City of Fall River Massachusetts
Office of the City Clerk

ALISON M. BOUCHARD
CITY CLERK

INÊS LEITE
ASSISTANT CITY CLERK

NOVEMBER 10, 2011
MEETINGS SCHEDULED FOR NEXT WEEK
TUESDAY, NOVEMBER 15, 2011

6:00 P.M. COMMITTEE ON FINANCE
1. Loan orders (referred 10-25-11):
   a. $4,370,000 – Sanitation Trucks and Police Cruisers
   b. $2,400,000 – Refuse and Recycling Bins
2. Transfers and appropriations (see #1 below)

AGENDA

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

PRIORITY MATTERS
1. *Transfers and appropriations (see #2 in Finance)

PRIORITY COMMUNICATIONS
2. Traffic Commission recommending amendments to the traffic ordinances
3. *Retirement Board - 2012 budget totals
4. *Admin. of Public Utilities - flooding issues on Stevens Street

COMMITTEE REPORTS
Ordinances and Legislation recommending approval:
5. Street Opening Request – Bedford Street (between Mechanics Bank & Post Office building)

ORDINANCES
Proposed:
6. *Amending Sec. 14-4 relative to emergency repairs

RESOLUTIONS
7. *Open space near Highland Elementary School be turned over to Park Division for designation of park land

CITATIONS
8. Matt Silvia, FRPD – Commitment to St. Anne's Neighborhood Association
9. Kenneth R. Rezendes – 2011 Roger Valcourt Memorial Outstanding Citizen of the Year Award

ORDERS – HEARINGS FOR TONIGHT
Curb Removals:
10. Francisco Colaco – 454 Whipple Street
11. Julia, Ltd. – 320 Airport Road
12. Horacio Goncalo – 181 St. Mary's Street

ORDERS – HEARINGS TO BE SCHEDULED – NONE
ORDERS – NO HEARING REQUIRED – NONE

ORDERS – MISCELLANEOUS
13. Police Chief's report on licenses
14. Auto Repair Shop license renewals
15. Auto Body Shop license renewal

COMMUNICATIONS – INVITATIONS – PETITIONS
16. *Claims
17. *Town Taxi requesting additional taxi license (License #55)
18. *Notice of Casualty Loss to Building - 180 Warren Street

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

19. Minutes of Zoning Board of Appeals
20. *Titanic Historical Society re interest & ownership right for Titanic Model @ Marine Museum
21. *Thank You from Ms. Senior Sweetheart Pageant of America, Inc.
22. *Atty. Jennifer Theroux on behalf of Jeanne Lafrance re purchase of property @ 35 Stafford Heights Road
23. *MA D.O.T. response to resolution regarding condition of ramps

BULLETINS – NEWSLETTERS – NOTICES - NONE

Alison M. Bouchard
City Clerk

City of Fall River Massachusetts
Office of the City Clerk

ALISON M. BOUCHARD
CITY CLERK

INÊS LEITE
ASSISTANT CITY CLERK

ITEMS FILED AFTER THE AGENDA WAS PREPARED:

PRIORITY MATTERS

PRIORITY COMMUNICATIONS

COMMITTEE REPORTS

Committee on Finance recommending action:

*Loan orders (ref. 10-25-11):

a. $4,370,000 – Sanitation Trucks and Police Cruisers
b. $2,400,000 – Refuse and Recycling Bins

ORDINANCES

RESOLUTIONS

CITATIONS

ORDERS – HEARINGS FOR TONIGHT

ORDERS – HEARINGS TO BE SCHEDULED

ORDERS – NO HEARING REQUIRED

ORDERS – MISCELLANEOUS

COMMUNICATIONS – INVITATIONS – PETITIONS

BULLETINS – NEWSLETTERS – NOTICES

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

Finance 1a

City of Fall River, *In City Council*

CITY OF FALL RIVER
LOAN ORDER
(Departmental Equipment and police Cruisers)

ORDERED: That the City hereby appropriates the sum of Four Million Three Hundred Seventy Thousand Dollars ($4,370,000) to pay costs of purchasing waste disposal trucks and for purchase of police cruisers and payment of all costs incidental and related thereto, and that to meet said appropriation the City Treasurer, with the approval of the Mayor, is authorized to borrow said sum under M.G.L. Chapter 44, Section 7(9) or any other enabling authority, and to issue bonds or notes of the City therefore.

ORDERED: That the Treasurer is authorized to file an application with the appropriate officials of The Commonwealth of Massachusetts (the "Commonwealth") to qualify under Chapter 44A of the General Laws any and all bonds of the City to be issued pursuant to this Order, and to provide such information and execute such documents as such officials of the Commonwealth may require.

CITY OF FALL RIVER
IN CITY COUNCIL
OCT 25 2011
Authorized to be published and referred to the Committee on Finance

City of Fall River, *In City Council*

Finance 1b

CITY OF FALL RIVER
LOAN ORDER
(Refuse and Recycling Bins)

ORDERED: That the City hereby appropriates the sum of Two Million Four Hundred Thousand Dollars ($2,400,000) to pay costs of purchasing the refuse and recycling bins, including the payment of all costs incidental and related thereto, and that to meet said appropriation the City Treasurer, with the approval of the Mayor, is authorized to borrow said sum under M.G.L. Chapter 44, Section 7(9) or any other enabling authority, and to issue bonds or notes of the City therefore.

ORDERED: That the Treasurer is authorized to file an application with the appropriate officials of The Commonwealth of Massachusetts (the "Commonwealth") to qualify under Chapter 44A of the General Laws any and all bonds of the City to be issued pursuant to this Order, and to provide such information and execute such documents as such officials of the Commonwealth may require.

CITY OF FALL RIVER
IN CITY COUNCIL
OCT 25 2011
Authorized to be published
and referred to the
Committee on Finance

City of Fall River
Massachusetts
Office of the Mayor

RECEIVED

2011 NOV -9 P 3:11

CITY CLERK
FALL RIVER, MA

WILLIAM A. FLANAGAN
Mayor

November 9, 2011

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 appropriations to your Honorable Body.

These appropriations are necessary due to the discussions with the Department of Revenue on the treatment of the federal SAFER Grant for the firefighters; FY 12 Supplementary Local State Aid of $1,457,378 released on October 28, 2011; net reduction of $36,220.00 on the final Cherry Sheet after the FY 12 budget was approved by the Council on June 22, 2011; and the quarterly review of the budget. The following appropriations will assist the City in meeting its Fiscal Year 2012 obligations:

1.	$1,165,977	That the sum of $1,165,977 be, and the same is, hereby reduced from INSURANCE due to reclassification of SAFER Grant related expenditures.
2.	$1,100,000	That the sum of $ 1,100,000 be, and the same is, hereby reduced from PENSION CONTRIBUTIONS reclassification of SAFER Grant related expenditures.
3.	$1,200,000	That the sum of $1,200,000 be, and the same is, hereby appropriated for EDUCATION from the tax levy.
4.	$25,000	That the sum of $25,000 be, and the same is, hereby transferred and appropriated from FINANCIAL SERVICES, Salaries to the FINANCIAL SERVICES, Expenses.

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

City of Fall River
Massachusetts
Office of the Mayor

WILLIAM A. FLANAGAN
Mayor

SHAWN E. CADIME
City Administrator

MEMO

TO: William A. Flanagan, Mayor

FROM: Shawn E. Cadime, City Administrator

RE: Financial Transfers

DATE: November 9, 2011

FINANCIAL TRANSFERS AND APPROPRIATION REDUCTION

1. The reduction requests of $1,165,977 for Insurance and $1,100,000 in Pension Contributions came at the request of the Department of Revenue. In working with the DOR on the City's Pro Forma, the DOR preferred that the City charge the SAFER grant directly for those Insurance and Pension costs associated to the SAFER Grant Firefighters as opposed to having the SAFER Grant reimbursing the General Fund for those costs. This reduction will satisfy the DOR's request and allow them to approve our tax recap in a timely manner.

2. The appropriation of $1,200,000 will be coming from the supplementary Local Aid and is being requested for the School Department to meet the City's commitment of additional revenue, as promised in your commitment letter upon the passing of the FY 12 budget.

3. The transfer request of $25,000 from Financial Services, Salaries to Financial Services, Expenses is based on the needs identified from the City's quarterly budget review.

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

City of Fall River, In City Council November 15, 2011

1

ORDERED:

That the sum of $1,165,977 be, and the same is, hereby reduced from INSURANCE due to reclassification of SAFER Grant related expenditures.

ORDERED:

That the sum of $1,100,000 be, and the same is, hereby reduced from PENSION CONTRIBUTIONS reclassification of SAFER Grant related expenditures.

City of Fall River, In City Council November 15, 2011

3

ORDERED:

That the sum of $1,200,000 be, and the same is, hereby appropriated for EDUCATION from the tax levy.

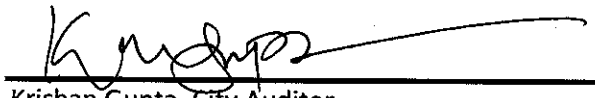
ORDERED:

That the sum of $25,000 be, and the same is, hereby transferred and appropriated from FINANCIAL SERVICES, Salaries to the FINANCIAL SERVICES, Expenses.

Appropriation/Transfer Analysis

Line	Original/Revised Appropriation	Amount Transferred	New Appropriation
			$ -
Insurance Expense	$ 40,345,021	$ (1,165,977)	$ 39,179,044
Pension Contribution	$ 19,709,368	$ (1,100,000)	$ 18,609,368
Education - School Appropriation	$ 82,000,000	$ 1,200,000	$ 83,200,000
Financial Services, Expenses	$ 479,015	$ 25,000	$ 504,015
Financial Services, Salaries	$ 1,144,308	$ (25,000)	$ 1,119,308

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



Krishan Gupta, City Auditor
11/9/2011

COMMONWEALTH OF MASSACHUSETTS
Fall River Contributory Retirement Board
30 Third Street • Suite 301 • Fall River, MA 02720
Tel. (508) 646-9120 FAX (508) 646-9123
www.fallriverretirement.com

October 27, 2011

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

Dear Members of the City Council:

In accordance with Massachusetts General Laws Chapter 32, Section 22(5), as amended by Chapter 306 of the Acts of 1996, the Fall River Retirement Board hereby files its calendar year 2012 budget totals.

Please be advised that the City of Fall River may opt to appropriate any portion of the budgeted amount for use by the Retirement Board to carry out its duties. If no appropriation is made these expenses shall be funded solely from the investment income account of this retirement system.

Respectfully yours,

Christine A. Tetreault

Christine A. Tetreault
Executive Director

FALL RIVER RETIREMENT BOARD
CALENDAR YEAR 2012 BUDGET

	2012
Salaries/Benefits	$ 280,649.78
Legal Fees	$ 35,000.00
Administrative Expenses	$ 109,834.00
Service Contracts	$ 32,480.00
Furniture & Equipment	$ 4,750.00
Investment Management Fees	$ 1,100,000.00
TOTAL	**$ 1,562,713.78**

4

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

WILLIAM A. FLANAGAN
Mayor

TERRANCE SULLIVAN
Administrator

TO: City Council

FROM: Terrance J. Sullivan
Administrator/Community Utilities

DATE: October 25, 2011

RE: Stevens Street

A number of residents on Stevens Street have submitted the attached petition for the resolution of flooding on their street. I met with a number of said residents on October 21, 2011.

The attached memo dated September 22, 2011 identifies the issue and the cost to resolve this matter ($350,000). Photos of the flooding are attached.

I informed the residents that the Sewer Division does not have funding available to address this project. The residents asked to meet with the City Council so I have prepared this memo for the matter to be heard before the appropriate City Council Sub-Committee.

Cc: Rosa Esteves, 110 Stevens St.
Luis Frias, 96 Stevens St.
Sewer Commission
Anne O'Neil-Souza
Byron Holmes

ROSA ESTEVES 110 stevens S.T
LUIS FRIAS [signature] 96 stevens ST
maria m. Frias - 96 stevens ST.
Alexander Frias - 96 stevens s.t
Maria Esteves - 110 stevens s.t
Carlos Manuel Botelho - 120 Stevens ST
Maria Helena Botelho - 120 steven St
Maria J Oliver 75 Mc Gee St.
Rita Cabral 75 Mc Gee St.
Helen Mahmud 97 Stevens
Valdemira Cravino
Jany Gamerino
132 STEVENS ST
Rosario Oliveira
Roy Oliveira
67 RUSSELL ST.
Theresa Richards 82 Russell St
Patrick G. Richards 82 Russell St
Barbara Latinville 82 Russell St
Jeffrey Jeffers 171 Stevens St Fall River
[illegible] 413 Jefferson St.
[illegible] 413 Jefferson St
Kimberly Landry 184 Stevens St. Fall River
Delia A Tessier
Christopher [illegible] - 185 Stevens st Apt 2

OCT 21 2011

Petition to resolve flooding.

Michael Jost 208 Stevens St.

Maria Batell 220 STEVENS ST

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

WILLIAM A. FLANAGAN
Mayor

TERRANCE SULLIVAN
Administrator

TO: Anne O'Neil-Souza

FROM: Terrance Sullivan
Administrator/Community Utilities

DATE: September 22, 2011

RE: Stevens Street Drainage

Review of the flooding complaints on Stevens Street has resulted in the following comments:

1. Short-term flooding of the street occurs in the vicinity of 96/110 Stevens Street during high intensity, high volume rainstorms. This flooding can occur several times per/year and usually clears in less than 30/minutes as the storm intensity subsides.

2. Construction of the new houses is so low that floodwaters could reach the garages.

3. There is a 24-inch diameter storm drain in Stevens Street that discharges to the river system.

4. There is a 24-inch diameter sewer on Stevens Street.

5. There are multiple catch basins on Stevens Street.

6. Seven (7) slotted manhole covers have been installed recently to try to manage peak drainage flows. The drainage system handles most storms.

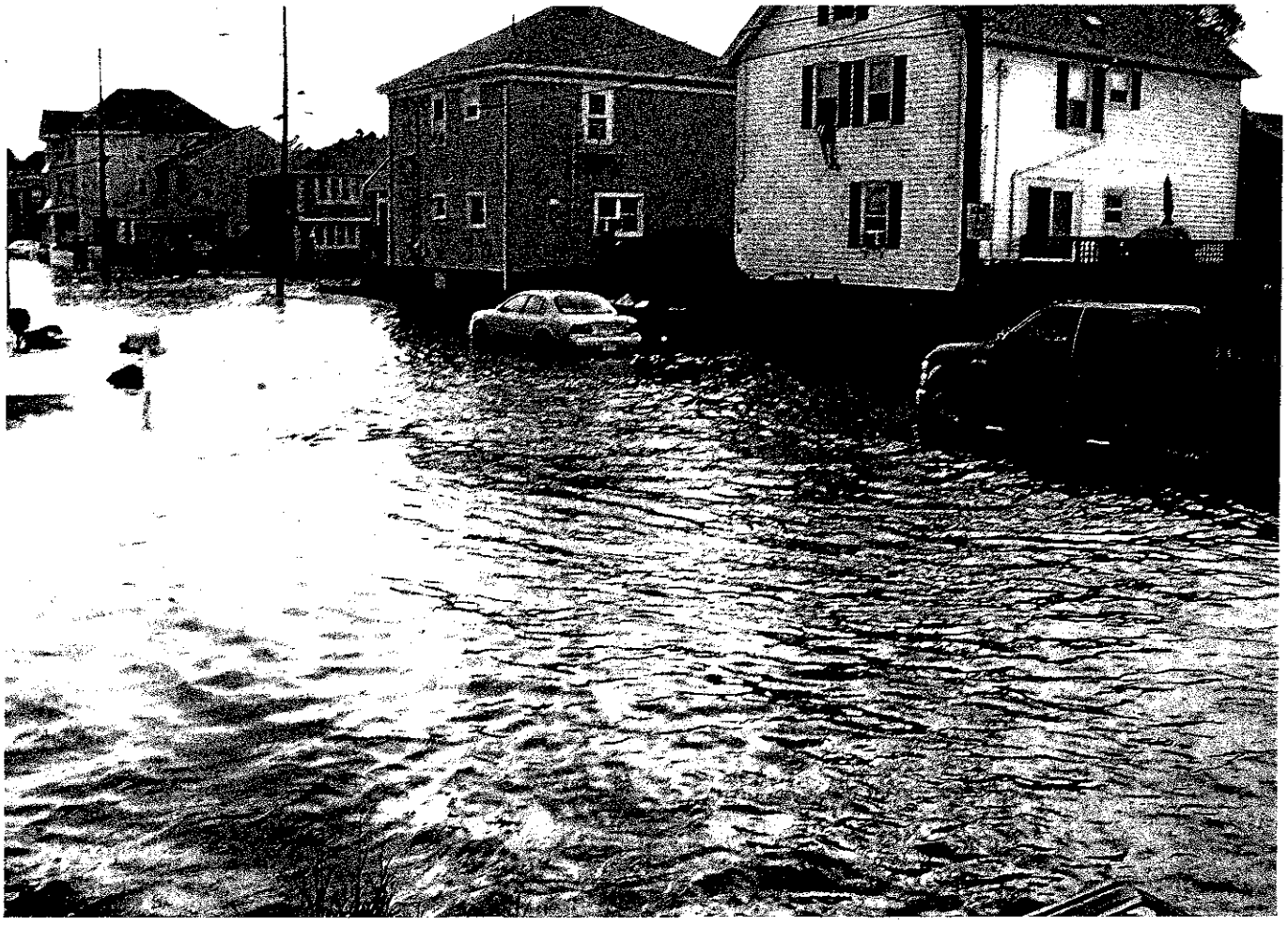
7. During extreme storms, short-term flooding can occur. The 24-inch diameter drain can fill to near full capacity. The simple addition of more catch basins will probably not improve the condition. The proper resolution is to expand the size of the 24-inch diameter drain. The estimated cost is $350,000, as attached.

8. **We currently do not have funding for this type of project.**

One Government Center • Fall River, MA 02722 • TEL (508) 324-2320
WATER (508) 324-2330 • SEWER (508) 324-2320 • EMAIL tsullivan@fallriverma.org

STEVENS STREET DRAINAGE IMPROVEMENTS
PRELIMINARY COST ESTIMATES
9/22/11 TJS

#	Item	LF	$/LF	#	$/unit	Cost
1	Planning/Design Engineering/Permits					$25,000
2	Expand Stevens Street drain from 24" dia. to 36" or 48" dia. from Russell St. to the river outfall.	800	$150			$120,000
3	Repave Stevens Street from Russell Street to end of pavement prior to the outfall.	450	$150			$67,500
4	Install new 12" dia. drain on McGee St. to Stevens St.	200	$100			$20,000
5	Repave McGee Street from Jefferson Street to Stevens Street.	320	$100			$32,000
6	Install 4 catch basins on McGee St.			4	$5,000	$20,000
7	Install 2 catch basins on Stevens St.			2	$5,000	$10,000
8	Contingency					$30,000
9	Construction Management/Inspection					$25,000
	Total Estimate					$349,500



City of Fall River, *In City Council*

6

(Councilor Linda M. Pereira)

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

That Chapter 14 of the Revised Ordinances of the City of Fall River, Massachusetts, 1999, which chapter relates to Businesses be amended as follows:

By inserting in Section 14-4, sub-section (e), which section relates the Denial, revocation or suspension of license or permit for failure to pay city taxes or charges, the following:

Emergency building, plumbing and electrical repairs

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

BE IT RESOLVED, that the open space near the Highland Elementary School be turned over to the Park Division for purposes of designating it park land.

RX Date/Time 10/12/2011 15:01 5084771522 P.002
10/12/2011 03:53 5084771522 GOLDSTEIN PAGE 02

RX Date/Time 09/27/2011 15:12 5083242211 P.001
09/24/2011 16:09 5083242211 FALL RIVER CLERKS PAGE 01/02

RECEIVED

2011 OCT 19 A 11:38

CITY CLERK
FALL RIVER, MA

Claim #11-208

CLAIM FORM
City of Fall River, Massachusetts

Name: Ruth A Desbiens

Address: 31 Cheryl Lane
Somerset, Ma 02726

Phone #: 5086760888

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

Date of Incident: Sept 23 2011
Time of Incident: 8:00 pm
Location of Incident: Quequechan St Fall River, Ma

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

See attached

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

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

October 16, 2011

Office of the City Clerk
City of Fall River
One Government Center
Fall River, MA 02722

To Whom It May Concern:

On September 23, 2011 I was traveling North on Quequechan Street and struck a man hole cover that was elevated due to construction in the roadway. It was dark, raining, and difficult to see the man hole cover.

There were no warning cones or flashing barrels in the road to warn of this hazard to driving on this road. I damaged 2 rims and 2 tires on the driver's side of the car.

Enclosed are pictures of the raised manhole covers and the road, the police report and an estimate of the damages to my car.

Sincerely,

Ruth A Desbiens

Ruth A. Desbiens
31 Cheryl Lane
Somerset, Ma 02726
Tel 5086760888

City Council

Liberty Mutual Mid-Atlantic Insurance Company

5050 W Tilghman St Ste 200
Allentown PA 18104-9154
Tel: (800) 521-0986 / (800) 521-0986
Fax: (603) 334-0372

October 17, 2011

RECEIVED

2011 OCT 21 P 12:20

CITY CLERK
FALL RIVER, MA

Claim #11-209

CITY OF FALL RIVER
1 GOVERNMENT CTR
FALL RIVER MA 02722-7700

ATTN CITY CLERK

YOUR INSURED: CITY OF FALL RI
YOUR CLAIM NUMBER:

DATE OF LOSS: 09/13/2011
LOSS LOCATION: 187 ROCKLAND ST
FALLL RIVER, MA

OUR CLAIM NUMBER: PD179-020440162-01
OUR INSURED: THERESA M. SCHEER
ADDRESS: 16-06 WELL DR
FAIR LAWN NJ 07410-4412

OUT OF POCKET: 0.00
(if known)

Dear CITY CLERK:

Based on our investigation of this accident, we believe your Insured to be responsible for the damage to our Insured's vehicle. I have enclosed documentation to support the following subrogation claim:

Amount we have paid	$	1012.53
Total amount of damages	$	1012.53
Salvage (if applicable)	$	0.00
Rental (if applicable)	$	230.05
Total Subrogation Amount Due	$	1242.58

ATTACHED ARE PROOFS FOR OUR DAMAGES AND RENTAL ALIONG WITH THE POLICE REPORT,.

(over)

RECEIVED
2011 OCT 20 P 2:19
CITY CLERK
FALL RIVER, MA

CLAIM FORM
City of Fall River, Massachusetts

#11-210

Name: Maria Aralice

Address: 486 Hope St.
Fall River, MA 02721

Phone #: 508-617-8536

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

Date of Incident: 9/23/11
Time of Incident: 10pm
Location of Incident: ~~508~~ 486 Hope St.
Fall River, MA 02723

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

The neighbor called the police to report that Maria's son, Christian Aralice, was hurting himself. When the police came. The door was locked, therefore they broke open the door and when they came in, they also broke Maria's 42" LCD HDTV. The cost of the television is $548.00.

10-24-11 Original + 2 Law
Police - 1 Copy
City Clerk - 1 copy
City Council - 1 Copy

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

City Council

Commerce INSURANCE
A MAPFRE COMPANY

RECEIVED

2011 OCT 27 P 12:18

CITY CLERK
FALL RIVER, MA

October 25, 2011

City Clerk
1 Government Center
Fall River, MA 02722

Claim #11-211

Attention: Allison Bouchard

RE: Insured: Paul D Lubin
File #: XXH440 /
Date of Loss: 10/14/2011

Dear Ms. Bouchard

On the above date of loss, our insured suffered injury and vehicle damage due to an incident on 10/14/2011. The damage occurred due to shrubs/trees obstructing a stop sign at the end of Stewart St/ .

Pursuant to M.G.L. Chapter 84 Sec 15, a city or municipality is responsible for the care and repair of the roadways within its jurisdiction and can be held accountable when repairs are not made to the roadway.

Also by statute, our insured or their agents must place the responsible parties on notice within 30 days. This letter, therefore, puts the Town of Fall River on notice as the party responsible for the proper care of its roadway.

Our responsibility to is to ensure payment of their medical bills, lost wages and the repair of their vehicle resulting from the above captioned loss.

Once payment has been made by Commerce for medical expenses, we will then seek reimbursement for those payments and any deductible that may apply.

If you have any questions, please call me at 1-800-221-1605, ext. 15138.

Sincerely,

THE COMMERCE INSURANCE COMPANY

Linda Gilley
Claim Specialist

Certified and Regular Mail

More Than Just Insurance.

Plymouth Rock assurance℠

October 28, 2011

RECEIVED

2011 NOV -1 A 11:11

CITY CLERK
FALL RIVER, MA

Claim #11-212

Please remit payment . Your operator's door opened hitting our insureds parked vehicle.

Fall River City Clerk
1 Government Ctr
Fall River, MA 02722-7700

Certified: 70060 3450 0001 1626 0478

Your Insured:	CITY OF FALL RIVER WATER DEPT.
Address:	2929 BLOSSOM RD WESTPORT, MA 02790
Operator:	Michalel Labossier
Your file number:	?
Date of loss:	10/20/2011
Loss location:	FALL RIVER, MA
Accident Description:	Collision: IV WAS PKD UNOCCUP; OV IN NEXT SPACE OPENED DOOR, DOOR CAUGHT BY THE WIND, OV'S DAMAGE IV.
Our Insured:	MANUEL AGUIAR
Our file number:	157300860073

Dear City Clerk:

After conducting a thorough investigation of this loss, all facts indicate that liability rests with your insured. We request reimbursement under the subrogation clause assigning us the rights of recovery for a loss to the extent that payment is made.

PHYSICAL DAMAGES	$410.55
LOSS OF USE	$
TOTAL LOSS:	
ACTUAL CASH VALUE	$
TOW/STORAGE	$
SALVAGE	$
TOTAL PHYSICAL DAMAGES	$410.55 **Please remit payment in full.
BAILMENT	

We trust that this matter will be handled immediately and look forward to receiving payment within fourteen days. Please note claim number with your payment.

Thank you,

Orig + 2 copies to Law
1 copy to Water
1 copy to City Council
1 copy to City Clerk

Jane Mankowsky
Claim Representative
phone: 617-951-1569
fax: 617-526-7982

Plymouth Rock Assurance is a member of the Paperless Subrogation program

CLAIM FORM
City of Fall River, Massachusetts

RECEIVED
2011 NOV -2 P 4:09
CITY CLERK
FALL RIVER, MA

11-213

Name: Louis G. Carreiro Jr.

Address: 535 Sanford Road
Westport, MA 02790

Phone #: 508-673-6449

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

Date of incident: October 4, 2011
Time of incident: 7:45 PM
Location of incident: Quequechan Street (near intersection with Quarry Street)

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

The incident occurred on Quequechan Street near the intersection with Quarry Street. I was traveling north on Quequechan Street when my car struck a metal construction plate in the roadway. Upon impact the tire immediately went flat. I was not negligent in the operation of my vehicle and was traveling less than 20 mph when I struck the plate. The roadway was flooded from heavy rain and water concealed the plate, and since no warning of this construction hazard was posted, it was unavoidable. The next day I brought the tire to Henry's Tire Service where they found a slit that was not repairable. I have attached the invoice from Henry's in the amount of $179.13 and respectfully request reimbursement since I believe I was not at fault.

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

RECEIVED

2011 NOV -3 P 3:33

CITY CLERK
FALL RIVER, MA

Claim # 11-215

CLAIM FORM
City of Fall River, Massachusetts

Name: Joshua Ferreira

Address: 215 Dillon Lane
Swansea MA 02777

Phone #: 508-678-6545

Type of Claim: ____M.G.L. Chapter 84 ____M.G.L. Chapter 258 ____Other

Date of Incident: 10/16/11
Time of Incident: 11:00 pm
Location of Incident: Millican Blvd Fall River MA.

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

I was traveling west on 195 Going over the Braga Bridge and I took exit 5 and went toward Millican Blvd. I then went left heading towards bedford st when 35 yards before the light I hit a pot hole that is not noticable until you are if you can even see it. The next day I took my car in Cap an Noticed the damage done I am not happy I just Bought these rims as well as a brand New car. My Car was unsafe to drive because of hitting the pot hole. I brought My Car to where I purchaced my Set of rims + tiers, where the Manager told me to change my rims + tiers Imediatly. So I did. I needed an alignment which cost $69.99 and he gave me a quote on 2 new rims + tiers which I have documented. I am unpleased with fall Rivers roadways

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

They could cause serious damage of Injury. This was a brand New car that was in perfect condition!

RECEIVED

2011 NOV -4 A 11:41

CITY CLERK
FALL RIVER, MA

CLAIM FORM
City of Fall River, Massachusetts

#11-215

Name: Teresa Clements

Address: 507 Detroit St.
Fall River, MA 02721

Phone #: 401-662-5820

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

Date of Incident: 10/19/2011
Time of Incident: 735 pm
Location of Incident: Stevens St

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

Stevens st. was under construction and unpaved! NO cones or signs around potholes. Driving with son @ 735 on 10/19/2011 in the rain & dark on stevens st. and hit pothole/increase caused damage to passenger side tire (slit)! on my 2007 Mercedes. Temporary donut was put on by my roadside asst. I was late for work and my son late for school, couldn't get repair until 10/21/2011. Bill and pictures are attached! Please reimburse ASAP! Your roads are terrible! I don't have money for your negligence of roads!

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

11-4-11
Original + 2 Law
1 Copy DCM
1 Copy City Council ✓
1 Copy City Clerk

RECEIVED

2011 NOV -8 P 3:27

CITY CLERK
FALL RIVER, MA

CLAIM FORM

City of Fall River, Massachusetts

#11-216

Name: Linda Barfield-Taylor

Address: 305 Newton St. #10
Fall River, MA 02721

Phone #: (508) 6780017

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

Date of Incident: Oct. 29, 2011
Time of Incident: Around 6:00 P.M.
Location of Incident: Laurel St. Fall River, MA

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

On Oct. 29, 2011 at about 6 P.M. I was driving with my husband south on Laurel St. in Fall River. I was going about 15 m.p.h. I hit a giant pothole near the back of Laurel Lake School. My car started making a loud noise.

About three hours later the police were at that pothole with their blue lights on. A barrel was placed over the pothole. The pothole was repaired.

Damage to my automobile is listed on the repair bill. I'm sending you a copy of it. I had to have the flex pipe replaced and the wheels aligned.

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

RECEIVED

2011 NOV -8 P 3:50

CITY CLERK
FALL RIVER, MA

11-217

CLAIM FORM
City of Fall River, Massachusetts

Name: Kevin Marques

Address: 41 Michael S.t.
Fall River MA 02721

Phone #: 774-488-1025

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

Date of Incident: 10/12/11
Time of Incident: 7:00 PM
Location of Incident: Hongraves st. Fall River

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

About 7:00 pm on 10/12/11 I was taking a right onto Hongraves st. Fall River. It was raining heavy and I was unable to see a pothole that I ran into. This caused damage to my rim and tire. The total for replacement is attached $188.14. I am looking for reimbursement.

*You should consult with your own attorney in preparing this

TOWN TRANSPORTATION LLC
Dba TOWN TAXI
168 Stevens St
Fall River, Ma 02721
(508)673-9999
Fax: (508)673-7777

RECEIVED
2011 NOV -9 A 9:46
CITY CLERK
FALL RIVER, MA

11/03/11

To Whom It May Concern:

It is my understanding there is a medallion not being used and it is Lic #55.
This Lic was not picked up by another company
We at Town Transportation DBA Town Taxi are asking permission to apply for that LIC#55 Witch we are in need of to service the public

x

THANK YOU
FAITH LATESSA
MANAGER
TOWN TRANSPORTATION LLC

RECEIVED 18

2011 OCT 26 A 10:23

CITY CLERK
FALL RIVER, MA

FORM OF NOTICE OF CASUALTY LOSS TO BUILDING
UNDER MASS. GEN. LAWS, CH. 139, SEC. 3B

TO: BUILDING COMMISSIONER OR
INSPECTOR OF BUILDINGS

Fall River City Hall

One Government Center

Fall River, MA 02722

BOARD OF HEALTH OR
BOARD OF SELECTMEN

Fall River Fire Department

ADDRESSES 755 Pine Street

Fall River, MA 02720

ATTENTION: FIRE PREVENTION

RE: INSURED: SOKLIM CHHEAN

PROPERTY ADDRESS: 180 Warren Street, Apt. 1

Fall River, MA 02721

POLICY NO. HO17032927

LOSS OF Burglary on October 16, 2011

FILE OR CLAIM NO. DA1110015F HC180021

CLAIM HAS BEEN MADE INVOLVING LOSS, DAMAGE OR DESTRUCTION OF THE ABOVE CAPTIONED PROPERTY, WHICH MAY EITHER EXCEED $1,000.00 OR CAUSE MASS. GEN. LAWS CHAPTER 143, SECTION 6, TO BE APPLICABLE. IF ANY NOTICE UNDER MASS. GEN. LAWS CHAPTER 139, SECTION 3B IS APPROPRIATE, PLEASE DIRECT IT TO THE ATTENTION OF THE WRITER AND INCLUDE A REFERENCE TO THE CAPTIONED INSURED, LOCATION, POLICY NUMBER, DATE OF LOSS AND CLAIM OR FILE NUMBER.

SIGNATURE Terry M. Seger

T.M. SEGER CLAIM SERVICE, INC.

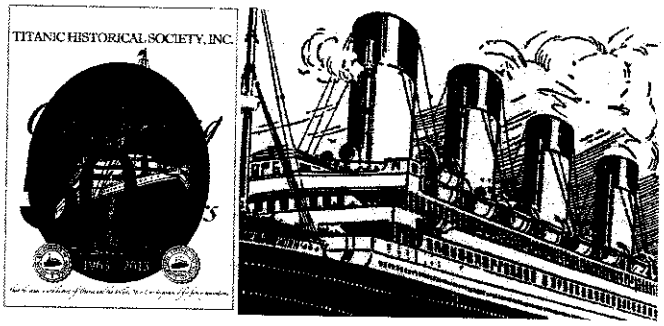
459 Washington St - PO Box 277 - Duxbury, MA 02331
Telephone (781) 934-9770
Fax No. (781) 934-9194

ON THIS DATE, I CAUSED COPIES OF THIS NOTICE TO BE SENT TO THE PERSONS NAMED ABOVE AT THE ADDRESSES INDICATED ABOVE BY FIRST CLASS MAIL.

Leah R. Angelick 10/25/2011
SIGNATURE & DATE Leah R. Angelick,
Secretary

FORM 13 (5-1999)

2: Bldg. Insp.
Health
Fire
10/26/11 cat



Titanic Historical Society, Inc.®
PO Box 51053
208 Main Street
Indian Orchard MA 01151
T 413 543 4770

info@titanichistoricalsociety.org
www.titanichistoricalsociety.org

RECEIVED
2011 NOV -1 A 11:06
CITY CLERK
FALL RIVER, MA

October 28, 2011

Michael B. Lund, President
City Council of Fall River
One Government Center
Fall River MA 02722

Dear Mr. Lund,

We have undertaken the writing of this letter as we are quite concerned over the troubling news reported to us via articles within *The Herald News*. We understand that The Marine Museum at Fall River has lost their tax exempt status as a nonprofit organization per a recent IRS revocation. As well, and even more disheartening, further articles point to both financial and management concerns over the museum's daily operation and long-term viability.

On behalf of myself, President Edward Kamuda, and our worldwide membership at the Titanic Historical Society (THS) we would like to extend our sincerest hopes that your office and collectively city management will be able to ascertain the main problems and rectify the situation for the benefit of the city of Fall River. We agree as the articles have indicated this museum should remain a "gem" along the city's waterfront and not see its demise due to poor management and lack of appreciation.

However, and as you may not already be aware, the Titanic Historical Society donated the 28-foot 1953 Titanic movie model that originally had been donated to the THS that currently is on display within the Marine Museum. We donated the model in 1986 per agreement with Sheila Salvo, president of the Marine Marine Museum at Fall River, Inc. and myself serving at the time as Secretary and a founder of the Titanic Historical Society, Inc. For your convenience and quick reference we have enclosed a copy of the Agreement. The Agreement clearly indicates that should the Marine Museum at Fall River close, the THS would assume ownership of the model once again.

Our pointing out this issue at this time is to simply establish a protective interest and ownership right for our Society and quite simply we feel it a prudent idea to make all parties aware of our interests given the current circumstances surrounding the museum. Again, we sincerely hope that the Marine Museum at Fall River continues its operation for many years to come and without further effects from its current difficulties.

Please feel free to contact me if you have any questions.

Kindest regards, I remain,

Sincerely,

Edward S. Kamuda, President/Founder

c.c. Mayor William A. Flanagan
Richard Gonsalves, City Assessor

AGREEMENT

AGREEMENT made this 28th day of February, 1986 by and between THE MARINE MUSEUM AT FALL RIVER, INC., a Massachusetts charitable organization, doing business at 70 Water Street, Fall River, Massachusetts (hereinafter referred to as MARINE MUSEUM) and the TITANIC HISTORICAL SOCIETY, INC., a Massachusetts charitable organization, doing business in Indian Orchard, Massachusetts, (hereinafter referred to as TITANIC);

WHEREAS the TITANIC is the owner of a twenty-eight (28) foot long, 2000 pound studio production model of the "Titanic"; and

WHEREAS, TITANIC has offered the model to the MARINE MUSEUM for purposes of public display; and

WHEREAS, the MARINE MUSEUM is willing to accept the model and expend necessary funds to restore, maintain and exhibit said model;

NOW, THEREFORE, it is agreed that MARINE MUSEUM is to have ownership of the model for so long as it or it's successors or assigns are in existence, but if the MARINE MUSEUM and it's successors or assigns are not in existence, then ownership shall revert back to TITANIC.

IN WITNESS WHEREOF, The Marine Museum at Fall River, Inc. has caused its corporate seal to be affixed and these presents to be signed in its name and behalf by Sheila Salvo its President ~~and the Titanic Historical~~ Society, Inc. has caused its corporate seal to be affixed and these presents to be signed in its name and behalf by Edward S. Kamuda its Secretary Co-founder on the day and year first above mentioned.

Witness

THE MARINE MUSEUM AT FALL RIVER, INC.

BY: Sheila F. Salvo

Witness

TITANIC HISTORICAL SOCIETY, INC.

BY: Edward S. Kamuda

Secretary/Co-founder

21

Ms. Senior Sweetheart Pageant Of America, Inc.

P.O. Box 3709 ♥ Fall River, MA 02722-3709 ♥ 508-675-0249
www.msseniorsweetheart.com

RECEIVED
2011 NOV -1 A 11:06
CITY CLERK
FALL RIVER, MA

Officers

Steven P. Aguiar
Chairman

Leonard Kaplan
President

Charles F. Gregory III
Vice President
Public Relations/Marketing

Stephanie Melo-Terra
Treasurer

Annette D. Gamache
Secretary/Clerk

James Donnelly
Corporate Attorney

Yvette Mancini
Assistant To President
508-676-0739

Committee Members

Barbara Parente
Carol Nolin
Mary Lee Pompeii
Bruce Rex

Supporting Members

William Flanagan
Mayor
City of Fall River

Dear City Councilors,

Thank you so much for taking the time from your busy schedules to send our lovely contestants a beautiful citation. They were very excited to receive this special citation which will be cherished as a lasting memory in the years to come. We thank you for your support and again for acknowledging each and every contestant from our Ms. Senior Sweetheart Pageant 2011-2012. It was greatly appreciated.

Sincerely,

Len Kaplan

& the Committee

22

LAW OFFICES OF
JOHN C. FARRISSEY & ASSOCIATES

942 COUNTY STREET
SOMERSET, MASSACHUSETTS 02726
www.farrisseylaw.com

ATTY. JOHN C. FARRISSEY
john@farrisseylaw.com

ATTY. JILL E. GROCHMAL
jill@farrisseylaw.com

ATTY. JENNIFER M. THEROUX*
jtheroux@farrisseylaw.com

TELEPHONE
508-676-0055

FACSIMILE
508-676-0099

Admitted in MA & RI

October 28, 2011

Fall River City Council
Attn: Real Estate Committee
Patricia Casey - Chairperson
Once Government Center
Fall River, MA 02722

RECEIVED
2011 OCT 31 A 11:13
CITY CLERK
FALL RIVER, MA

RE: Request to purchase land

Dear Ms. Casey:

I represent Jeanne Lafrance of 35 Stafford Heights Road, Fall River. She recently had her property surveyed and the survey showed that there are several lots owned by the City of Fall River which abut her property. She would like to make an offer to purchase these lots if possible. The lots in question are:

1. Map Y-7 Lot 657;
2. Map Y-7 Lot 603; and,
3. Map Y-7 Lot 486.

I understand the request has to go before the City Council and that each city department would need to sign off on the request. If you could contact me on the exact procedure or if the lots would even be available for purchase I would greatly appreciate it.

I look forward to hearing from you.

Very truly yours,

Jennifer M. Theroux

Jennifer M. Theroux

cc: Jeanne Lafrance ✓

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

MassDOT
Massachusetts Department of Transportation
Highway Division

RECEIVED
2011 OCT 26 A 11:41
CITY CLERK
FALL RIVER, MA

October 18, 2011

Allison M. Brett, City Clerk
City of Fall River Office of City Clerk
One Government Center
Fall River, MA 02722

Dear Ms. Brett:

Reference is made to your resolution dated September 9, 2001 regarding the condition of ramps leading to and from the City of Fall River.

MassDOT agrees that the conditions of some interchanges are unacceptable and has begun to clean and cut brush at several locations. The condition of the Plymouth Ave interchange has greatly improved with the return of inmate crews, clearing and a recent United Way/City of Fall River and MassDOT cleanup effort. We look to continue our efforts as resources allow.

Please note that Michael Delaney is now the Acting District Highway Director for MassDOT Highways. Thank you for bringing this matter to our attention.

Sincerely,

Michael J. Delaney

Michael J. Delaney, P.E.
Acting District Highway Director

MEB: meb
cc: MJD
DAP
File

Fall River Ramps.doc

District 5, 1000 County Street, Taunton, MA 02780
Tel: 508-824-6633, Fax: 508-880-6102
www.mass.gov/massdot

City of Fall River, *In City Council*

(Councilor Raymond A. Mitchell)

WHEREAS, the highway ramps, that provide entrance to the City of Fall River are visitors' first impressions of our City, such as Routes 79, 24, and Interstate 195, are overgrown with weeds and trash, and

WHEREAS, the City of Fall River is not allowed to maintain these areas, as these are the responsibility of Mass Highway, and

WHEREAS, a build up of sand, gravel and automobile parts remain untouched for months at a time, now therefore

BE IT RESOLVED, that the City Council send a letter to Mass Highway requesting that these ramps be cleaned as soon as possible, and

BE IT FURTHER RESOLVED, that a regular maintenance schedule be agreed upon with Mass Highway and that consideration is given to request the Sheriff Department's assistance with maintaining these areas.

In City Council, September 6, 2011
Adopted

A true copy. Attest:

Alison M. Breed

City Clerk