



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

**ALISON M. BOUCHARD**  
CITY CLERK

**INÈS LEITE**  
ASSISTANT CITY CLERK

**NOVEMBER 23, 2011**  
**MEETINGS SCHEDULED FOR NEXT WEEK**  
**TUESDAY, NOVEMBER 29, 2011**

**6:00 P.M. COMMITTEE ON FINANCE**

1. Discussion regarding Watuppa Heights Redevelopment Plan (see #2 below)

**AGENDA**

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

**PRIORITY MATTERS**

1. \*Mayor req. confirmation of appt. of Michael P. Dunn as a member of the Election Commission
2. \*Mayor and Executive Summary of the Watuppa Heights Redevelopment Plan along with draft of the Housing Improvement Plan (see #1 Finance)

**PRIORITY COMMUNICATIONS**

3. Board of Election Commissioners – Official results of City Election held on November 8, 2011
4. \*Purchasing Agent – Listing of surplus property for auction

**COMMITTEE REPORTS**

**Real Estate recommending adoption, as amended:**

5. \*Order transferring the Dubuque School to the Department of Community Maintenance

**Real Estate recommending adoption:**

6. \*Order transferring open space near Highland Elementary School to Park Department

**ORDINANCES – NONE**

**RESOLUTIONS – NONE**

**CITATIONS**

7. Robert C. Pacheco – Leadership efforts with regard to the Pvt. Alvaro Rodrigues Memorial Restoration Project

**ORDERS – HEARINGS FOR TONIGHT – NONE**

**ORDERS – HEARINGS TO BE SCHEDULED – NONE**

**ORDERS – NO HEARING REQUIRED – NONE**

**ORDERS – MISCELLANEOUS**

8. Police Chief's report on licenses
9. Auto Repair Shop license renewal

**COMMUNICATIONS – INVITATIONS – PETITIONS**

10. \*Claims
11. \*WORD, Inc – Withdrawing interest in the purchase of the Osborn School Property

**BULLETINS – NEWSLETTERS – NOTICES – NONE**

*Inès Leite*  
Assistant City Clerk



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

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FALL RIVER, MA

**WILLIAM A. FLANAGAN**

*Mayor*

November 21, 2011

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

Honorable Members of the City Council:

I hereby request the confirmation of the City Council for the following appointment:

Name: Michael P. Dunn

Address: 472 Weetamoe Street  
Fall River, MA 02720

To: Election Commission

Term to Expire: April 1, 2012

Sincerely:

William A. Flanagan

Mayor

WF:amos

cc: Personnel  
Auditor

**Michael P. Dunn**

472 Weetamoe Street, Fall River, MA 02720

Phone: 508-675-5748

Cell: 617-293-2770

Email: [mdunn472@gmail.com](mailto:mdunn472@gmail.com)

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Harvard University/Bowdoin Group

Project Manager, Harvard University Information Technology. 10/2011 - Present

Responsible for infrastructure projects with a primary focus on system redundancy and multisite resiliency. Responsible for Microsoft Exchange consolidation projects in the Harvard School of Public Health 2600+ users. My work focused on managing project plans, communications plans, technical reviews, resource management, and managing project timeline scope. I was responsible for implementation of a multisite Microsoft Exchange expansion and system resiliency for 10,000+ users. Worked with design of architecture and storage as well as planning for a variety of options to keep capital costs at a minimum and still meet business objectives.

Boston University

4/1992-7/2010

Boston University is a large research university located on a 133 acre campus of 320 buildings with 32,500 students and 9,600 employees it is the 5<sup>th</sup> largest private University in the US with an annual budget of two billion dollars per year.

Assistant Director of Distributed Computing Services, University Information Systems 4/2001-7/2010

Responsible for two groups (Network Services Group and Microcomputer support services) with a staff of ten. Reported to the Director of Distributed Computing Services. Responsible for 100+ Intel based servers, Active Directory, SharePoint, Exchange email services for 6000 administrative and academic clients. Responsible for HIPAA and general security, change management, system backup, disaster recovery, support of VAR business applications as well as desktop lifecycle support.

- Architected and managed Enterprise Microsoft Active Directory, SharePoint and Exchange.
- Managed all projects within my group and participated on projects throughout IT.
- Implemented team projects for Microsoft CRM, Microsoft System Center Operations Manager & Systems Center Configuration Manager, HP Systems Insight Manager, Microsoft Project, and Exchange 2007.
- Managed central Blackberry Enterprise Server and MS ActiveSync services.
- Tested a variety of email systems over several years (cc:Mail, Groupwise, Lotus Notes, and Microsoft Exchange). We implemented cc:Mail in the early years then we eventually migrated to Microsoft Exchange 5.5. Further email migrations led us to Microsoft Exchange 2000, 2003 and finally to 2007. We started with a core group of a hundred and built it to 6000 users.
- Managed 100+ Windows HP Servers, HP EVA Storage, CommVault Simpana enterprise backup, within a clustered server environment. Specified server requirements for the central data center.
- Managed a long term project to centralize remote data closets for each department to a central data center for Intel based servers. Physical security of equipment, logical security of networks and data, change management and disaster recovery, systems management tools, systems monitoring tools were tested and implemented. Testing and implementation Microsoft Hyper V technology for virtualization.

- Negotiated with hardware vendors (Hewlett Packard, Dell, Apple and Lenovo) to specify desktop, laptop, printer, storage and server systems standards that saved the University a significant amount of money by using standard configurations for all clients.
- My desktop group implemented central patching of systems using Shavlik. Centrally managed Security of desktops using group policy and McAfee security suite and EPO console. We used Symantec Ghost server for image construction, management and deployment.
- Responsible for imaging systems, defining system requirements for new value added business solutions, Exchange support, Blackberry, iPhone Android.

Manager of Network Services DCS, University Information Systems 3/1994-3/2001

Hands on manager of a group of five Network/Server Engineers. Reported to the Director of Distributed Computing Services. Responsible for a 200+ distributed network of Novell and Windows Servers with 2500 clients.

- Supported the initial installation of email as well as Novell Netware to a large supported base of Macintosh and Windows desktop clients.
- Projects included Implementation of Novell NDS, installation of token ring based SNA network for 3270 controllers, planning and construction of a new Intel based server data center, installation of decentralized department file and print servers, installation of cc:Mail routers, installation of cc:Mail connectors to the internet, installation of monitoring and alerting software, as well as installation of line of business applications.
- Supported a large migration of Macintosh clients (80% of the desktop systems) and began migration to Windows based Dell workstations. Close to 5000 systems were replaced during this time frame.
- New auditing requirements were implemented to review server security, data security and disaster recovery. These security requirements caused us to create operating procedures for account creation, authorization procedures and remote tape storage. Password expiration and off boarding requirements were put into operations as well.

Senior Microcomputer Specialist Network Services, DCS, University Information Systems 4/1992-3/1994

Reported to the Manager of Network Services. Supported 500+ direct users. Focused on site specific support of servers. Worked directly with the Dean of Students, Media Services, Rental Property Management, Procurement, University Information Systems, The Comptroller's Office, Enrollment Services and Plant Facilities. Supported attachment of Macintosh, DOS and Windows desktops to the network and to servers. Installed network cards and driver stack on to desktop machines, wrote login scripts, defined print queues and installed Novell Netware 3.x & 4.x on HP & Compaq Servers. Setup shared laser printers queues. Worked with Sun Solaris, AppleShare server and Macintosh desktop systems. Implemented CA ArcServe tape backup for disaster recovery.

Avery Dennison

3/1988-3/1992

Avery Dennison is a Fortune 500 Company based in Pasadena California. Avery Dennison main businesses are pressure sensitive materials; retail information services and office/consumer products

Manager of the Information Center Dennison Stationary Products, Avery Dennison 4/1990-3/1992

Dennison Stationary Products was a division of Avery Dennison responsible for manufacturing, marketing and sales of office products. Reported to the Director of Information Technology. Sole responsibility for all computing services for 200+ users and support for desktop/laptop support, printing, networking, email, server infrastructure of ten servers and managing network and desktop/server projects.

- Projects included team project work for a custom business intelligence system and data warehouse using AIX and Oracle, Divisional consolidation of data centers, movement off of a legacy environment to a client server model. Attended formal training at IBM for RS6000 and AIX administration. Completed training for Novell Certified Novell Engineer.
- Completed data center consolidation from Milford and Holyoke to Framingham. Worked to design new data center, installed all networking for redundancy, calculated specifications for electrical needs, calculated load and planned for future requirements for proper HVAC, designed rack layout
- Implemented sales team laptops for sales team automation.
- Installed first email system and trained staff on usage. Linked with other locations after the merger of Avery and Dennison Manufacturing.

#### Systems Administrator Dennison Manufacturing Company Manufacturing Engineering 3/1988-3/1990

Dennison Manufacturing Engineering and Plant Facilities group was responsible for project management, construction and the maintenance of facilities. Sole responsibility for five servers, desktop and software support for a group of Engineers, designers and maintenance staff. I reported to the Director of Administration.

- Responsible for the rollout of CAD systems to the Plant Engineering department.
- Rolled out project management software and training. In plant facilities
- Responsible for the Maximo plant and asset management system. Provided bar-coded job tickets for all of the trade employees including electrician, plumbers, HVAC technician and mill wrights.
- Responsible for training and implementation of the PIOS MRP system. Also responsible for all receiving locations as well as the purchasing offices and inventory control.

#### Education

Bachelor of Science- Computer Engineering, 1987

University of Massachusetts Dartmouth, North Dartmouth, MA 02747

Project Management Professional (PMP) certified from PMI ID #1444989 Exp. 15 August 2014

PMP certified from QPS Certificate # QPS0711-D

Certified Novell Engineer Certification ID: 6013396

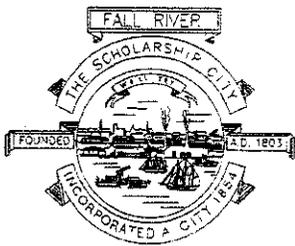
Six Sigma Green Belt certificate # QPS611-G1

President of Tau Kappa Epsilon fraternity

#### Completed Courses

PMP Project Management training, Six Sigma Green Belt training, Network Security: Kerberos and other Authentication Systems, Hands on Internetworking TCP/IP course, SNMP, Sniffer University, HP Server Technical Training, Microsoft Exchange, Microsoft SharePoint, Microsoft Server, Microsoft Active Directory, Microsoft SMS, HP SIM, GroupWise, Lotus Notes, Wireless Data University, ITIL. I also attended Microsoft Tech Ed, Novell Brainshare, Microsoft Management Conference, Microsoft Exchange Conference, Lotusphere.

References – Available upon request.



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

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FALL RIVER, MA

**WILLIAM A. FLANAGAN**  
*Mayor*

November 18, 2011

Alison M. Bouchard  
City Clerk  
1 Government Center  
Fall River, MA 02722

Re: Election Commissioner Roger Tache

Dear City Clerk Bouchard:

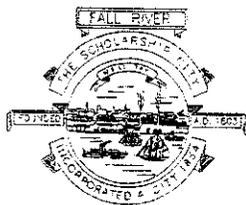
Pursuant to M.G.L. c. 51 s. 25, M.G.L. c. 43 s. 54, and the enclosed legal opinion I hereby remove Roger Tache from the Board of Election Commissioners.

Respectfully,

William A. Flanagan, Mayor

Cc: Roger Tache  
Madeline Coelho, Human Resources  
Elizabeth Camara, Board of Elections

**City of Fall River**  
*Office of the Corporation Counsel*



**WILLIAM A. FLANAGAN**  
Mayor

**STEVEN A. TORRES**  
Corporation Counsel

**ELIZABETH S. PEREIRA**  
First Assistant Corporation Counsel

**GARY P. HOWAYECK**  
Assistant Corporation Counsel

November 1, 2011

The Honorable William Flanagan  
Mayor of the City of Fall River  
1 Government Center  
Fall River, MA 02722

RE: Board of Election Commissioner

Dear Mayor Flanagan:

This is in response to your request for an opinion relating to the conduct by a Board of Election Commissioner, "hereinafter referred to as Commissioner," the issues are as follows: First, whether political activity, such as being depicted in a political advertisement promoting a candidate would violate state law. Second, whether soliciting campaign contributions for a candidate by the Commissioner would violate any state law. Third, whether the Commissioner can hold office on the Board of Elections Commission and on the Fall River Housing Authority Board of Commissioners simultaneously.

In every city which accepts Massachusetts General Laws c. 51 § 16A, there shall be a board of election commissioners.<sup>1</sup> "The Board of Election Commissioners shall consist of four persons, of whom two shall always represent each one of the two leading political parties. They shall receive such compensation as the city manager, or mayor, and city council, or the town may determine." See *M.G.L.A c. 51 § 16A*. "All powers, rights, privileges, liabilities and duties relating to caucuses, primaries and elections by law vested in and imposed upon mayors, city managers, boards of aldermen, selectmen, city or town clerks and board of registrars of voters, except the power and duty of giving notice of elections and fixing the days and hours of holding the same, shall be vested in and performed by the board of election commissioners." *Id.*

With regards to the first issue presented, as a preliminary matter, we must decide whether the Commissioner, at the relevant time, was a municipal employee subject to M.G.L c. 268A. M.G.L c. 268A section 1(g) defines a municipal employee as a "person performing services for or holding an office, position, employment or membership in a municipal agency

<sup>1</sup> The City of Fall River accepted MGL chapter 51 § 16A; by establishing a Board of Election Commissioners on November 24, 1974. See *City of Fall River Revised Code of Ordinances, Division 2 - Accepted General Laws*

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whether by election, appointment, contract of hire or engagement, whether serving with or without compensation, on a full, regular, part-time, intermittent, or consultant basis, but excluding (1) elected members of a town meeting and (2) members of a charter commission established under Article LCCIX of the Amendments to the Constitution." Since the Commissioner was appointed by the Mayor pursuant to M.G.L c. 51 § 16A, and is performing a service for a municipal agency, the Commissioner would be considered a municipal employee who is subject to conflict of interest law.

M.G.L c. 268A § 23 (b) (3) sets forth standards of conduct for state, county or municipal employees. "No current officer or employee of a state, county or municipal agency shall knowingly, or with reason to know: act in a manner which would cause a reasonable person, having knowledge of the relevant circumstances, to conclude that any person can improperly influence or unduly enjoy his favor in the performance of his official duties, or that he is likely to act or fail to act as a result of kinship, rank, position or undue influence of any party or person." See *M.G.L c. 268A §23 (b)(3)*. The persuasive authority concerning the interpretation of M.G.L c. 268A § 23(b) (3), is the State Ethics Commission. The standard set forth by the Ethics Commission focuses on the perceptions of the official's actions in the eyes of the citizens in the community and not of those involved in the situation. See *In the Matter of Hebert*, 1996 State Ethics Comm'n 800, 810 (1996). More precisely, the test asks whether in the eyes of a reasonable person with knowledge of the relevant circumstances, there is an appearance of a conflict of interest or the acceptance of unwarranted privileges. See *Scaccia v. State Ethics Comm'n*, 431 Mass. 351, 359 (2000). This Commissioner, along with the other three members possesses all of the powers, rights, privileges, liabilities and duties relating to caucuses, primaries and elections. Therefore, given the Commissioner's vested duties and responsibilities concerning elections a reasonable person, being a citizen in the community at large, with knowledge of the relevant circumstances, could conclude that there was impropriety in the Commissioner's conduct in publicly favoring and promoting one candidate over another candidate.

M.G.L c. 268A § 23 (b) (3), as well as the Ethics Commission's precedent requires a public employee, in order to dispel an appearance of a conflict, disclose the relevant facts, in writing to his appointing authority. The disclosure serves to let the public know the relevant facts and permits the appointing authority to review the situation and take whatever steps he may deem appropriate to protect the public interest. To my knowledge the Commissioner in question has not made such disclosure. Where a current employee is found to have violated the provisions of this section, appropriate administrative action is warranted may also be taken by the appropriate constitutional officer, by the head of state, county or municipal agency. See *M.G.L c 268A § 23 (d)*. The State Ethics Commission is the primary civil enforcement agency for violations of conflict of interest, therefore the Ethics Commission would after a complaint is made and investigated determine a violation of M.G.L 268A § 23 (b) (3) and once a violation is found the Mayor may take appropriate action.

With regards to the second issue presented, the Commissioner is a person employed by the City of Fall River for compensation therefore any solicitations of political campaign contributions are prohibited pursuant to M.G.L c. 55 § 13. "No person employed for compensation, other than an elected officer, by the commonwealth or any county, city or town shall directly or indirectly solicit or receive any gift, payment, contribution, assessment,

subscription or promise of money or other thing of value for the political campaign purposes of any candidate for public office or of any political committee, or for any political purpose." *Id.* "Violation of this provision shall be punished by imprisonment for not more than one year or by a fine of not more than one thousand dollars." *Id.* Since this offense is a criminal offense it would have to be a matter referred to the Office of the District Attorney for investigation and prosecution.

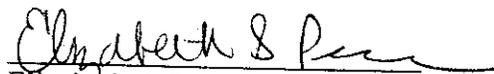
With regards to the third issue, the Commissioner is prohibited from holding an office in the city or town for which he is appointed either by election or by direct appointment of the mayor or of the board of selectman or of a city manager or town manager or hold an office by election or appointment under the government of the United States or of the Commonwealth of the city or town, except as a justice of the peace, notary public or officer of the state militia. See *M.G.L c. 51 § 25*. The Commissioner in question was appointed by the governor to the Fall River Housing Authority Board of Commissioners and according to *M.G.L c. 51 § 25* his appointment to the Housing Authority Board vacates his appointment as Board of Elections Commissioner.

Furthermore, the Mayor may remove the head of a department or member of a board by filing a written statement with the city clerk setting forth in detail the specific reasons therefore, a copy of which shall be delivered or mailed to the person thus removed, who may make a written reply, which, if he desires, may be filed with the city clerk; but such reply shall not affect the action taken unless the Mayor so determines. See *City of Fall River Charter Division 2, section 54, M.G.L c. 43 §54*.

For the above stated reasons, the actions of the Commissioner in being depicted in a political advertisement promoting a candidate could be a violation of conflict of interest laws. Soliciting campaign contributions could be a violation of campaign finance laws. The Commissioner is also clearly prohibited from holding office as a Board of Elections Commissioner and as a member of the Fall River Housing Authority Board of Commissioners at the same time.

All research is available upon request. If you have any further questions, please do not hesitate to contact me.

Yours very truly,



Elizabeth S. Pereira, Esquire



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

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CITY CLERK  
FALL RIVER, MA

**WILLIAM A. FLANAGAN**  
*Mayor*

November 22, 2011

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

Dear Members of the Honorable Council:

Enclosed please find the Executive Summary of the Watuppa Heights Redevelopment Plan, along with the draft of the Housing Improvement Plan for your consideration. Any amendments made to this plan after this submission will be forwarded to you in advance of your scheduled Tuesday, November 29, 2011 City Council Meeting.

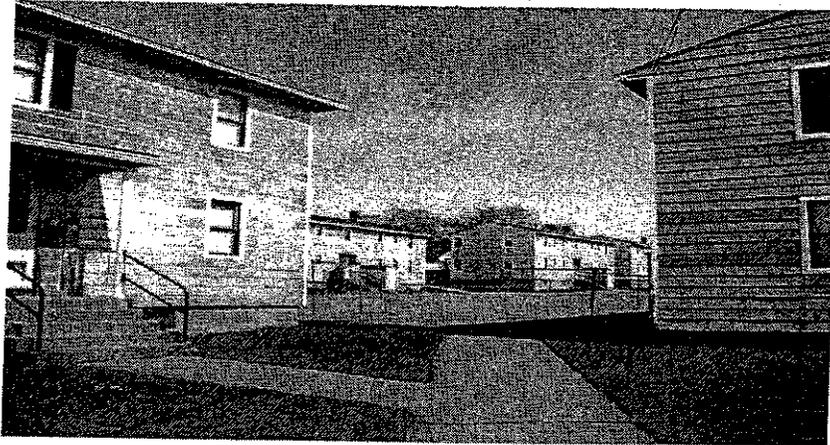
If you would like to discuss this matter with me please feel free to contact me at your convenience.

Sincerely,

William A. Flanagan  
Mayor

WF/amos

# Fall River Housing Authority: Watuppa Heights Redevelopment



## Housing Improvement Plan (H.I.P.)

### *Executive Summary*

The redevelopment of the Watuppa Heights will revitalize, transform and stabilize an important Fall River neighborhood that continues to struggle with a declining regional and national economy. The new housing proposed for Watuppa will be attractive, high quality housing that will encourage new investment and have a lasting impact throughout the community.

The HIP is based on the Memorandum of Agreement (MOA) that was executed in the spring of 2009 after receiving unanimous support from the Fall River City Council, the Fall River Housing Authority, the Mayor and the Department of Housing and Community Development (DHCD). While not direct signatories to the MOA, the interests of the former Watuppa Heights residents were also incorporated. Following are key components of the MOA that guided the HIP planning:

1. DHCD, FRHA and the City will honor the spirit of the Act and the goal of the community to redevelop the Watuppa Heights site as a mixed income non-public housing development.
2. DHCD, FRHA and the City are committed to identifying a re-development plan that is responsive to the needs of low-income tenants, including current tenants and applicants for FRHA housing resources, most of whom are extremely low-income (ELI).
3. DHCD, FRHA and the City are committed to providing decent affordable housing to the residents of Watuppa Heights in accordance with the overall relocation and development plans.

4. DHCD and the City are committed to partnering with the FRHA to identify a financially viable redevelopment plan which will be memorialized in a mutually agreeable Housing Improvement Plan ("HIP"). A fundamental requirement of the redevelopment plan will be a net loss of no more than 20 rental units from the original 100 units on the existing site for ELI families with children and ELI elderly households.
5. The City, FRHA and DHCD agree that the Watuppa site offers tremendous development opportunity and that a HIP with only 26 single family homes will not result in a financially feasible project. The parties agree that the HIP will start with the development of 26 affordable, single family homes or rental units, 24 of which shall be made available to households with incomes falling at or below 30 percent of the area's median family income in an effort to give priority to existing Watuppa Heights residents. Additional homes will be added to the HIP, for all income levels, in an effort to make the project financially feasible. Affordable home ownership will be encouraged.

Based on the MOA as described above, following is a summary of the HIP:

**Market Study:**

- A Market Study was performed by Byrne-McKinney and Associates in the fall of 2009 to assess the market for both rental and homeownership opportunities in Fall River.
- The Market Study showed high demand for rental units in the Watuppa neighborhood and moderate demand for homeownership opportunities affordable to households earning 80% or less of the AMI.
- Despite evidence to support demand for both single family and condominium homeownership opportunities in the Fall River market, the overall market activities continue to be very 'soft', mostly attributable to the slow absorption of *for-sale* product and the increased difficulty of getting a home loan in today's marketplace.
- Evidence of market demand for units affordable to low-and moderate-income households, and/or the high number of households in this income range in the City, does not ensure that these households will qualified to receive a home loan. Tighter restrictions and income qualification for home loan products will keep many families that might otherwise qualify under the demand category from obtaining the mortgage loan needed to purchase the home.

**Proposed Site Layout:**

- The Boston-based architectural firm, The Narrow Gate, studied the potential uses for the 9.5+ acre Watuppa site and determined the most appropriate uses given the housing program outlined above.

- Approximately 3.6 acres would be used to build affordable rental housing, with an additional 4 +/- acres used to built homeownership units.
- The remaining area, up to 2 acres would be used to construct a new public road way through the Watuppa site, as well as and open space consisting of both passive open and recreation spaces for the residents of the new developments and the residents of the greater Watuppa neighborhood.
- *See sample site layout attached.*

	<u>1 BR</u>	<u>2 BR</u>	<u>3 BR</u>	<u>4 BR</u>	<u>Total units</u>
<u>Rental Units</u>	<u>3 units</u>	<u>22 units</u>	<u>21 units</u>	<u>4 units</u>	<u>50 Units</u>
<u>Homeownership Units</u>	<u>0</u>	<u>0</u>	<u>11 units</u>	<u>0</u>	<u>11 Units</u>

**Affordability/Maximum Rents:**

Rents are structured as follows pursuant to the current legislation and the Memorandum of Agreement (MOA) between the City, the FRHA and DHCD (see below):

- 24 rental units will be affordable to households earning less than 30% Area Median Income (AMI);  
Rental units will be affordable to households earning less than 50% AMI;
- Rental units will be affordable to households earning less than 60% AMI;
- All homeownership units will be affordable to households earning less than 80% AMI.

**Relocation/Replication Status:**

- All 100 families previously housed at Watuppa Heights have been relocated in accordance with the Relocation Plan prepared by the Fall River Housing Authority in full compliance with all applicable laws and regulations.

Phase	<u>1 BR</u>	<u>2 BR</u>	<u>3 BR</u>	<u>4 BR</u>	<u>Total units</u>
<i>On-site Redevelopment</i>	2	9	9	4	24 Units
<i>Additional off-site Replication Opportunities</i>	NA	TBD	TBD	TBD	Min. of 56 Units

- Pursuant to the Act and the MOA, 80 units of “replication housing” will be accommodated as follows. These housing units will be affordable to households earning less than 30% of the Area Median Income (AMI), designated as Extremely Low Income (ELI) households.

#### **Funding Assumptions: Rental**

The following is a brief summary of some assumptions underlying the initial estimates to support the rental portion of the development (as developed in March of 2010):

- Up to \$1.3M in federal Low Income Housing Tax Credits and up to \$300,000 in State tax credits will be available from DHCD’s allocation of new production credit authority;
- Availability of permanent debt financings for a period of 20-30 years.
- Up to 24 units of rental assistance will be provided by the Fall River Housing Authority.
- Approximately \$2.7 million will be provided by the City of Fall River pursuant to the current MOA;

#### **Funding Assumptions: Homeownership**

The following is a brief summary of some assumptions underlying the initial estimates to support the homeownership portion of the development (as developed in March of 2010):

- Based on the demand for single-family, non-condominium housing units indicated in the market study, we have assumed the development of eleven (11), 3-bedroom units to be built at the new Watuppa site.
- Buyers will fall in the 80% or less of AMI income category.
- A target sales price for the new single-family homes is estimated to be approximately \$189,000. This indicates a need for almost \$28,000 per unit in down payment (approx. 15%) and/or 1<sup>st</sup> time home buyer grant assistance from the City up to that amount.
- The actual cost to build the units is projected to be \$280,000 per unit. This is much higher than the \$189,000 sale price estimated above and represents an additional gap in cost over sales price of approximately \$91,000 per housing unit for a total estimated per unit funding gap of almost \$118,849 per unit or over \$1.3M for the 11 units proposed.
- City/public funds will be used to provide this gap funding and down payment assistance on a per unit basis. In addition to the \$2.65M proposed to support the

rental development described above, this represents a total City funding commitment of up to \$4,000,000 as agreed to in the MOA.



# City of Fall River, Massachusetts

Purchasing Department  
One Government Center  
(508) 324-2250

WILLIAM A. FLANAGAN  
Mayor

ARLENE ROBINETTE  
PURCHASING AGENT

November 18, 2011

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

Members of the Council:

In accordance with City Ordinance Division 2, Purchasing Department Sec. 2-972 of the revised Ordinances of the City of Fall River, which reads in part as follows:

**Surplus property determined by the Purchasing Agent to be no longer useful for any municipal purpose shall be sold or disposed of under such terms and conditions as the City Council shall by order determine.**

I am submitting to you, as per attached, a list of those items that are no longer of value to the City of Fall River.

I would like to recommend at this time, that consideration be given to an on-line auction process.

Pending approval of the City Council the auction items will be released per school as determined by the Purchasing Agent.

Prior to release to the public, items for auction will be available to non-profits with a focus for educational purpose.

Very truly,

Arlene Robinette  
Purchasing Agent

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# ITEMIZED LIST OF ITEMS IN DECOMMISSIONED SCHOOLS

## Belisle

#	DESCRIPTION	QUANTITY
1	Chairs, tables, Book Shelves, Desks	1,500
2	Used Computers (monitors)	minimal
3	Used Computers (misc - each)	minimal
4	TV	3
5	Refrigerators	1
6	Milk Coolers	1
7	Microwaves	1
	<b>TOTAL</b>	

# ITEMIZED LIST OF ITEMS IN DECOMMISSIONED SCHOOLS

## Coughlin

#	DESCRIPTION	QUANTITY
1	Chairs, tables, Book Shelves, Desks	250
2	Used Computers (monitors)	minimal
3	Used Computers (misc - each)	minimal
4	TV	4
5	Refrigerators	3
6	Milk Coolers	1
7	Stoves	1
8	Microwaves	1
	TOTAL	

# ITEMIZED LIST OF ITEMS IN DECOMMISSIONED SCHOOLS

## Davol

#	DESCRIPTION	QUANTITY
1	Chairs, tables, Book Shelves, Desks	250
2	Used Computers (monitors)	minimal
3	Used Computers (misc - each)	minimal
4	TV	2
5	Refrigerators	-
6	Milk Coolers	1
7	Stoves	-
8	Microwaves	-
	TOTAL	

# ITEMIZED LIST OF ITEMS IN DECOMMISSIONED SCHOOLS

## Highland

#	DESCRIPTION	QUANTITY
1	Chairs, tables, Book Shelves, Desks	175
2	Used Computers (monitors)	minimal
3	Used Computers (misc - each)	minimal
4	TV	2
5	Refrigerators	1
6	Milk Coolers	1
7	Stoves	-
8	Microwaves	2
	TOTAL	

# ITEMIZED LIST OF ITEMS IN DECOMMISSIONED SCHOOLS

## NB Borden

#	DESCRIPTION	QUANTITY
1	Chairs, tables, Book Shelves, Desks	225
2	Used Computers (monitors)	minimal
3	Used Computers (misc - each)	minimal
4	TV	4
5	Refrigerators	-
6	Milk Coolers	-
7	Stoves	-
8	Microwaves	1
	TOTAL	

# ITEMIZED LIST OF ITEMS IN DECOMMISSIONED SCHOOLS

## Carroll

#	DESCRIPTION	QUANTITY
1	Chairs, tables, Book Shelves, Desks	375
2	Used Computers (monitors)	minimal
3	Used Computers (misc - each)	minimal
4	TV	12
5	Refrigerators	3
6	Milk Coolers	1
7	Stoves	-
8	Microwaves	4
	TOTAL	

# ITEMIZED LIST OF ITEMS IN DECOMMISSIONED SCHOOLS

## Hartwell

#	DESCRIPTION	QUANTITY
1	Chairs, tables, Book Shelves, Desks	2,500
2	Used Computers (monitors)	minimal
3	Used Computers (misc - each)	minimal
4	TV	5
5	Refrigerators	1
6	Milk Coolers	1
7	Stoves	1
8	Microwaves	3
	TOTAL	

# ITEMIZED LIST OF ITEMS IN DECOMMISSIONED SCHOOLS

## Fowler

#	DESCRIPTION	QUANTITY
1	Chairs, tables, Book Shelves, Desks	680
2	Used Computers (monitors)	minimal
3	Used Computers (misc - each)	minimal
4	TV	2
5	Refrigerators	1
6	Milk Coolers	-
7	Stoves	-
8	Microwaves	1
	TOTAL	

# ITEMIZED LIST OF ITEMS IN DECOMMISSIONED SCHOOLS

## Osborne

#	DESCRIPTION	QUANTITY
1	Chairs, tables, Book Shelves, Desks	650
2	Used Computers (monitors)	minimal
3	Used Computers (misc - each)	minimal
4	TV	1
5	Refrigerators	2
6	Milk Coolers	1
7	Stoves	1
8	Microwaves	-
	TOTAL	

# ITEMIZED LIST OF ITEMS IN DECOMMISSIONED SCHOOLS

## Healy

#	DESCRIPTION	QUANTITY
1	Chairs, tables, Book Shelves, Desks	1,540
2	Used Computers (monitors)	minimal
3	Used Computers (misc - each)	minimal
4	TV	3
5	Refrigerators	3
6	Milk Coolers	1
7	Stoves	2
8	Microwaves	4
	<b>TOTAL</b>	

# ITEMIZED LIST OF ITEMS IN DECOMMISSIONED SCHOOLS

## Brayton Ave

#	DESCRIPTION	QUANTITY
1	Chairs, tables, Book Shelves, Desks	45
2	Used Computers (monitors)	minimal
3	Used Computers (misc - each)	minimal
4	TV	-
5	Refrigerators	-
6	Milk Coolers	-
7	Stoves	-
8	Microwaves	1
	TOTAL	

# ITEMIZED LIST OF ITEMS IN DECOMMISSIONED SCHOOLS

## Wixon

#	DESCRIPTION	QUANTITY
1	Chairs, tables, Book Shelves, Desks	992
2	Used Computers (monitors)	minimal
3	Used Computers (misc - each)	minimal
4	TV	10
5	Refrigerators	2
6	Milk Coolers	1
7	Stoves	1
8	Microwaves	3
	TOTAL	

# ITEMIZED LIST OF ITEMS IN DECOMMISSIONED SCHOOLS

## Lincoln

#	DESCRIPTION	QUANTITY
1	Chairs, tables, Book Shelves, Desks	2,400
2	Used Computers (monitors)	minimal
3	Used Computers (misc - each)	minimal
4	TV	2
5	Refrigerators	2
6	Milk Coolers	-
7	Stoves	1
8	Microwaves	1
	TOTAL	

# ITEMIZED LIST OF ITEMS IN DECOMMISSIONED SCHOOLS

## AD South

#	DESCRIPTION	QUANTITY
1	Chairs, tables, Book Shelves, Desks	1,800
2	Used Computers (monitors)	minimal
3	Used Computers (misc - each)	minimal
4	TV	8
5	Refrigerators	3
6	Milk Coolers	1
7	Stoves	-
8	Microwaves	6
	TOTAL	

# ITEMIZED LIST OF ITEMS IN DECOMMISSIONED SCHOOLS

## Laurel Lake

#	DESCRIPTION	QUANTITY
1	Chairs, tables, Book Shelves, Desks	275
2	Used Computers (monitors)	minimal
3	Used Computers (misc - each)	minimal
4	TV	3
5	Refrigerators	2
6	Milk Coolers	2
7	Stoves	-
8	Microwaves	2
	TOTAL	

# ITEMIZED LIST OF ITEMS IN DECOMMISSIONED SCHOOLS

## Connell

#	DESCRIPTION	QUANTITY
1	Chairs, tables, Book Shelves, Desks	530
2	Used Computers (monitors)	minimal
3	Used Computers (misc - each)	minimal
4	TV	4
5	Refrigerators	2
6	Milk Coolers	-
7	Stoves	-
8	Microwaves	2
	TOTAL	

# ITEMIZED LIST OF ITEMS IN DECOMMISSIONED SCHOOLS

## Dubuque

#	DESCRIPTION	QUANTITY
1	Chairs, tables, Book Shelves, Desks	210
2	Used Computers (monitors)	minimal
3	Used Computers (misc - each)	minimal
4	TV	1
5	Refrigerators	1
6	Milk Coolers	1
7	Stoves	1
8	Microwaves	1
	TOTAL	

# CITY OF FALL RIVER

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To the City Council

Councillors:

The Committee on Real Estate, at a meeting held on November 22, 2011, voted unanimously to recommend the accompanying order be adopted, as amended with Councilors Bigelow and Poulin absent and not voting.

*Cynthia Taylor*  
Clerk of Committees

# City of Fall River, *In City Council*

ORDERED, that the City Council of the City of Fall River, pursuant to M.G.L.A. c. 40 § 15A and pursuant to a vote of the City Council Committee on Real Estate, does hereby transfer the care, custody, management and control of the buildings and grounds of the Hugo Dubuque Elementary School located at 330 Oak Grove Avenue to the Department of Community Maintenance for purposes of reviewing and determining the subsequent sale, conveyance, disposition or other use of said buildings and grounds.

6

# CITY OF FALL RIVER

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To the City Council

Councillors:

The Committee on Real Estate, at a meeting held on November 22, 2011, voted unanimously to recommend the accompanying order be adopted, with Councilors Bigelow and Poulin absent and not voting.

Clerk of Committees

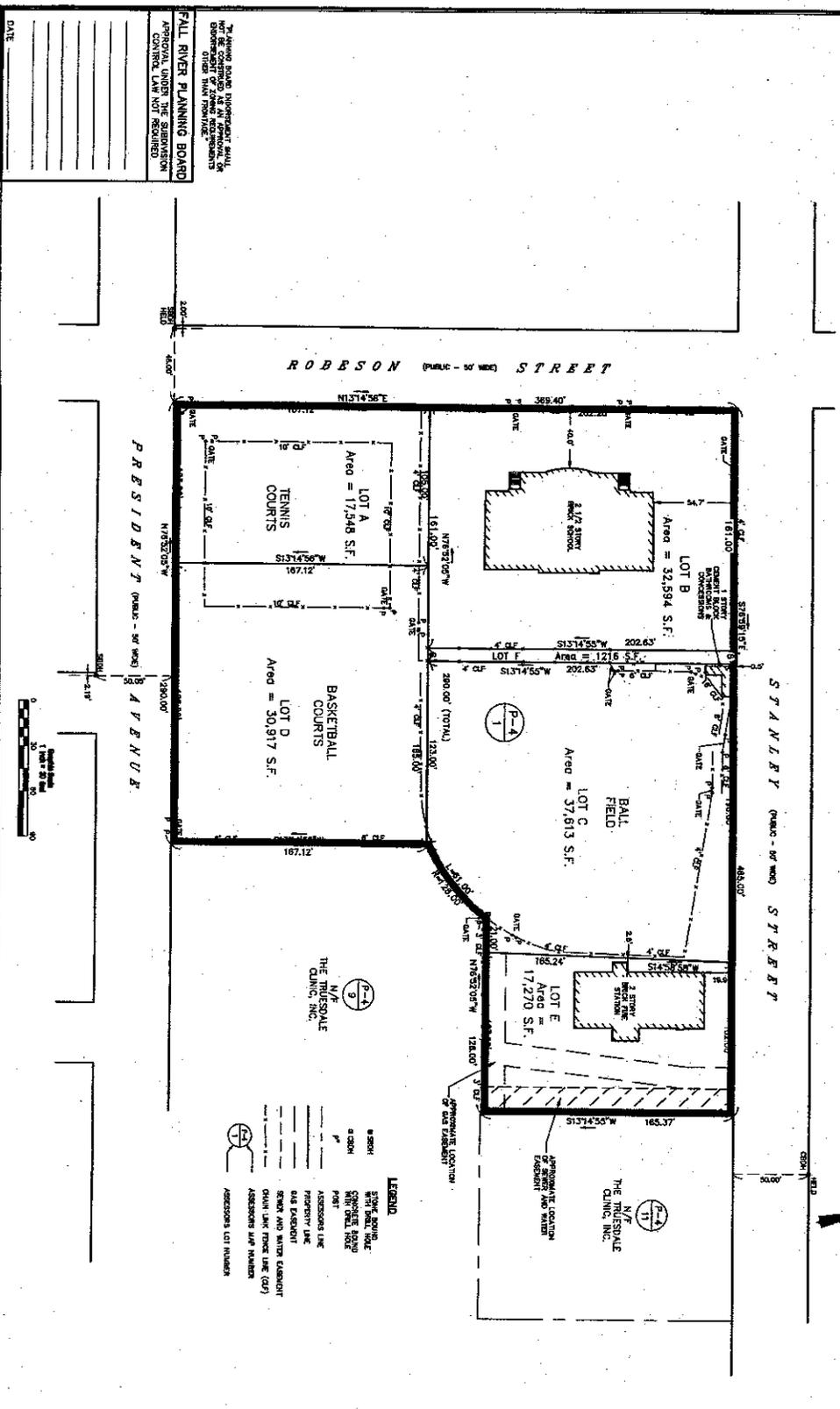
# City of Fall River, *In City Council*

**ORDERED**, that the land adjacent to the Highland Elementary School identified as lots A, D, C, and F on the plan of land dated September 21, 2010. 1151 Robeson Street, Fall River, MA as amended and attached as Exhibit A hereto, be turned over to the Park Division for purposes of designating it park land.

**MASS. GENERAL LAW 26 SECTION 13A**  
 I CERTIFY THAT THIS PLAN COMPLIES WITH THE RULES AND REGULATIONS  
 OF THE BOARD OF REGISTRATION OF PROFESSIONAL LAND SURVEYORS  
 AND THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF MASSACHUSETTS.  
 DATE: \_\_\_\_\_

**ASSESSORS NOTE:**  
 THE TAXES SHOWN HEREON HAVE BEEN OBTAINED FROM  
 THE LOCAL ASSESSORS DEPARTMENT CURRENT TAX LIST  
 AND ARE SHOWN FOR INFORMATION ONLY. THE LOCAL ASSESSORS  
 DEPARTMENT IS NOT RESPONSIBLE FOR THE ACCURACY OF THE  
 TAXES SHOWN HEREON.

**EXEMPTION OF PLANS:**  
 THIS PLAN IS EXEMPT FROM THE REQUIREMENTS OF  
 MASS. GENERAL LAW 26 SECTION 13A AND THE RULES AND  
 REGULATIONS OF THE BOARD OF REGISTRATION OF PROFESSIONAL  
 LAND SURVEYORS.



**PLANNING DEPARTMENT**  
 PLAN NO. 100 PAGE 11  
 PLAN NO. 100 PAGE 12  
 PLAN NO. 100 PAGE 13

**DATE:** 02/21/2010

**APPROVAL NOT REQUIRED PLAN**

**1 of 1**

10

THOMAS GEORGE ASSOCIATES, LTD  
TGA  
Insurance Recovery Division  
Post Office Box 30  
East Northport NY 11731 0030  
(631) 261-8800

RECEIVED

2011 NOV 18 P 3:32  
*Claim #11-113A*  
CITY CLERK  
FALL RIVER, MA

November 15, 2011

FALL RIVER CITY HALL  
1 GOVERNMENT CENTER  
FALL RIVER, MA 02722-0000

Attention: CITY CLERK

OUR CLIENT: LIBERTY MUTUAL GROUP "1"  
OUR INSURED: COSTA, DAVID  
CLIENTS CLAIM#: PD108-17569936-01/02  
OUR CASE #: 521648-31  
AMT OF DAMAGES: \$1,038.76  
YOUR INSURED: FALL RIVER CITY HALL  
YOUR CLAIM#: PLEASE ADVISE  
YOUR POLICY#:   
DATE OF LOSS: 01/21/11

This office has previously put your company on notice and advised that we are recovery agents for the above referenced client and are aiding them in their subrogation rights as result of the above captioned loss.

The information obtained through our investigation places the liability on your insured for the damages incurred by our clients insured.

As of this date we have not had a response to our subrogation demand, or it has been quite some time since we have heard from your office. We would like to resolve this claim as quickly as possible.

Kindly contact the undersigned upon receipt of this letter or forward payment in the amount of \$1,038.76 made payable to our client, care of Thomas George Assoc. at the above address and reference our case number on all correspondence. If any additional information is needed, please contact us immediately.

Very truly yours,  
THOMAS GEORGE ASSOCIATES, LTD.

William Angela

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

RECEIVED

117 No. Eastern Ave.  
Fall River, MA 02723

2011 NOV 18 P 3: 38

Nov. 7, 2011

CITY CLERK Claim #11-218  
FALL RIVER, MA

To Whom it May Concern:

Enclosed you will find a picture of a pothole and a copy of the bill for replacing 1 tire which was only 1-2 months old and not repairable after hitting the pothole. I am seeking payment for the new tire and am submitting the following information:

Date of rupture : Nov. 2, 2011

Time: approx. 10:35 PM

Location: Eastern Ave. southbound in front of Lafayette Place and across the street from 460 Eastern Ave.

Sincerely,

  
Joshua Chabot

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



09/30/2011

RECEIVED

City Clerk  
1 government Center 2<sup>nd</sup> Floor  
Attn: Allison Bouchard  
FALL RIVER, MA 02722

2011 NOV 21 A 11:14  
CITY CLERK Claim # 11-219  
FALL RIVER, MA

Claim Number: 033139915  
Policy Number: HB123542  
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 (DRESCOTT THOMPSON, 107 MOUNT HOPE AVE, FALL RIVER, MA 02724-0000) for the damage to their motor vehicle sustained in the accident described below:

Place of accident: Bay St Type of accident: MATDAM 1  
Date & time: 08/22/2011, 9:45:00 AM EDT

This collision was caused by the negligent operation of a motor vehicle driven by Herbert Buckley who was an employee of City of ~~New Bedford~~ <sup>FALL RIVER</sup> and bore operator's license number . They were operating a motor vehicle described as a 2001 Mack bearing Mass. Registration number M83137 , belonging to City of New Bedford

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 \$ 5822.32 . 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,

Tracy Wheaton  
Claim Service Specialist  
Subrogation Claim Office  
617-328-2800 ext. 2819  
Fax 617-773-4760

Enclosure: multiple attachments



**CHILD DEVELOPMENT CENTER**

Fall River City Council  
Committee on Real Estate  
One Government Center, 2nd Floor  
Fall River, MA 02722

November 8<sup>th</sup> 2011

CITY CLERK  
FALL RIVER, MA

2011 NOV 10 P 5:02

RECEIVED

Dear Members of the Real Estate Committee,

WORD Inc. Child Development Center, currently located at 951 Slade Street in Fall River, recently expressed an interest in pursuing the Osborn School on Osborn Street. However, due to recent discoveries in bringing the building up-to-code, WORD is no longer able to pursue the acquisition.

I appreciate your consideration and support in working with WORD Inc. Child Development Center.

With respect and thanks,

Cory David Santos  
Executive Director

Talk • Read • Play

951 SLADE STREET, FALL RIVER, MA 02724  
TEL 508.673.4421 FAX 508.673.4683

WWW.WORDKIDS.NET



11-15 Copies on desks to members