, and for other municipal purposes reasonably related thereto, now therefore

BE IT ORDERED, that the City of Fall River, Massachusetts, under authority of Massachusetts General Laws Chapters 79 & 82 respectively, does hereby take by eminent domain, an easement to pass, repass, develop, maintain and operate an alternative transportation facility for pedestrian and bicycle purposes within a linear park, and for other municipal purposes reasonably related thereto, within, over and through the following parcel of land located in the City of Fall River:

QRailTrail Easement Parcel 2:

The southern portion of the parcel shown on the Fall River Assessors Maps as Parcel ID# J-24-0020 consisting of 18,636 square feet, more or less, as more fully shown as Parcel No. E-6 on the plan attached hereto entitled:

“Plan of Lands in the City of Fall River, MA, Bristol County (Fall River Registry District) Showing Location of Easements to Be Taken Between Route 24 & Brayton Avenue By the City of Fall River” prepared for Fay, Spofford & Thorndike, LLC. By Surveying and Mapping Consultants, dated June 5, 2014 and recorded herewith.

Being a portion of the land now or formerly owned by Daniel McGowan and Henry J. Langley.

BE IT FURTHER ORDERED, that an award of damages for said taking is hereby made in the amount of Twenty Thousand and 00/100 (\$20,000.00) Dollars for any damages sustained by the supposed owner, Owners Unknown, and all other persons having an interest in said land who are entitled to damages for said taking. Said amount shall be deposited with the Treasurer of the City of Fall River and held pursuant to the provisions of Chapter 79, Section 7D.

BE IT FURTHER ORDERED, that this Order of Taking shall be filed with the Bristol County (Fall River District) Registry of Deeds in accordance with the provisions of Massachusetts General Laws Chapter 79, Section 3.

City of Fall River, *In City Council*

ORDER OF TAKING

WHEREAS, the City of Fall River (hereinafter the “City”) is a duly organized municipal corporation under the General Laws of the Commonwealth of Massachusetts, with offices at One Government Center, Fall River, Massachusetts; and

WHEREAS, the City has determined that it is a public purpose to acquire easements in certain parcels of land in the City for the public recreational purpose of the construction, maintenance, and operation of an alternative transportation facility for pedestrian and bicycle purposes within a linear park on said parcels of land, and for other municipal purposes reasonably related thereto, now therefore

BE IT ORDERED, that the City of Fall River, Massachusetts, under authority of Massachusetts General Laws Chapters 79 & 82 respectively, does hereby take by eminent domain, an easement to pass, repass, develop, maintain and operate an alternative transportation facility for pedestrian and bicycle purposes within a linear park, and for other municipal purposes reasonably related thereto, within, over and through the following parcel of land located in the City of Fall River:

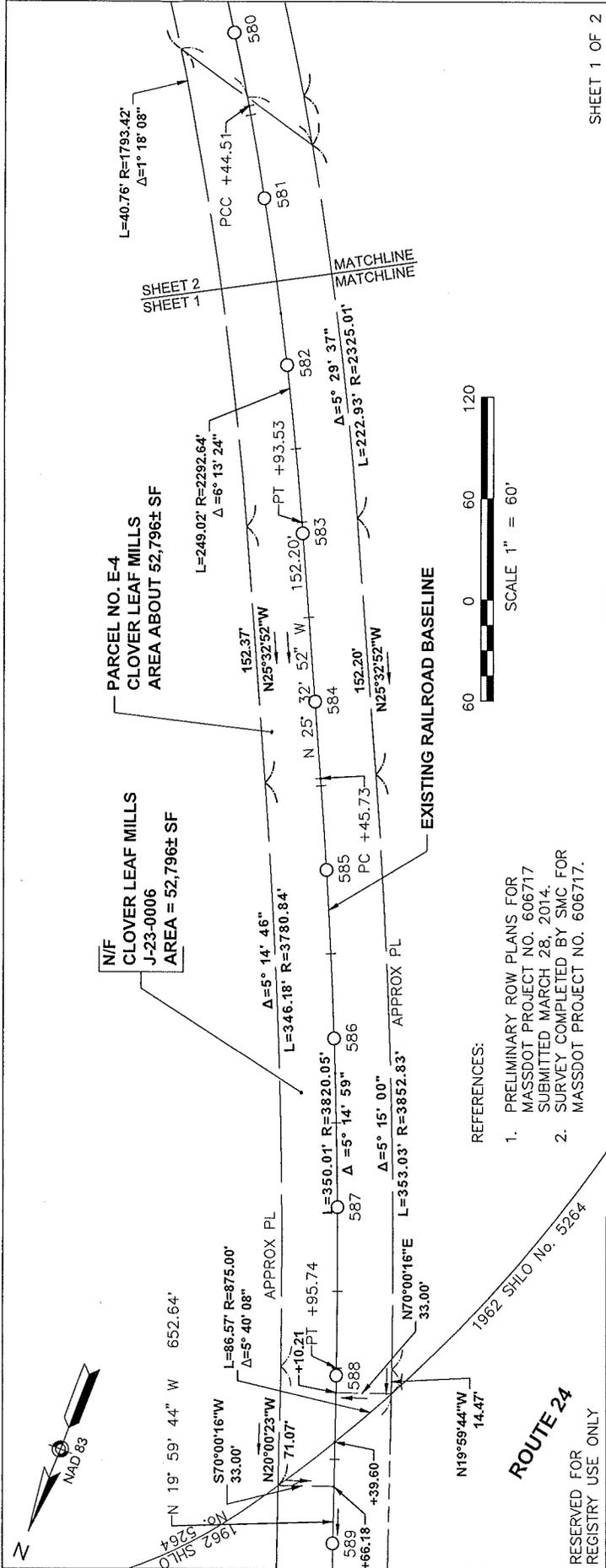
QRailTrail Easement Parcel 3: Registered Land Cloverleaf Mills, LLC
The parcel shown on the Fall River Assessors Maps as Parcel ID# J-23-0006 consisting of 52,796 square feet, more or less, as more fully shown as Parcel No. E-4 on the plan attached hereto entitled:

“Plan of Lands in the City of Fall River, MA, Bristol County (Fall River Registry District) Showing Location of Easements to Be Taken Between Route 24 & Brayton Avenue By the City of Fall River” prepared for Fay, Spofford & Thorndike, LLC. By Surveying and Mapping Consultants, dated June 5, 2014 and recorded herewith.

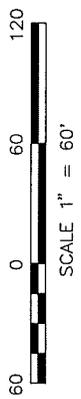
Being a portion of the land described in Certificate of Title # 5891 with the Fall River District of the Land Court and shown on Plan 1442A & 1442C filed with Original Certificate of Title# 11 with said District of the Land Court.

BE IT FURTHER ORDERED, that an award of damages for said taking is hereby made in the amount of Fifty-Two Thousand and 00/100 (\$52,000.00) Dollars for any damages sustained by the supposed owner, Cloverleaf Mills, LLC, 275 Martine Street, Suite 110, Fall River, Massachusetts 02723 and all other persons having an interest in said land who are entitled to damages for said taking.

BE IT FURTHER ORDERED, that this Order of Taking shall be filed with the Fall River District of the Land Court in accordance with the provisions of Massachusetts General Laws Chapter 79, Section 4.



SHEET 1 OF 2



REFERENCES:

1. PRELIMINARY ROW PLANS FOR MASSDOT PROJECT NO. 606717 SUBMITTED MARCH 28, 2014.
2. SURVEY COMPLETED BY SMC FOR MASSDOT PROJECT NO. 606717.

ROUTE 24

RESERVED FOR REGISTRY USE ONLY

325 WOOD ROAD
 SUITE 109
 BRAintree, MA 02184
 (781)380-7766
 FAX (781)380-7757

SMC SURVEYING AND MAPPING CONSULTANTS

PLAN OF LANDS IN THE CITY OF
FALL RIVER, MA
 BRISTOL COUNTY
 (FALL RIVER REGISTRY DISTRICT)
 SHOWING LOCATION OF EASEMENTS
 TO BE TAKEN BETWEEN ROUTE 24 & BRAYTON AVENUE
 BY THE CITY OF FALL RIVER
 PREPARED FOR: FAY, SPOFFORD & THORNDIKE, LLC.
 DATE: JUNE 5, 2014
 SCALE: 1" = 60'

PROPERTY LINES SHOWN ON THIS PLAN ARE THE LINES DIVIDING EXISTING OWNERSHIPS, AND THE LINES OF THE STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED, AND NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIPS OR FOR NEW WAYS ARE SHOWN (M.G.L. CHAPTER 41 SECTION 81-X)

THIS PLAN HAS BEEN PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

KEVIN HANLEY, PLS
 MASSACHUSETTS REG. No. 31313

City of Fall River, *In City Council*

ORDER OF TAKING

WHEREAS, the City of Fall River (hereinafter the "City") is a duly organized municipal corporation under the General Laws of the Commonwealth of Massachusetts, with offices at One Government Center, Fall River, Massachusetts; and

WHEREAS, the City has determined that it is a public purpose to acquire easements in certain parcels of land in the City for the public recreational purpose of the construction, maintenance, operation of an alternative transportation facility for pedestrian and bicycle purposes within a linear park on said parcels of land, and for other municipal purposes reasonably related thereto, now therefore

BE IT ORDERED, that the City of Fall River, Massachusetts, under authority of Massachusetts General Laws Chapters 79 & 82 respectively, does hereby take by eminent domain, an easement to pass, repass, develop, maintain and operate an alternative transportation facility for pedestrian and bicycle purposes within a linear park, and for other municipal purposes reasonably related thereto, within, over and through the following parcel of land located in the City of Fall River:

QRailTrail Easement Parcel 4:

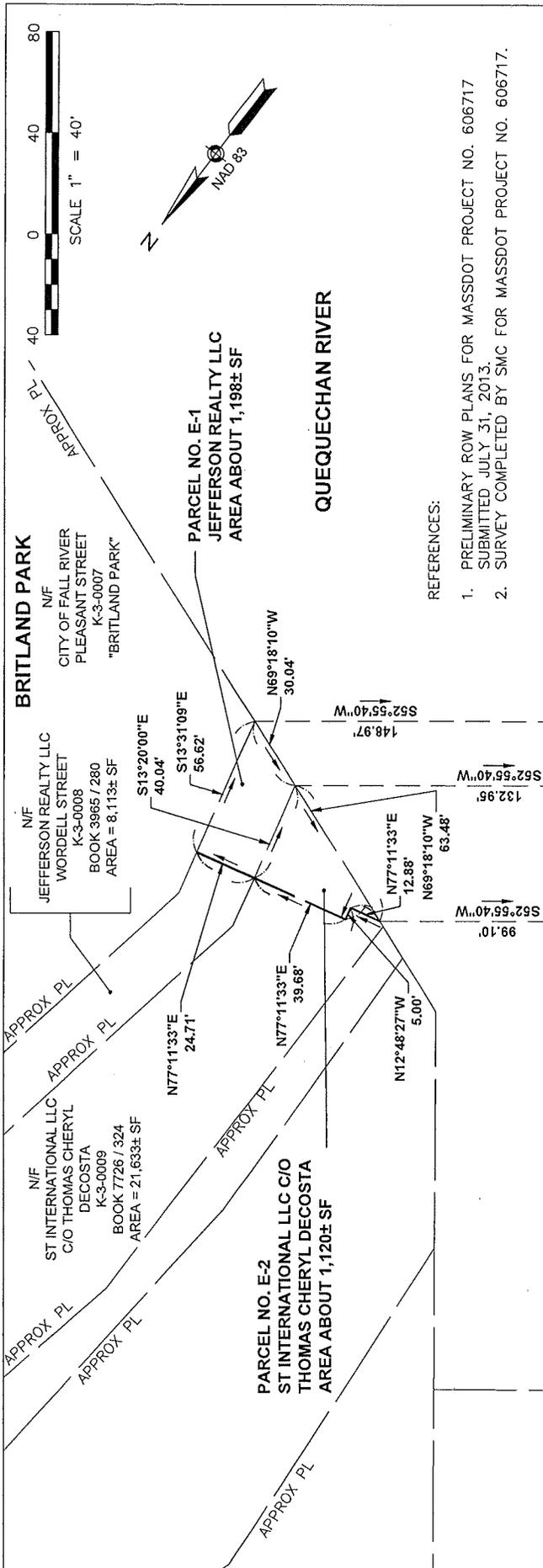
A portion of the parcel shown on the Fall River Assessors Maps as Parcel ID# K-03-0009 consisting of 1,120 square feet, more or less, as more fully shown as Parcel No. E-2 on the plan attached hereto entitled:

"Plan of Lands in the City of Fall River, MA, Bristol County (Fall River Registry District) Showing Location of Easements to Be Taken Between Wordell Street & the Quequechan River By the City of Fall River" prepared for Fay, Spofford & Thorndike, LLC. By Surveying and Mapping Consultants, dated June 5, 2014 and recorded herewith.

Being a portion of the premises described in a deed dated August 5, 2011 and recorded with the Bristol County (Fall River District) Registry of Deeds in Book 7726, Page 324.

BE IT FURTHER ORDERED, that an award of damages for said taking is hereby made in the amount of Seventeen Thousand and 00/100 (\$17,000.00) Dollars for any damages sustained by the supposed owner, ST International LLC, 886 Warren Street, Fall River, Massachusetts 02721, and all other persons having an interest in said land who are entitled to damages for said taking.

BE IT FURTHER ORDERED, that this Order of Taking shall be filed with the Bristol County (Fall River District) Registry of Deeds in accordance with the provisions of Massachusetts General Laws Chapter 79, Section 3.



RESERVED FOR
REGISTRY USE ONLY

EXISTING RAILROAD BASELINE

PROPERTY LINES SHOWN ON THIS PLAN ARE THE LINES DIVIDING EXISTING OWNERSHIPS, AND THE LINES OF THE STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED, AND NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIPS OR FOR NEW WAYS ARE SHOWN (M.G.L. CHAPTER 41 SECTION 81-X)

THIS PLAN HAS BEEN PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

KEVIN HANLEY, PLS
MASSACHUSETTS REG. No. 31313

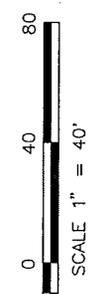
325 WOOD ROAD
SUITE 109
BRAintree MA 02184
(781)380-7766
FAX (781)380-7757

SMC SURVEYING AND MAPPING CONSULTANTS

PLAN OF LANDS IN THE CITY OF
FALL RIVER, MA
BRISTOL COUNTY
(FALL RIVER REGISTRY DISTRICT)
SHOWING LOCATION OF EASEMENTS TO BE TAKEN BETWEEN
WORDELL STREET AND THE QUEQUECHAN RIVER
BY THE CITY OF FALL RIVER
PREPARED FOR: FAY, SPOFFORD & THORNDIKE, LLC.
DATE: JUNE 5, 2014
SCALE: 1" = 40'

REFERENCES:

1. PRELIMINARY ROW PLANS FOR MASSDOT PROJECT NO. 606717 SUBMITTED JULY 31, 2013.
2. SURVEY COMPLETED BY SMC FOR MASSDOT PROJECT NO. 606717.



BRITLAND PARK
N/F
CITY OF FALL RIVER
PLEASANT STREET
K-3-0007
"BRITLAND PARK"

PARCEL NO. E-1
JEFFERSON REALTY LLC
AREA ABOUT 1,198± SF

QUEQUECHAN RIVER

N/F
JEFFERSON REALTY LLC
WORDELL STREET
K-3-0008
BOOK 3985 / 280
AREA = 8,113± SF

N/F
ST INTERNATIONAL LLC
C/O THOMAS CHERYL
DE COSTA
K-3-0009
BOOK 7726 / 324
AREA = 21,633± SF

PARCEL NO. E-2
ST INTERNATIONAL LLC C/O
THOMAS CHERYL DE COSTA
AREA ABOUT 1,120± SF

City of Fall River, *In City Council*

ORDER OF TAKING

WHEREAS, the City of Fall River (hereinafter the “City”) is a duly organized municipal corporation under the General Laws of the Commonwealth of Massachusetts, with offices at One Government Center, Fall River, Massachusetts; and

WHEREAS, the City has determined that it is a public purpose to acquire easements in certain parcels of land in the City for the public recreational purpose of the construction, maintenance, and operation of an alternative transportation facility for pedestrian and bicycle purposes within a linear park on said parcels of land, and for other municipal purposes reasonably related thereto, now therefore

BE IT ORDERED, that the City of Fall River, Massachusetts, under authority of Massachusetts General Laws Chapters 79 & 82 respectively, does hereby take by eminent domain, an easement to pass, repass, develop, maintain and operate an alternative transportation facility for pedestrian and bicycle purposes within a linear park, and for other municipal purposes reasonably related thereto, within, over and through the following parcel of land located in the City of Fall River:

QRailTrail Easement Parcel 5:

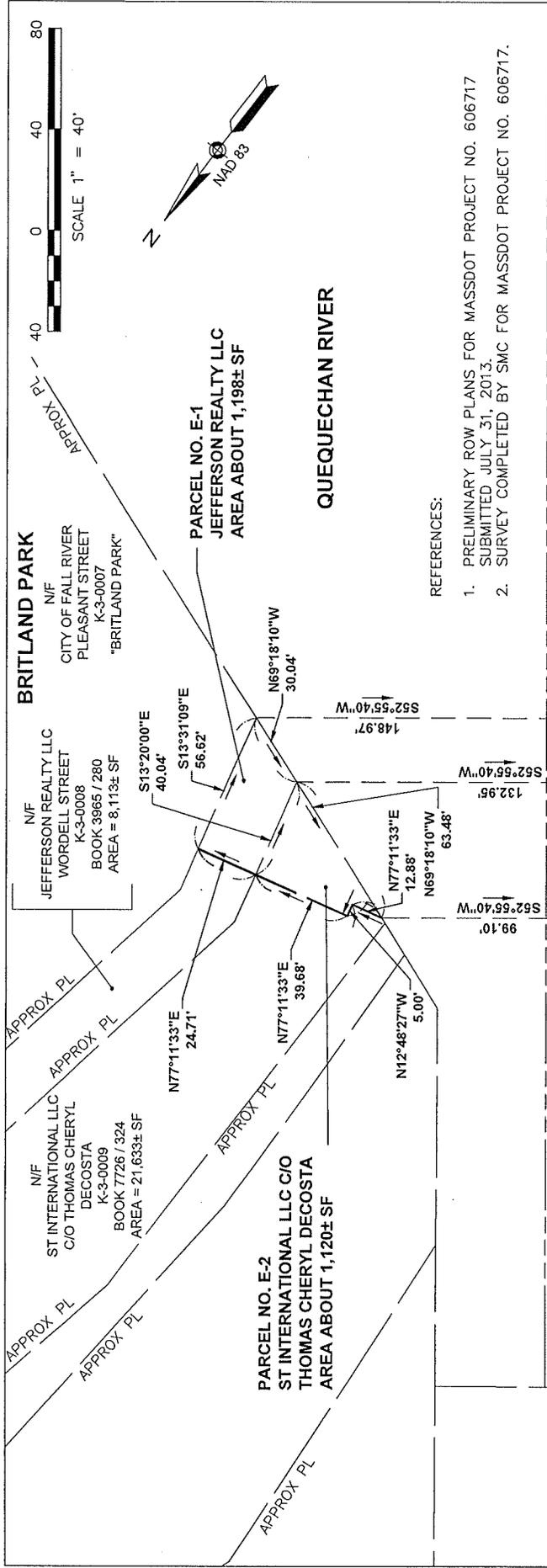
A portion of the parcel shown on the Fall River Assessors Maps as Parcel ID# K-03-0008 consisting of 1,198 square feet, more or less, as more fully shown as Parcel No. E-1 on the plan attached hereto entitled:

“Plan of Lands in the City of Fall River, MA, Bristol County (Fall River Registry District) Showing Location of Easements to Be Taken Between Wordell Street & the Quequechan River By the City of Fall River” prepared for Fay, Spofford & Thorndike, LLC. By Surveying and Mapping Consultants, dated June 5, 2014 and recorded herewith.

Being a portion of the premises described in a deed dated March 15, 2001 and recorded with the Bristol County (Fall River District) Registry of Deeds in Book 3965, Page 280.

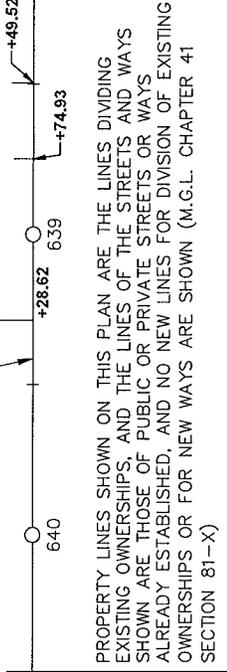
BE IT FURTHER ORDERED, that an award of damages for said taking is hereby made in the amount of One Thousand and 00/100 (\$1,000.00) Dollars for any damages sustained by the supposed owner, Jefferson Realty, LLC, 753 Davol Street, Fall River, Massachusetts, 02720 and all other persons having an interest in said land who are entitled to damages for said taking.

BE IT FURTHER ORDERED, that this Order of Taking shall be filed with the Bristol County (Fall River District) Registry of Deeds in accordance with the provisions of Massachusetts General Laws Chapter 79, Section 3.



RESERVED FOR
REGISTRY USE ONLY

EXISTING RAILROAD BASELINE



PROPERTY LINES SHOWN ON THIS PLAN ARE THE LINES DIVIDING EXISTING OWNERSHIPS, AND THE LINES OF THE STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED, AND NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIPS OR FOR NEW WAYS ARE SHOWN (M.G.L. CHAPTER 41 SECTION 81-X)

THIS PLAN HAS BEEN PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

KEVIN HANLEY, PLS
MASSACHUSETTS REG. No. 31313

REFERENCES:

1. PRELIMINARY ROW PLANS FOR MASSDOT PROJECT NO. 606717 SUBMITTED JULY 31, 2013.
2. SURVEY COMPLETED BY SMC FOR MASSDOT PROJECT NO. 606717.

325 WOOD ROAD
SUITE 109
BRANTREE MA 02184
(781)380-7766
FAX (781)380-7757

SMC SURVEYING AND MAPPING CONSULTANTS

PLAN OF LANDS IN THE CITY OF
FALL RIVER, MA
BRISTOL COUNTY
(FALL RIVER REGISTRY DISTRICT)
SHOWING LOCATION OF EASEMENTS TO BE TAKEN BETWEEN
WORDELL STREET AND THE QUEQUECHAN RIVER
BY THE CITY OF FALL RIVER
PREPARED FOR: FAY, SPOFFORD & THORNDIKE, LLC.
DATE: JUNE 5, 2014
SCALE: 1"= 40'

City of Fall River, In City Council

(Councilor Raymond A. Mitchell)

WHEREAS, accessing Munis accounts is an integral component in the budget process, now therefore

BE IT RESOLVED, that the City of Fall River make available to the School Department, the Munis accounts that are needed in the spring to develop the budget and in the fall to complete the School Department Year End Report.



CE 11

RECEIVED

**City of Fall River
Notice of Claim**

2014 MAY 27 P 4: 25
CITY CLERK 14-197
FALL RIVER, MA

1. Claimant's name: Carolina Viveiros
 2. Claimant's complete address: 48 Byron St
 3. Telephone number: Home: 508-916-1323 Work: 508-916-1323
 4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Auto damage via pothole
 5. Date and time of accident: 4/23/14 3 PM Amount of damages claimed: \$ 839.45
 6. Exact location of the incident: (include as much detail as possible):
South bound on Stafford rd after Harbor Mall entrance
 7. Circumstances of the incident: (attach additional pages if necessary):
see attached info
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: Yes No

Be sure to attach the original of any bills issued or any written estimates of repair or replacement costs. (Any documents that you provide will become the property of the City of Fall River; therefore, please retain copies of any such documents for your files.) Attach any other information you believe will be helpful in the processing of your claim (for example, names and addresses of any witnesses, written medical records if personal injury was sustained).

I swear that the facts stated above are true to the best of my knowledge.
Date: 5-27-14 Claimant's signature: Carolina M. Viveiros

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

Return this from to : City Clerk, 2nd Fl., One Government Center, Fall River, MA 02722

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

For official use only:						Date: <u>5/27/14</u>
Copies forwarded to:	<input checked="" type="checkbox"/> City Clerk	<input checked="" type="checkbox"/> Law	<input checked="" type="checkbox"/> City Council	<input checked="" type="checkbox"/> City Administrator	<input checked="" type="checkbox"/> DPA	



CC

RECEIVED

2014 MAY 28 A 10:47

City of Fall River
Notice of Claim

CITY CLERK / 14-198
FALL RIVER, MA

1. Claimant's name: Karen P. Sullivan
2. Claimant's complete address: 91 Star St. # 2, Fall River MA
3. Telephone number: Home: 508 672 3059 Work: 508 679 9210 x119
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Auto - hit pothole
5. Date and time of accident: 7/24 ^{around} 8 AM Amount of damages claimed: \$ 191.08
6. Exact location of the incident: (include as much detail as possible):
High Street PL between Prospect & French
7. Circumstances of the incident: (attach additional pages if necessary):
Came down ~~Street~~ Garage/Shop Area
potholed tire beat rim
Garage & they put tire on wastel
that the tyrod was beat as well (see attached pic
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: Yes No

Be sure to attach the original of any bills issued or any written estimates of repair or replacement costs. (Any documents that you provide will become the property of the City of Fall River; therefore, please retain copies of any such documents for your files.) Attach any other information you believe will be helpful in the processing of your claim (for example, names and addresses of any witnesses, written medical records if personal injury was sustained).

I swear that the facts stated above are true to the best of my knowledge.

Date: 5/25/14

Claimant's signature: Karen P. Sullivan

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

Return this from to : City Clerk, 2nd Fl., One Government Center, Fall River, MA 02722

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

For official use only:	Copies forwarded to: <input type="checkbox"/> City Clerk <input type="checkbox"/> Law <input type="checkbox"/> City Council <input type="checkbox"/> City Administrator <input checked="" type="checkbox"/> BPW					Date: <u>5/28/14</u>
------------------------	---	--	--	--	--	----------------------

CC



RECEIVED

2014 MAY 28 P 1:12

CITY CLERK 14-199
FALL RIVER, MA

City of Fall River Notice of Claim

1. Claimant's name: Richard Furness
2. Claimant's complete address: 1025 Bay St Basement Fl
3. Telephone number: Home: 508 840-5793 Work: Jenay Remy's 674-7369
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Motorcycle accident after hitting enormous pot-hole leaving my base
5. Date and time of accident: MAY Sunday 18th 7pm Amount of damages claimed: \$ _____
6. Exact location of the incident: (include as much detail as possible):
Bay St between Globe and Chase St huge pot hole around water
curb.
7. Circumstances of the incident: (attach additional pages if necessary):
Driving along watching the corner to see if cars were coming
out of Chase St slammed pot-hole w/ front tire of bike lost
control. Finally bike fell on (R) Side slid up to the curb in front
of 1025 Bay St slammed me to the pavement and I rolled into grass
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: Yes No

Be sure to attach the original of any bills issued or any written estimates of repair or replacement costs. (Any documents that you provide will become the property of the City of Fall River; therefore, please retain copies of any such documents for your files.) Attach any other information you believe will be helpful in the processing of your claim (for example, names and addresses of any witnesses, written medical records if personal injury was sustained).

I swear that the facts stated above are true to the best of my knowledge.

Date: 5/22/14

Claimant's signature: Richard Furness

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

Return this from to : City Clerk, 2nd Fl., One Government Center, Fall River, MA 02722

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

For official use only:	
Copies forwarded to:	Date: <u>5/22/14</u>
<input type="checkbox"/> City Clerk <input type="checkbox"/> Law <input checked="" type="checkbox"/> City Council <input type="checkbox"/> City Administrator <input checked="" type="checkbox"/> DPW	

CC

MetLife Auto & Home[®]
Subrogation - Warwick
Mail Processing Center
PO Box 2204
Charlotte, NC 28241-2204
800-634-9740

RECEIVED

23MAY 29 A 10:40

CITY CLERK 14-200
FALL RIVER, MA

MetLife[®]

City Of Fall River
ATTN: Office Of The City Clerk
One Government Center, Room
227
Fall River, MA 02722

Our Claim Number: ALG64380
Your Claim Number: Damage from Sink Hole

MetLife Auto & Home is a brand of Metropolitan Property and Casualty Insurance Company and its Affiliates, Warwick, RI

Council

CITY OF FALL RIVER
MAYOR'S OFFICE
2014 MAY 12 AM 11:03

THE LAW OFFICE OF
ROBERT E. LANGWAY, JR. RECEIVED

130 LIBERTY STREET
SUITE 1-A
BROCKTON, MASSACHUSETTS 02301
508-586-2400
FAX: 508-586-2411
EMAIL: rel@langwaylaw.com

2014 MAY 30 A 11:55

CITY CLERK 14-201
FALL RIVER, MA IN REPLY
PLEASE REFER TO
FILE NUMBER

ROBERT E. LANGWAY, JR.
ATTORNEY

4250 TWR

May 8, 2014

The Honorable William A. Flanagan
City of Fall River
One Government Center, Room 619
Fall River, MA 02722

Re: Name of Claimant: Tower National Insurance Company a/s/o Janice Heppe
Date of Damage: 5/1/2014
Location: 76 Buffington Street, Fall River
Type of Claim: Water Damage Caused by Failure to Properly Connect Temporary Service
Amount of Claim: As Yet Unknown

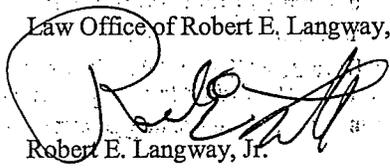
NOTICE OF CLAIM PURSUANT TO M.G.L. CHAPTER 258 AND CHAPTER 84 (as appropriate)

Dear Mayor Flanagan:

Please consider this letter a formal Notice of Claim of Tower National Insurance Company, the property insurer of Janice Heppe, pursuant to M.G.L. Chapter 258 and Chapter 84, as appropriate, for water damage caused to the Heppe residence at 76 Buffington Street, Fall River on May 1, 2014, when the City of Fall River was performing repairs on a water line in the area. Apparently, the City connected a temporary hose from a fire hydrant to 72 Buffington Street but failed to connect it to the residence. When the water was turned on at the hydrant, the discharge flooded the basement of the neighboring property at 76 Buffington Street, Fall River causing damages. While the amount of the damage is as yet unknown, I am placing the City on notice of the intention of Tower National Insurance Company to hold the City of Fall River liable for the negligence of its agents, servants and employees in failing to properly connect the temporary water service at 72 Buffington Street prior to turning on the fire hydrant or other water source.

I will provide the City with additional documentation as the same is received. In the meanwhile, kindly consider this letter a formal Notice of Claim and demand for reimbursement of all amounts paid out on account of the negligence of the City.

Very truly yours,
Law Office of Robert E. Langway, Jr.



Robert E. Langway, Jr.

REL:jmm

Certified Mail-Return Receipt Requested
No. 7009 1410 0001 4820 8146

*1+ orig - law
1- Council
1- Clerk
1- DPW
1- ...*

Council



SCANNED

CITY OF FALL RIVER, MA
LAW DEPT.

14 MAY 12 PM 12:05



PHILADELPHIA INSURANCE COMPANIES

P.O. Box 950 Bala Cynwyd, PA 19004

Melissa Rogers-Fordyce

Phone: 352-684-1366 • Fax: 866-401-1475
www.phly.com

Email: Melissa.Rogers-Fordyce@phly.com

May 7th, 2014

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

Attention: Claims Department / Richard Parker

RE:	Our Claim Number	:	793675
	Our Policyholder	:	Mednax Services, Inc.
	Date of Loss	:	03/18/2014
	Your File Number	:	N/A
	Loss Location	:	Route 7
	Description	:	Ice fell from bridge onto Mednax vehicle
	Total Subrogation	:	\$461.97

RECEIVED
 2014 MAY 30 A 11:55
 CITY CLERK 14-2008
 FALL RIVER, MA

To Whom It May Concern:

Philadelphia Indemnity Insurance Company provides a business automobile policy for Mednax Services, Inc.

Our investigation of the above captioned loss establishes your insured's responsibility for its occurrence. Please accept this as notice of our subrogation rights and respond promptly.

In the event we are unable to reach an amicable settlement in this matter, we will have no alternative but to commence legal action against your insured.

Sincerely,

Melissa Rogers-Fordyce
 Subrogation Examiner
 352-684-1366
 Fax (866)401-1475
Melissa.Rogers-Fordyce@phly.com

*1+ orig - law
 1- clerk
 1- Council
 1- DPW*

Council

Law Offices of
O'Keefe & Gale
180 West Central Street
Route #135
Natick, Massachusetts
01760



SCANNED

THOMAS C. O'KEEFE, III
JAMES D. FITZGERALD, JR.
SEAN P. CARROLL
ANNMARIE CLAUSEN BREMSER

Office: 508
655-0000

May 20, 2014

OF COUNSEL:
CHARLES C. GALE, ESQ. *
*Also admitted in Rhode Island

Fax: 508
655-2181

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

M.G.L. CH. 258 CLAIM
RE: Safety Insurance Company
vs.
City of Fall River and
Michael S. Howard
OF# SS-14-142

14 MAY 22 AM 11:25
CITY OF FALL RIVER, MA
LAW DEPT.

Dear Mayor Flanagan:

Please be advised that this office represents Safety Insurance Company, 20 Custom House Street, Boston, MA as subrogee of Bryant Guillemette, 81 Salisbury Street, Fall River, MA, in its claim against the City of Fall River and Michael S. Howard, 398 Barnes Street, Fall River, MA for reimbursement for property damage payment(s) made by Safety Insurance Company in the amount of \$10,438.93 to date and for its PIP claim for personal injury protection reimbursement presently with an open line to its insured (Bryant Guillemette) as a result of the negligent operation of a 2001 International bearing the Massachusetts registration number "M87387" on or about February 16, 2014 at or near Dwelly Street, Fall River, MA when Michael S. Howard negligently operated your vehicle so as to cause damage. Enclosed please find our supporting documents which are made a part thereof.

Thank you.

Very truly yours,

Thomas C. O'Keefe, III, Esq.

RECEIVED
CITY OF FALL RIVER, MA
14 MAY 22 AM 11:55
14-203

TCOK/slr
Enclosure
Cc: Elizabeth Sousa, Esq.
Cert/rrr
7013 2630 0001 4321 3291

11 orig-1cc
1- council
1- DPW
1- Clerk
1- city admin

Council



CITY OF FALL RIVER
MAYOR'S OFFICE
2014 MAY 22 AM 10:25

Elizabeth Kim, Claim Manager

05/16/2014

City of Fall River
Mayor William A. Flanagan
One Government Center, Room 619
Fall River, MA 02722

RECEIVED
2014 MAY 30 A 11:58
CITY CLERK 14-204
FALL RIVER, MA

Claim Number: 033431715
Policy Number: HB954747
Company Name: Arbella Mutual Insurance Company

This office represents the interest of Arbella Mutual Insurance Company. By virtue of payment under the Collision portion of a policy of insurance, we have become subrogated to the rights of our insured (FRANCES VANNESS, 316 WADE STREET, FALL RIVER, MA 02721) for the damage to their motor vehicle sustained in the accident described below:

Place of accident: 316 WADE ST Type of accident: Auto Accident
Date & time: 02/15/2014, 10:45:00 PM EST

This collision was caused by the negligent operation of a motor vehicle driven by David Fernandes, who was an employee of City of Fall River and bore operator's license number S36957073. They were operating a motor vehicle described as a 2001 International, bearing Mass. Registration number M87383, belonging to City of Fall River.

Pursuant to Chapter 258 of the Mass. General Laws, notice is given and claim is hereby made against the , for the damages caused by said collision in the amount of \$5,607.93 . Attached for your convenience is a copy of the damage appraisal and our proof of payment.

Please include our file number on all correspondence and send all communications to me at the address above.

Very truly yours,

Lauren Want
Claim Service Specialist
Subrogation Claim Office
800-272-3552 ext. 2138
Fax 617-773-4760

14019-law
1- DPW
1- City adm.
1- Council
1- City clerk

14-2315

Enclosure: multiple attachments

Council

CRAIG/is Ltd.
PO Box 40569
Jacksonville, FL 32203-0569

RECEIVED

Friday, May 23, 2014

Our Client: NGM Insurance Company, a/s/o LISETA
VIEIRABRIAN VIEIRA 11:59 AM

City of Fall River
Melissa Dasilveira
1 Government Center
Fall River, MA 02722

Claim No: 21T3721B100004 CITY CLERK 14-205
Claim Amount: \$1,103.31 FALL RIVER, MA
Loss Date: May 3, 2014
Loss Location: On Ramp MA 79 to I 95, Fall River, MA
Loss Type: Property Damage - \$1,103.31

Your Insured: City of Fall River

Dear Melissa Dasilveira:

CRAIG/is Ltd. has been retained by The Main Street America Group and its subsidiaries, including NGM Insurance Company with regard to a subrogation claim arising out of the above referenced loss. This letter shall serve as notice that a claim is being made under the insurance policy afforded to your insured for a loss which occurred on May 3, 2014 in the amount of \$1,103.31, which includes our insured's deductible.

Our investigation has determined the negligence of your insured to be the proximate cause of loss.

In the event that your investigation in this matter has been completed, kindly forward your settlement draft payable to our client, NGM Insurance Company, in the amount of \$1,103.31, to the address below. Please include our above referenced claim number on the settlement draft.

Should you wish to discuss this loss further, please do not hesitate to contact our office at the telephone number or e-mail address listed below.

Sincerely,

CRAIG/is Ltd. Document Production Group

CRAIG/is Ltd. Document Production Group
MSA Project
P.O. Box 40569
Jacksonville, FL 32203-0569

Voice: (877) 751-8205
Fax: (904) 677-7820
Email: subro@craig-is.com

1+orig-1aw
1-Council
1-city admin
1-DPW
1-city clerk

14-206

MetLife Auto & Home[®]
Subrogation - Warwick
Mail Processing Center
PO Box 2204
Charlotte, NC 28241-2204
800-634-9740

RECEIVED

2014 JUN -2 A 11:14
MetLife[®]

CITY CLERK: _____
FALL RIVER, MA

05/27/2014

City of Fall River
Attn: Office of the City Clerk
One Government Center, Room 227
Fall River, MA 02722

Our Insured: Maria Silveira, Antonio Silveira
Our Claim Number: ALG64380
Date of Loss: 04/11/2014
Amount of Damages: 11,307.44
Location of Accident: Fall River, MA

Your Driver: NA -SINK HOLE
Your Vehicle: NA
Your Registration: NA

Dear Office of the City Clerk:

Pursuant to Massachusetts General Laws, Chapter 258, Section 4, please consider this letter as a written claim for damages against City Of Fall River, as incurred by our customer, Maria Silveira, Antonio Silveira.

On 04/11/2014, City Of Fall River incurred liability when their vehicle, a sink holedamaged our insured's vehicle. This incident caused \$11,307.44 in damage to our insured's 1999 Ford Ranger.

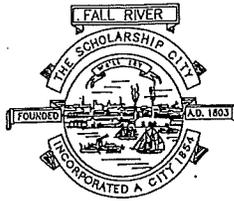
The facts of the accident are as follows: A sink hole opened up at 627 S Main Street, Fall River, MA and our insured's vehicle fell into it, causing damage.

Please reimburse this office \$11,307.44 for the damage to our insured's vehicle. If you have automobile insurance, please send this letter to your insurance company and request that they contact me immediately. Thank you.

Sincerely,

Margaret Gauthier
METROPOLITAN PROPERTY AND CASUALTY INSURANCE COMPANY
Supervisor Ext: 6036

MetLife Auto & Home is a brand of Metropolitan Property and Casualty Insurance Company and its Affiliates, Warwick, RI



RECEIVED

City of Fall River
Notice of Claim

2014 JUN -2 A 11:11
#14-207

CITY CLERK
FALL RIVER, MA

- 1. Claimant's name: Renee Fernandes
- 2. Claimant's complete address: 490 Jackson Street Fall River, MA 02722
- 3. Telephone number: Home: 1508 3099842 Work: 508 673-5308
- 4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Tire damages

5. Date and time of accident: _____ Amount of damages claimed: \$ _____ (right before McDonalds)

- 6. Exact location of the incident: (include as much detail as possible):
First New Tire Popped and bent my wheel on Tucker St in Fall River, Second happened on Hancock St in Fall River towards bottom (huge pole hole) popped my tire.
- 7. Circumstances of the incident: (attach additional pages if necessary): third one happened on Stafford Road in Fall River after over pass ruined tire by causing an egg on tire.

* The first New Tire I was traveling down Tucker when I hit a narrow pot hole which popped and bent my wheel. Second was traveling down Hancock St and couldn't avoid ~~the~~ a huge pot hole due to oncoming cars and popped my tire. Third I was traveling on Stafford Road where I processed over the over pass and hit yet another pot hole.

Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: _____
 Yes No

Be sure to attach the original of any bills issued or any written estimates of repair or replacement costs. (Any documents that you provide will become the property of the City of Fall River; therefore, please retain copies of any such documents for your files.) Attach any other information you believe will be helpful in the processing of your claim (for example, names and addresses of any witnesses, written medical records if personal injury was sustained).

I swear that the facts stated above are true to the best of my knowledge.
Date: 5-13-14 Claimant's signature: Renee Fernandes

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

Return this from to : City Clerk, 2nd Fl., One Government Center, Fall River, MA 02722

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

For official use only:
 Copies forwarded to: City Clerk Law City Council City Administrator _____ Date: _____



RECEIVED

City of Fall River
Notice of Claim

2014 JUN -4 A 10: 58

CITY CLERK 14-208
FALL RIVER, MA

1. Claimant's name: Richard Bohun
 2. Claimant's complete address: 698 South Main St. APT. 2W
 3. Telephone number: Home: 774-488-6626 Work: _____
 4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
TIRE Blow out
 5. Date and time of accident: 6/1/2014 1:30pm Amount of damages claimed: \$ 245.¹³
 6. Exact location of the incident: (include as much detail as possible):
Brayton Ave heading East at the location of Smith St.
 7. Circumstances of the incident: (attach additional pages if necessary):
Please see attached forms:
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: Yes No

Be sure to attach the original of any bills issued or any written estimates of repair or replacement costs. (Any documents that you provide will become the property of the City of Fall River; therefore, please retain copies of any such documents for your files.) Attach any other information you believe will be helpful in the processing of your claim (for example, names and addresses of any witnesses, written medical records if personal injury was sustained).

I swear that the facts stated above are true to the best of my knowledge.

Date: 6/2/14

Claimant's signature: Richard Bohun

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

Return this from to : City Clerk, 2nd Fl., One Government Center, Fall River, MA 02722

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

For official use only:						
Copies forwarded to:	<input checked="" type="checkbox"/> City Clerk	<input checked="" type="checkbox"/> Law	<input checked="" type="checkbox"/> City Council	<input checked="" type="checkbox"/> City Administrator	<input checked="" type="checkbox"/> DPW	Date: <u>6/2/14</u>



RECEIVED

City of Fall River
Notice of Claim

2014 JUN -4 P 12: 27

CITY CLERK 14-209
FALL RIVER, MA

1. Claimant's name: Crystal Copeland
2. Claimant's complete address: 220 Johnson St Apt 5B Fall River, MA 02723
3. Telephone number: Home: Work: Cell 781-414-0082

4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage): Bend and popped tires.
5. Date and time of accident: 5:20 pm Amount of damages claimed: \$ 218.00

6. Exact location of the incident: (include as much detail as possible): Under the Bridge on the right Lane If Walmart was on your right - off quarry st - next to the new Walmart.
7. Circumstances of the incident: (attach additional pages if necessary): I was driving home from getting my son from Letourneau School and drove past Walmart on quarry st. I proceeded to drive under the bridge and the Big pot holes on the right side of my car popped & bent my tires and rims. The pot holes were big and deep. they
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: [] Yes [] No

Be sure to attach the original of any bills issued or any written estimates of repair or replacement costs. (Any documents that you provide will become the property of the City of Fall River; therefore, please retain copies of any such documents for your files.) Attach any other information you believe will be helpful in the processing of your claim (for example, names and addresses of any witnesses, written medical records if personal injury was sustained).

I swear that the facts stated above are true to the best of my knowledge.
Date: 6-4-14 Claimant's signature: Crystal Copeland

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

Return this from to : City Clerk, 2nd Fl., One Government Center, Fall River, MA 02722

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

For official use only:
Copies forwarded to: [] City Clerk [] Law [] City Council [] City Administrator [] DPW Date: 6/4/14



RECEIVED

City of Fall River
Notice of Claim

2014 JUN -4 P 12: 29

CITY CLERK 14-210
FALL RIVER, MA

1. Claimant's name: DAVID COSTA
 2. Claimant's complete address: 179 GARAGE ST
 3. Telephone number: Home: 444-823-7501 Work: _____
 4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
LOST DRIVER SIDE CAR DAMAGE TO RIM DUE TO POT HOLE
 5. Date and time of accident: 6-3-14 4:00AM Amount of damages claimed: \$ _____
 6. Exact location of the incident: (include as much detail as possible):
N. MAIN ST NEXT TO VILLAGE PIZZA
 7. Circumstances of the incident: (attach additional pages if necessary):
DRIVING HOME FROM WORK
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: Yes No

Be sure to attach the original of any bills issued or any written estimates of repair or replacement costs. (Any documents that you provide will become the property of the City of Fall River; therefore, please retain copies of any such documents for your files.) Attach any other information you believe will be helpful in the processing of your claim (for example, names and addresses of any witnesses, written medical records if personal injury was sustained).

I swear that the facts stated above are true to the best of my knowledge.

Date: 6-3-14

Claimant's signature: [Signature]

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

Return this from to : City Clerk, 2nd Fl., One Government Center, Fall River, MA 02722

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

For official use only:	Copies forwarded to:	Date:
<input checked="" type="checkbox"/> City Clerk <input type="checkbox"/> Law <input type="checkbox"/> City Council <input type="checkbox"/> City Administrator <input checked="" type="checkbox"/> DPW	<u>DPW</u>	<u>6/4/14</u>



Council

City of Fall River
Notice of Claim

RECEIVED

2014 JUN -5 P 4:16

1. Claimant's name: WARPACO, INC / WALTER M. PAIVA 14-211
2. Claimant's complete address: 994 JEFFERSON ST. FALL RIVER - P.O. BOX 8197 FALL RIVER, MA
3. Telephone number: Home: 508-679-2190 Work: 508-676-9100
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
DAMAGE TO VEHICLE DUE TO POT HOLE
5. Date and time of accident: 5/28/14 Amount of damages claimed: \$ 919.55
6. Exact location of the incident: (include as much detail as possible):
DWELLY & FENNER ST. INTERSECTION NEAR CROWN UNIFORMS & LINEN
7. Circumstances of the incident: (attach additional pages if necessary):
TRAVELING EAST ON DWELLY, NOTICED THE POT HOLE TOO LATE, AVOIDED HITTING W/THE FRONT WHEEL BUT FELL INTO IT WITH THE RIGHT REAR
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: Yes No

Be sure to attach the original of any bills issued or any written estimates of repair or replacement costs. (Any documents that you provide will become the property of the City of Fall River; therefore, please retain copies of any such documents for your files.) Attach any other information you believe will be helpful in the processing of your claim (for example, names and addresses of any witnesses, written medical records if personal injury was sustained).

I swear that the facts stated above are true to the best of my knowledge.

Date: 6/5/14

Claimant's signature: [Signature]

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

Return this from to : City Clerk, 2nd Fl., One Government Center, Fall River, MA 02722

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

For official use only:						Date: <u>6/5/14</u>
Copies forwarded to:	<input checked="" type="checkbox"/> City Clerk	<input checked="" type="checkbox"/> Law	<input checked="" type="checkbox"/> City Council	<input checked="" type="checkbox"/> City Administrator	<input checked="" type="checkbox"/> DPW	