City of Fall River Massachusetts
Office of the City Clerk

ALISON M. BOUCHARD
CITY CLERK

INÊS LEITE
ASSISTANT CITY CLERK

OCTOBER 12, 2012
MEETINGS SCHEDULED FOR NEXT WEEK
TUESDAY, OCTOBER 16, 2012

6:00 P.M. COMMITTEE ON FINANCE

1. Discussion re: Authorization and conveyance of the option to purchase 158 Bedford Street and 100 Rock Street between the City and the Redevelopment Authority (see item # 3)

AGENDA

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

PRIORITY MATTERS – None

PRIORITY COMMUNICATIONS

1. *Mayor and National Grid Easement Application at 376 President Avenue for Morton Middle School Project
2. *Mayor and request to gift 12 surplus lamp posts to Bishop Connolly High School
3. *Corporation Counsel and orders for authorization and conveyance of options to purchase 158 Bedford Street and 100 Rock Street between the City and the Redevelopment Authority (see Finance #1)
4. *Corporation Counsel and response to public record requests from Ronald Cogliano
5. *Retirement Board 2013 budget totals
6. Traffic Commission recommending amendments to the traffic ordinances

COMMITTEE REPORTS

Committee on Ordinances and Legislation recommending:

First reading

7. Traffic, misc.
8. Amendments to the Responsible Employer Ordinance
9. Appointment and status of Fire Chief

First reading, as amended

10. Trash carts

All readings, with Emergency Preamble

11. *Traffic, handicapped parking

Action

12. *Resident requirement ordinance

Committee on Real Estate recommending:

Grant leave to withdraw

13. Resolution requesting Corporation Counsel develop policy to prepare purchase & sales agreements expeditiously
14. Resolution requesting return of land to Maplewood Park from Diocese of Fall River

ORDINANCES – None

RESOLUTIONS

15. *Comm. on Health and Environmental Affairs meet to discuss reducing or eliminating flooding in worst impacted areas
16. *Comm. on Finance discuss city's plan to re-paint road surface markings
17. *Comm. on Ordinances and Legislation review Section 46-7 to include decibel levels
18. *Comm. on Ordinances and Legislation review Section 70-319 to change hours of restriction for all night parking of commercial vehicles
19. *Comm. on Economic Development and Tourism discuss and plan "Flint Pride Days 2013"

CITATIONS

20. Fall River Police Department Retirees and Award Recipients
21. Debrah Soares, Sewer Division – Retirement after 31 years of service to the City of Fall River

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

ORDERS – HEARINGS FOR TONIGHT – None
ORDERS – HEARINGS TO BE SCHEDULED – None
ORDERS – NO HEARING REQUIRED – None
ORDERS – MISCELLANEOUS

22. Police Chief's report on licenses
23. Auto Repair Shop license renewal
24. *Warrant – State Election November 6, 2012

COMMUNICATIONS – INVITATIONS – PETITIONS

25. *Claims
26. Corporation Counsel and Open Meeting Law information
27. Zoning Board of Appeals Minutes – August 16, 2012
28. Planning Board Minutes – August 6, 2012
29. Planning Board Minutes – August 30, 2012

BULLETINS – NEWSLETTERS – NOTICES

30. *Residents of 864 Mariano S. Bishop Boulevard and purchase of city owned property intersecting Mariano S. Bishop Boulevard and abutting Laurel Street
31. Joseph Martins, 578 Lawton Street, re: Diman School Committee attorney
32. *Miss Fall River Scholarship Organization
33. *George Borges, 86 Flint Street, re: purchase of parcel of land adjacent to the Davol School

Inês Leite
Assistant City Clerk

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City of Fall River
Massachusetts
Office of the Mayor

WILLIAM A. FLANAGAN
Mayor

RECEIVED
2012 OCT 11 P 4: 13
CITY CLERK
FALL RIVER, MA

October 11, 2012

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

Madam President and Members of the Honorable City Council:

I respectfully submit to the Honorable Council the attached National GRID Easement Application Form for your review and consideration. This application is made in conjunction with the new Morton Middle School project.

I would appreciate your every consideration with this request. Thank you in advance for your time and attention with this matter.

Sincerely,

William A. Flanagan
Mayor

WF/amos

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

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

October 10, 2012

Department of Public Works
Al Oliveira
1 Government Center
Fall River, MA 02720

RE: NATIONAL GRID EASEMENT APPLICATION FORM

Dear Mr. Oliveira:

I have reviewed the National Grid Easement Application Form along with its attachments and deemed them acceptable. This Application is required in order to provide National Grid with needed information in the event service is required on the property in question.

Please process this application accordingly.

Sincerely;

Elizabeth Sousa

Elizabeth Sousa

One Government Center • Fall River, MA 02722 • TEL (508) 324-2650
Workers' Compensation (508) 324-2540 • FAX (508) 324-2655 • EMAIL lawoffice@fallriverma.org
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Easement Application Form

The Easement application form provides us with the needed information in the event that the new service installation requires us to install our equipment on privately owned property. In this event we will draft an easement to be signed by the property owner. Please complete the form accurately and completely otherwise this could delay your project. Also, please be sure to return with a copy of the deed.

Engineer's Name (s): Gas _____ Electric Bill Hogan, National Grid

Massachusetts Electric Co.	☑	Boston Gas Co.	☐
Narragansett Electric Co.	☐	Colonial Gas Co.	☐
Granite State Electric Co.	☐	Energy North Natural Gas Co.	☐
Nantucket Electric Co.	☐	Essex Gas Co.	☐

NEW ENGLAND EASEMENT INFORMATION FORM

Check those that apply:

☐ OH (jointly owned)	☐ OH (solely owned)	☐ OH&UG Electric
☐ UG Electric	☐ URD Electric	☐ Padmount Transformer Only
☐ Gas UG	☐ Gas URD	

National Grid Engineer's Telephone Number (if known) 781-907-3492

- Please complete ALL of the sections below so that we may prepare an easement for your signature. Do not leave any section unanswered. If a section does not apply to you simply put **'N/A'** on that line. Incorrect or incomplete information will delay service installation.
- You, the customer, are required to provide all the easement rights that National Grid deems necessary to install your electric/gas service, including any easement right which must be acquired from others, at no cost to National Grid.

Property Owner Name(s): City of Fall River

Property Owner E-mail: AOLIVEIRA@FALLRIVERMA.ORG

Property Owner mailing address:
Street Address: 1 Government Center City: Fall River State: MA Zip: 02722

Property Address of Easement:
Street Address: 376 President Ave. City: Fall River State: MA Zip: 02722

Customer Contact Person:
Name: Al Oliveira

Daytime Phone Number: 508-324-2226 Cell Phone Number: 508-207-2584

WR Number **Number**

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Provide us with a RECORDED copy of the PRESENT owner's deed: **Book:** SEE ATTACHED ASSESSOR'S CARDS **Page:** _____

- If multiple deeds make up the whole parcel, please include all deeds
- If registered land please include a copy of the Land Court Certificate of Title
- If the property owner is a 1) Corporation, 2) Trust, or 3) Partnership, or 4) Limited Liability Company (LLC), please provide the following, whichever is applicable:

(1)** Presidents Name: _____ **and** Treasurer's Name: _____
OR
Vice President: _____ and Assistant Treasurer's Name: _____

** If neither "Name Combination" is available, the person(s) signing the easement must have a "Corporate Vote" authorizing them to sign on behalf of the Corporation

(2) Trust: Number of Trustees: _____ Name(s): _____

Name of Trust: _____

(3) Partnership: Number of Partners: _____ Name(s): _____

(4) LLC: Authorization to Sign: Names: _____

Provide us with an approved: "Definitive Subdivision Plan"

Plan Book # _____ Plan # _____ Dated: _____
If no recorded subdivision plan, please include the following information:
Accessor's Map #: _____ Block #: _____ and Lot #: _____

Is your property Mortgaged? (Check One) ☐ YES ☐ NO If "Yes, please compete this section

Name of Bank/Company/or person holding mortgage(s): _____
Address of Mortgage holder(s): _____
Date and recording of information of mortgage(s):
Date: _____ County Recorded: _____ Book #: _____ Page #: _____

Additional Comments:

WR Number **Number**

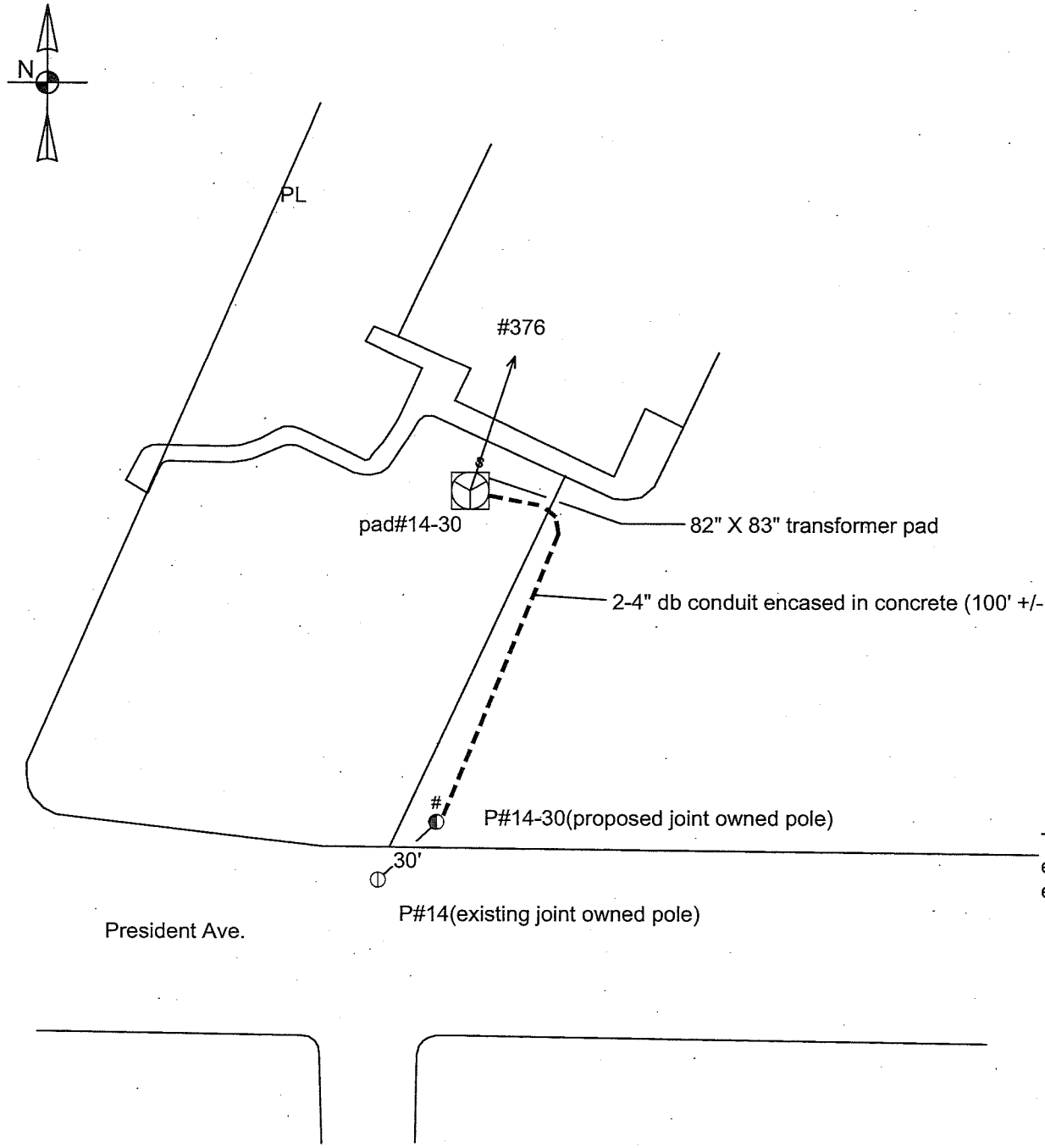

Exhibit A not to scale
The exact location of said facilities to be established by and upon the installation and erection of the facilities thereof.

nationalgrid

Easement & Conduit Sketch
P#14 President Ave.
Fall River, Ma.

Scale: NONE
Date: 5/14/2012
Drawn By: J.Huxley Approved By: J.Huxley

Actrix Drawing Number
12573517

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City of Fall River
Massachusetts
Office of the Mayor

WILLIAM A. FLANAGAN
Mayor

RECEIVED
2012 OCT 11 P 4: 13
CITY CLERK
FALL RIVER, MA

October 12, 2012

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

Dear Honorable Council Members:

I am attaching herewith, for your consideration and approval, a request to gift 12 surplus lamp posts in fair condition to Bishop Connolly High School. The current value of these lights is based on scrap metal daily pricing less removal of internal devices.

The condition of these lamp posts has been verified by Kenneth Pacheco, Director of Community Maintenance and is currently being stored at the DPW Facility on Lewiston Street. I have attached the request letter from Bishop Connolly High School with the details of the propose usage. Thank you in advance for your consideration to this matter.

Sincerely,

William A. Flanagan,
Mayor

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

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BISHOP CONNOLLY HIGH SCHOOL

"Not only hearers, but doers of the Word..." JAMES 1:22

September 6, 2012

Mr. Kenneth Pacheco
Director
Department of Community Maintenance
One Government Center
Fall River, MA 02722

Dear Mr. Kenneth Pacheco:

After much preparation and fundraising, Bishop Connolly High School is beginning to undertake the reconstruction of the school's roadway. In addition to mending the decrepit pavement, we plan to install lighting to make our entrance and roadway safer for staff and students alike.

We are hopeful that the Department of Community Maintenance will be able to assist us by donating used or surplus lamp posts. The materials no longer being used by the city will be of great benefit to Bishop Connolly. Twelve posts will be needed for the project.

We believe the reconstruction of our road will foster and project the reality of our school as a strong and vibrant Fall River institution. We thank you for your consideration and hope you will be able to support our project. A donation of 12 lamp posts will go a long way in helping us reach our goals.

Sincerely,

Christopher Myron
Principal

Nicholas Christ
Advisory Board Member

Daniel Bogan
Advisory Board Member

373 Elsbree Street • Fall River, MA 02720 • Telephone 508-676-1071 • Fax: 508-676-8594
www.BishopConnolly.com

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City of Fall River

Office of the Corporation Counsel

WILLIAM A. FLANAGAN
Mayor

ELIZABETH SOUSA
Corporation Counsel

RECEIVED
2012 OCT 11 PM 12:11
CITY CLERK
FALL RIVER, MA

GARY P. HOWAYECK
Assistant Corporation Counsel

CHRISTY M. DIORIO
Assistant Corporation Counsel

October 11, 2012

City Council President
Linda Pereira
1 Government Center
Fall River, MA 02720

RE: 158 Bedford Street, Fall River, MA
100 Rock Street, Fall River, MA

Dear Council President:

Please find enclosed two Orders one requesting the authorization and conveyance of the Option to Purchase referenced in a License to Occupy & Option to Purchase Agreement entered into between the Custodian of Tax Possession of the City of Fall River and the Fall River Redevelopment Authority for 158 Bedford Street, Fall River and the other requesting the authorization and conveyance of the Option to Purchase referenced in a License to Occupy & Option to Purchase Agreement entered into between the Custodian of Tax Possession of the City of Fall River and the Fall River Redevelopment for 100 Rock Street, Fall River, MA.

I am requesting that this matter be placed on the agenda for the October 16, 2012 City Council Meeting.

Sincerely;

Elizabeth Sousa

Elizabeth Sousa

cc: Alison Bouchard, City Clerk
Shawn Cadime, City Administrator
Ken Fiola

City of Fall River, *In City Council*

ORDERED, that the City of Fall River hereby authorizes and conveys the Option to Purchase referenced in Article 11 of the License to Occupy & Option to Purchase Agreement entered into between the Custodian of Tax Possessions of the City of Fall River and the Fall River Redevelopment Authority for the land and any buildings thereon located at 158 Bedford Street, Fall River, MA and identified as Fall River Assessor's Parcel ID # N-04-0042. The Option hereby authorized shall be exercised by the Mayor at such time as the Mayor deems appropriate prior to the conveyance of said property to the Fall River Redevelopment Authority.

City of Fall River, *In City Council*

ORDERED, that the City of Fall River hereby authorizes and conveys the Option to Purchase referenced in Article 11 of the License to Occupy & Option to Purchase Agreement entered into between the Custodian of Tax Possessions of the City of Fall River and the Fall River Redevelopment Authority for the land and any buildings thereon located at 100 Rock Street, Fall River, MA and identified as Fall River Assessor's Parcel ID # N07-006. The Option hereby authorized shall be exercised by the Mayor at such time as the Mayor deems appropriate prior to the conveyance of said property to the Fall River Redevelopment Authority.

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

October 4, 2012

City Council
Counsel President Linda Pereira
1 Government Center
Fall River, MA 02720

RECEIVED
2012 OCT -4 A 11:29
CITY CLERK
FALL RIVER, MA

RE: PUBLIC RECORD REQUESTS FROM RONALD COGLIANO

Dear Council President Pereira:

I am in receipt of a letter dated October 1, 2012 from City Clerk, Alison Bouchard, stating that Ronald Cogliano appeared before the Counsel to discuss his public record requests pertaining to the litigation relative to the Responsible Employer Ordinance. It was represented that Mr. Cogliano had still not received the requested documentation. Mr. Cogliano has made numerous public requests for which this administration in conjunction with the Law Department has been making diligent efforts to address. Please be advised that the following action has been taken pertaining to all of Mr. Cogliano's Public Records Requests;

- In a letter dated October 14, 2011, to Attorney Steven Torres, Mr. Cogliano made a public records request for documents pertaining to the Responsible Employer Ordinance, particularly documentation relating to correspondence between members of the administration and union officials relative to the lawsuit filed by Utility Contractors Association of New England challenging the City of Fall River's Responsible Employer Ordinance. **Attached see letter from Mr. Cogliano dated October 14, 2011.**

- In a letter dated October 24, 2011, Attorney Steven Torres notified Mr. Cogliano that his October 14, 2011 request would be fulfilled. **Attached see letter from Attorney Torres dated October 24, 2011.**

- On August 6, 2012 I provided documents that were requested by Mr. Cogliano on October 14, 2011. **Attached please see letter dated August 6, 2012 and documents provided to Mr. Cogliano.**

- On August 9, 2012, Mr. Cogliano emailed me with regards to additional requests based on what I had provided him on August 6, 2012. **Please see email from Mr. Cogliano.**

- On September 10, 2012 I responded to Mr. Cogliano's additional requests via email. **Please see my email response to Mr. Cogliano's August 9, 2012 email.**

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- In a letter dated November 28, 2011 to Mayor William Flanagan Mr. Cogliano requested documents relative to the construction of the Morton Middle School. **Please see letter from Mr. Cogliano dated November 28, 2011.**

- In a letter dated February 16, 2012 to Attorney Steven Torres Mr. Cogliano requested documents relative to the construction of the Morton Middle School. **Please see letter from Mr. Cogliano dated February 16, 2012.**

- In a letter dated September 7, 2012 Assistant Corporation Counsel notified Mr. Cogliano that documents requested in his November 28, 2011 and February 16, 2012 request would be provided upon payment of $1, 355.00. **Please see letter from Mr. Cogliano dated September 7, 2012.**

This office has copied Attorney Donald White of the Office of the Secretary of the Commonwealth on all correspondence to Mr. Cogliano from August 6, 2012 to September 7, 2012. Mr. Cogliano has not responded to our September 7, 2012 letter.

The records that Mr. Cogliano has requested in his November 28, 2011 and February 16, 2012 are extremely voluminous. In accordance with 950 CMR 32.06(1)(c) a records custodian may charge a pro-rated fee for search and segregation of the records based on the hourly rate of the lowest paid employee capable of performing the task. In addition to the search and segregation fees, records custodians may charge twenty cents ($0.20) per page for photocopies of public records pursuant to 950 CMR 32.06(1)(a).

In calculating the costs for Mr. Cogliano's request for the Morton Middle School Documents we determined that 5,390 copies would be responsive to his request at $.20 a copy therefore $1,078.00 would equal the cost for the copies, 14 hours of search and segregation time at $18.00 per hour (hourly rate for the lowest paid employee capable of performing the task) amounted to $252.00, and the postage totaled $25.00. Therefore the total to obtain these requested documents is $1,355.00. Please note that there were 10 hours of search and segregation time that was shaved off of the search and segregation fees. Mr. Cogliano's requests have taken up an exorbitant amount of time from the staff in the Law Department and we have been more than reasonable and in accordance with the law in our demand of payment for the requested documents.

If you or any other counselor has any questions or would like to discuss this matter further please do not hesitate to contact me.

Very truly yours,

Elizabeth Sousa

Elizabeth Sousa
Corporation Counsel

cc: Mayor William Flanagan

10/5/12 Ltr emailed

4

mca
MERIT CONSTRUCTION ALLIANCE
Competition Builds America
P.O. BOX 370
KINGSTON, MA 02364
781-585-5894

October 14, 2011

Mr. Steven A. Torres
Corporation Counsel
One Government Center
Room 627
Fall River, MA 02722

RE: Public Records Request Relative to REO legal challenge

Date of Request: October 14, 2011

Dear Attorney Torres:

Under the Massachusetts Public Records Request Law, I am requesting the following documents and information:

- All records, including correspondence, emails, notes, memos, text messages, meeting minutes and any other documents or recorded messages between you; Mayor William Flanagan or any member of his administration and/or your designees; and members of organized labor and/or their designees, including members and officials of the Massachusetts Building Trades Council, the International Union of Bricklayers and Allied Craftworkers Local 3, the New England Regional Council of Carpenters or any other union affiliate relative to the lawsuit filed by the Utility Contractors Association of New England challenging the City of Fall River's Responsible Employer Ordinance. Please also interpret this request to include documents, emails, text messages or other records from Francis "Frank" Callahan; Daniel Rego; James Pimental and Ron Rheaume.

- All records including correspondence, emails, notes, memos, text messages, of meeting minutes and any other documents or recorded messages between you, members of your administration and/or your designees; and any outside law firm or outside attorney/s providing advice and or assistance relative to the lawsuit filed by the Utility Contractors Association of New England challenging the City of Fall River's Responsible Employer Ordinance.

According to the Massachusetts Public Records Law, you are required to provide this information within 10 days of this request. I recognize that you may charge reasonable costs for copies, as well as for personnel time needed to comply with this request. If you expect costs to exceed $100.00, please provide a detailed fee estimate.

Sincerely,

Ronald N. Cogliano
President

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FAX COVER SHEET

TO	
COMPANY	
FAX NUMBER	15083242655
FROM	Ronald Cogliano
DATE	2011-10-14 11:54:36 GMT
RE	Public Records Request

COVER MESSAGE

Ronald N. Cogliano
President
Merit Construction Alliance
781.585.5894
www.mca-ma.com

Confidentiality Disclaimer
This e-mail and/or its attachments may contain information that is confidential and proprietary to the Merit Construction Alliance. As such, you should not disseminate, distribute, or copy this communication to unintended or unauthorized parties. If you are not the intended recipient, please notify the sender immediately by email, and delete this email from your computer.

CITY OF FALL RIVER, MA
LAW DEPT.
11 OCT 14 PM 2:33

4

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

October 24, 2011

Ronald N. Cogliano
Merit Construction Alliance
PO Box 370
Kingston, MA 02364

Re: Public Records Request

Dear Mr. Cogliano:

We are in receipt of your public records request dated October 14, 2011. Pursuant to Mass. Gen. Laws ch. 4 § 7(26), this correspondence serves as notification of our offer to provide documents related to the Responsible Employer Ordinance.

Please be advised that the custodian will fulfill it as soon as practicable and without unreasonable delay. Kindly also note that the cost of search, segregation, and copying will not likely exceed the $100.00 limit expressed in your request.

Thank you for your anticipated attention to this matter.

Very truly yours,

Steven A. Torres,
Corporation Counsel

One Government Center • Fall River, MA 02722 • TEL (508) 324-2650
Workers' Compensation (508) 324-2540 • FAX (508) 324-2655 • EMAIL lawoffice@fallriverma.org

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5

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

RECEIVED
2012 SEP 27 P 1:56
CITY CLERK
FALL RIVER, MA

September 27, 2012

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 2013 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 2013 BUDGET

		2013
Salaries/Benefits	$	283,249.21
Legal Fees	$	40,000.00
Administrative Expenses	$	118,934.00
Service Contracts	$	32,480.00
Furniture & Equipment	$	4,750.00
Investment Management Fees	$	1,100,000.00
TOTAL	**$**	**1,579,413.21**

City of Fall River, *In City Council*

11

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

That Chapter 70 of the Revised Ordinances of the City of Fall River, Massachusetts, 1999, which chapter relates to traffic be amended as follows:

By inserting in Section 70-387, which section relates to handicapped parking, in proper alphabetical order the following:

Fruit Street, north side, starting at a point 60 feet west of Quarry Street, for a distance of 20 feet westerly
Linden Street, east side, starting at a point 58 feet north of Pine Street, for a distance of 20 feet northerly
Orchard Street, north side, starting at a point 22 feet west of Quarry Street, for a distance of 20 feet westerly
Whipple Street, east side, starting at a point 20 feet south of Manton Street, for a distance of 20 feet southerly

City of Fall River, *In City Council*

12

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

By inserting a new section to Article , Residency Requirement, the following new section to read as follows:

Sec. –Definitions.

As used in this Article, the following terms shall have the respective meaning ascribed to them:

Employee: Any person:
Employed directly by the City, a City agency or department, who is paid as an employee of the City in accordance with the IRS regulations and receives an annual W-2 wage and earning statement, regardless of the number of hours the employee works for the City.

Promotion:
Advancement of an employees rank or position.

Residence:
The actual principal residence of the individual where such individual normally eats and sleeps and maintains such individual's normal personal and household effects.

Sec. – Scope of requirement.

A) Every person first employed by the City on or after the second day of January, 2013 shall be a resident of the City of Fall River or shall, within two years after such person commences to be employed by the City of Fall River, establish residency within the City.

B) Notwithstanding the provision of this Article any employee as defined in section 2-222 of Article IV of the Revised Ordinances of the City of Fall River shall be subject to section(s) 2-223 through 2-229 of Article IV and any employee as defined in M.G.L c. 71 § 38 shall be subject to the provisions of M.G.L. c. 71 § 38. Every person employed by the City before the second day of January, 2013 who becomes reappointed, promoted or is unilaterally transferred on or after the second day of January, 2013 shall be not be subject to this Article.

C) Every employee shall be furnished a copy of the residency ordinance when hired and annually thereafter and shall sign a certificate acknowledging receipt of the policy and agreeing to comply with the ordinance as a condition of continued employment. Failure to receive a copy and signing a certificate of acknowledgement shall not be held to excuse any violation.

D) Failure of an employee, subject to this Article, to comply with this Article shall be determined to be a voluntary termination of employment by such employee.

Sec. – Maintenance of list subject personnel.

The personnel director shall prepare and maintain a list of all persons subject to this Article.

Sec. – Filing certificate annually

Annually, on July1, every person subject to this Article shall file with each such person's department head or like officer, a certificate signed under the pains and penalties of perjury, stating such person's name and place of residence as defined herein. Upon receipt of a certificate indicating place of residence not within the city, or if no such certificate is filed, the department head or like officer shall forthwith notify the director of personnel. The names of the employees who are subject to this Article who have ceased to be residents of the City subsequent to the time of employment or promotion or did not become a resident at the time employment or promotion, or within 2 years of the commencement of employment or promotion shall be stricken from the payroll and those persons shall cease to be employed by the city. The department head or like officer shall give notice of such action to the director of personnel, the city treasurer, and the city auditor. The director of personnel of employees shall transmit the same to the Mayor.

Sec. – Waiver authorized.

The Mayor is hereby authorized in his discretion, for good cause shown, to permit any officer or employee of the City to remain in the employ of the City without complying with the provisions hereof, where:

(A) The health of any employee or a member of their immediate family necessitates residence outside the city limits;

(B) Special circumstances, including but not limited to being in the best interest of the public to do so, exist justifying residence outside the City limits.

Sec. - Enforcement.

This ordinance shall only be enforced upon the City fulfilling its obligation to bargain with each collective bargaining unit representing the employees in the City, in accordance with the City's obligation pursuant to M.G.L c. 150E.

Sec. – Validity; Severability

In the event that this Article shall be deemed to be in conflict with a provision of any general or special law, the provision of that general or special law shall govern and shall not defeat the application of this Article with respect to any position not governed by the law. In the event that the provisions of this Article are in conflict with the provisions of any other ordinance the provisions of that ordinance shall be deemed repealed. The provisions hereof are severable, and the action of any court of competent jurisdiction in declaring any part or portion hereof invalid, shall not act to defeat any remaining part or portion hereof, and any such action declaring this section invalid with respect to any position or person shall not be held to apply to any other person or position.

City of Fall River, *In City Council*

15

(Councilor Michael L. Miozza)

WHEREAS, there have been several major rain storms over the past three (3) months that have caused excessive flooding in the city, and

WHEREAS, this flooding has caused significant property damage, now therefore

BE IT RESOLVED, that the Committee on Health and Environmental Affairs invite the Director of Community Maintenance and the Administrator of Public Utilities to a future meeting with the intent of discussing ideas on how to reduce or eliminate flooding in some of the worst impacted areas of the city.

City of Fall River, *In City Council*

(Councilor Joseph D. Camara)

WHEREAS, road surface markings are basic guidelines of everyday driving that provide guidance and information to drivers and pedestrians, and

WHEREAS, center and traffic lane lines, as well as directional arrows were present, but are now gone or faded in many city streets, including but not limited to, Plymouth and Brayton Avenues, as well as South Main, East Main, Davol, Bedford, Pleasant, and Quequechan Streets, and

WHEREAS, due to the change in season it is darker earlier in the day and not seeing these markings can become a public safety hazard, now therefore

BE IT RESOLVED, that the City Administrator, the Director of the Department of Community Maintenance, and the Parking Clerk be invited to a future meeting of the Committee on Finance to discuss the city's plan for re-painting these markings.

City of Fall River, *In City Council*

17

(Committee on Public Safety)

WHEREAS, a meeting of the City Council Committee on Public Safety was held on Monday, October 1, 2012, and

WHEREAS, a discussion was held regarding loud motorcycles, now therefore

BE IT RESOLVED, that the City Council Committee on Ordinances and Legislation review ordinance Section 46-7 with the intent of revising said ordinance to include decibel levels.

City of Fall River, *In City Council*

18

(Committee on Public Safety)

WHEREAS, a meeting of the City Council Committee on Public Safety was held on Monday, October 1, 2012, and

WHEREAS, a discussion was held regarding all night parking of commercial vehicles, now therefore

BE IT RESOLVED, that the City Council Committee on Ordinances and Legislation review ordinance Section 70-319 with the intent of revising said ordinance to change the hours of restriction.

City of Fall River, *In City Council*

(Committee on Public Safety)

WHEREAS, a meeting of the City Council Committee on Public Safety was held on Monday, October 1, 2012, and

WHEREAS, a discussion was held regarding "Flint Pride Days", now therefore

BE IT RESOLVED, that the City Council Committee on Economic Development and Tourism meet to discuss and plan "Flint Pride Days 2013".

City of Fall River, *In City Council*

ORDERED, that in accordance with provisions of law, notice is hereby given that meetings of the citizens qualified to vote at a State Election will be held on Tuesday, November 6, 2012, in the several voting places designated by the Council, to cast their votes for the candidates of political parties for the following offices:

ELECTORS OF PRESIDENT AND VICE PRESIDENT
SENATOR IN CONGRESS
REPRESENTATIVE IN CONGRESS
COUNCILLOR
SENATOR IN GENERAL COURT
REPRESENTATIVE IN GENERAL COURT
CLERK OF COURTS
REGISTER OF DEEDS
COUNTY COMMISSIONERS
COUNTY TREASURER (BRISTOL COUNTY ONLY)

and to give their votes on the questions appearing on the ballot.

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

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

COMMONWEALTH OF MASSACHUSETTS
WILLIAM FRANCIS GALVIN
SECRETARY OF THE COMMONWEALTH

SS.

To the Authorized Person of the City of **FALL RIVER**

GREETING:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said city or town who are qualified to vote in the State Election to vote at

_____
(insert ward/precinct numbers)

_____
(insert polling locations)

on **TUESDAY, THE SIXTH DAY OF NOVEMBER, 2012,** from 7 :00 A.M. to 8:00 P.M. for the following purpose:

To cast their votes in the State Election for the candidates for the following offices and questions:

ELECTORS OF PRESIDENT AND VICE PRESIDENT. . . . . .FOR THIS COMMONWEALTH
SENATOR IN CONGRESS . . . . . FOR THIS COMMONWEALTH
REPRESENTATIVE IN CONGRESS. . . . . 4TH & 9TH CONGRESSIONAL DISTRICT
COUNCILLOR . . . . . .FIRST DISTRICT
SENATOR IN GENERAL COURT . . . . . .FIRST BRISTOL & PLYMOUTH DISTRICT
REPRESENTATIVE IN GENERAL COURT . . . . . 6th, 7th & 8th BRISTOL DISTRICT
CLERK OF COURTS. . . . . .BRISTOL COUNTY
REGISTER OF DEEDS . . . . . FALL RIVER DISTRICT
COUNTY COMMISSIONERS . . . . . .BRISTOL COUNTY
COUNTY TREASURER (BRISTOL COUNTY ONLY). . . . . .BRISTOL COUNTY

QUESTION 1: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 1, 2012?

SUMMARY

This proposed law would prohibit any motor vehicle manufacturer, starting with model year 2015, from selling or leasing, either directly or through a dealer, a new motor vehicle without allowing the owner to have access to the same diagnostic and repair information made available to the manufacturer's dealers and in-state authorized repair facilities.

The manufacturer would have to allow the owner, or the owner's designated in-state independent repair facility (one not affiliated with a manufacturer or its authorized dealers), to obtain diagnostic and repair information electronically, on an hourly, daily, monthly, or yearly subscription basis, for no more than fair market value and on terms that do not unfairly favor dealers and authorized repair facilities.

The manufacturer would have to provide access to the information through a non-proprietary vehicle interface, using a standard applied in federal emissions-control regulations. Such information would have to include the same content, and be in the same form and accessible in the same manner, as is provided to the manufacturer's dealers and authorized repair facilities.

For vehicles manufactured from 2002 through model year 2014, the proposed law would require a manufacturer of motor vehicles sold in Massachusetts to make available for purchase, by vehicle owners and in-state independent repair facilities, the same diagnostic and repair information that the manufacturer makes available through an electronic system to its dealers and in-state authorized repair facilities. Manufacturers would have to make such information available in the

same form and manner, and to the same extent, as they do for dealers and authorized repair facilities. The information would be available for purchase on an hourly, daily, monthly, or yearly subscription basis, for no more than fair market value and on terms that do not unfairly favor dealers and authorized repair facilities.

For vehicles manufactured from 2002 through model year 2014, the proposed law would also require manufacturers to make available for purchase, by vehicle owners and in-state independent repair facilities, all diagnostic repair tools, incorporating the same diagnostic, repair and wireless capabilities as those available to dealers and authorized repair facilities. Such tools would have to be made available for no more than fair market value and on terms that do not unfairly favor dealers and authorized repair facilities.

For all years covered by the proposed law, the required diagnostic and repair information would not include the information necessary to reset a vehicle immobilizer, an anti-theft device that prevents a vehicle from being started unless the correct key code is present. Such information would have to be made available to dealers, repair facilities, and owners through a separate, secure data release system.

The proposed law would not require a manufacturer to reveal a trade secret and would not interfere with any agreement made by a manufacturer, dealer, or authorized repair facility that is in force on the effective date of the proposed law. Starting January 1, 2013, the proposed law would prohibit any agreement that waives or limits a manufacturer's compliance with the proposed law.

Any violation of the proposed law would be treated as a violation of existing state consumer protection and unfair trade-practices laws.

A YES VOTE would enact the proposed law requiring motor vehicle manufacturers to allow vehicle owners and independent repair facilities in Massachusetts to have access to the same vehicle diagnostic and repair information made available to the manufacturers' Massachusetts dealers and authorized repair facilities.

A NO VOTE would make no change in existing laws.

QUESTION 2: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 1, 2012?

SUMMARY

This proposed law would allow a physician licensed in Massachusetts to prescribe medication, at a terminally ill patient's request, to end that patient's life. To qualify, a patient would have to be an adult resident who (1) is medically determined to be mentally capable of making and communicating health care decisions; (2) has been diagnosed by attending and consulting physicians as having an incurable, irreversible disease that will, within reasonable medical judgment, cause death within six months; and (3) voluntarily expresses a wish to die and has made an informed decision. The proposed law states that the patient would ingest the medicine in order to cause death in a humane and dignified manner.

The proposed law would require the patient, directly or through a person familiar with the patient's manner of communicating, to orally communicate to a physician on two occasions, 15 days apart, the patient's request for the medication. At the time of the second request, the physician would have to offer the patient an opportunity to rescind the request. The patient would also have to sign a standard form, in the presence of two witnesses, one of whom is not a relative, a beneficiary of the patient's estate, or an owner, operator, or employee of a health care facility where the patient receives treatment or lives.

The proposed law would require the attending physician to: (1) determine if the patient is qualified; (2) inform the patient of his or her medical diagnosis and prognosis, the potential risks and probable result of ingesting the medication, and the feasible alternatives, including comfort care, hospice care and pain control; (3) refer the patient to a consulting physician for a diagnosis and prognosis regarding the patient's disease, and confirmation in writing that the patient is capable, acting voluntarily, and making an informed decision; (4) refer the patient for psychiatric or psychological consultation if the

physician believes the patient may have a disorder causing impaired judgment; (5) recommend that the patient notify next of kin of the patient's intention; (6) recommend that the patient have another person present when the patient ingests the medicine and to not take it in a public place; (7) inform the patient that he or she may rescind the request at any time; (8) write the prescription when the requirements of the law are met, including verifying that the patient is making an informed decision; and (9) arrange for the medicine to be dispensed directly to the patient, or the patient's agent, but not by mail or courier.

The proposed law would make it punishable by imprisonment and/or fines, for anyone to (1) coerce a patient to request medication, (2) forge a request, or (3) conceal a rescission of a request. The proposed law would not authorize ending a patient's life by lethal injection, active euthanasia, or mercy killing. The death certificate would list the underlying terminal disease as the cause of death.

Participation under the proposed law would be voluntary. An unwilling health care provider could prohibit or sanction another health care provider for participating while on the premises of, or while acting as an employee of or contractor for, the unwilling provider.

The proposed law states that no person would be civilly or criminally liable or subject to professional discipline for actions that comply with the law, including actions taken in good faith that substantially comply. It also states that it should not be interpreted to lower the applicable standard of care for any health care provider.

A person's decision to make or rescind a request could not be restricted by will or contract made on or after January 1, 2013, and could not be considered in issuing, or setting the rates for, insurance policies or annuities. Also, the proposed law would require the attending physician to report each case in which life-ending medication is dispensed to the state Department of Public Health. The Department would provide public access to statistical data compiled from the reports.

The proposed law states that if any of its parts was held invalid, the other parts would stay in effect.

A YES VOTE would enact the proposed law allowing a physician licensed in Massachusetts to prescribe medication, at the request of a terminally-ill patient meeting certain conditions, to end that person's life.

A NO VOTE would make no change in existing laws.

QUESTION 3: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 1, 2012?

SUMMARY

This proposed law would eliminate state criminal and civil penalties for the medical use of marijuana by qualifying patients. To qualify, a patient must have been diagnosed with a debilitating medical condition, such as cancer, glaucoma, HIV-positive status or AIDS, hepatitis C, Crohn's disease, Parkinson's disease, ALS, or multiple sclerosis. The patient would also have to obtain a written certification, from a physician with whom the patient has a bona fide physician-patient relationship, that the patient has a specific debilitating medical condition and would likely obtain a net benefit from medical use of marijuana.

The proposed law would allow patients to possess up to a 60-day supply of marijuana for their personal medical use. The state Department of Public Health (DPH) would decide what amount would be a 60-day supply. A patient could designate a personal caregiver, at least 21 years old, who could assist with the patient's medical use of marijuana but would be prohibited from consuming that marijuana. Patients and caregivers would have to register with DPH by submitting the physician's certification.

The proposed law would allow for non-profit medical marijuana treatment centers to grow, process and provide marijuana to patients or their caregivers. A treatment center would have to apply for a DPH registration by (1) paying a fee to offset DPH's administrative costs; (2) identifying its location and one additional location, if any, where marijuana would be grown; and (3) submitting operating procedures, consistent with rules to be issued by DPH, including cultivation and storage of marijuana only in enclosed, locked facilities.

A treatment center's personnel would have to register with DPH before working or volunteering at the center, be at least 21 years old, and have no felony drug convictions. In 2013, there could be no more than 35 treatment centers, with at least one but not more than five centers in each county. In later years, DPH could modify the number of centers.

The proposed law would require DPH to issue a cultivation registration to a qualifying patient whose access to a treatment center is limited by financial hardship, physical inability to access reasonable transportation, or distance. This would allow the patient or caregiver to grow only enough plants, in a closed, locked facility, for a 60-day supply of marijuana for the patient's own use.

DPH could revoke any registration for a willful violation of the proposed law. Fraudulent use of a DPH registration could be punished by up to six months in a house of correction or a fine of up to $500, and fraudulent use of a registration for the sale, distribution, or trafficking of marijuana for non-medical use for profit could be punished by up to five years in state prison or by two and one-half years in a house of correction.

The proposed law would (1) not give immunity under federal law or obstruct federal enforcement of federal law; (2) not supersede Massachusetts laws prohibiting possession, cultivation, or sale of marijuana for nonmedical purposes; (3) not allow the operation of a motor vehicle, boat, or aircraft while under the influence of marijuana; (4) not require any health insurer or government entity to reimburse for the costs of the medical use of marijuana; (5) not require any health care professional to authorize the medical use of marijuana; (6) not require any accommodation of the medical use of marijuana in any workplace, school bus or grounds, youth center, or correctional facility; and (7) not require any accommodation of smoking marijuana in any public place.

The proposed law would take effect January 1, 2013, and states that if any of its part were declared invalid, the other parts would stay in effect.

A YES VOTE would enact the proposed law eliminating state criminal and civil penalties related to the medical use of marijuana, allowing patients meeting certain conditions to obtain marijuana produced and distributed by new state-regulated centers or, in specific hardship cases, to grow marijuana for their own use.

A NO VOTE would make no change in existing laws.

QUESTION 4

Shall the City of Fall River accept Sections 3 to 7, inclusive of Chapter 44B of the General Laws, as approved by its legislative body, a summary of which appears below?

SUMMARY

The Community Preservation Act (hereinafter "Act") establishes a dedicated funding source to enable cities and towns to (1) acquire, create or preserve open space, which includes land for parks and recreational uses, beaches and conservation areas, (2) acquire, preserve or restore historic buildings and sites, including historic parks, and (3) help meet local families' housing needs.

In the City of Fall River, the funding source for these community preservation purposes will be a surcharge of 1.5% on the annual property tax assessed on real property beginning in Fiscal Year 2014, and annual distributions made by the state from a trust fund created by the Act. The Commonwealth provides these funds only to communities adopting the Act. If approved, the following will be exempt from the surcharge: (1) property owned and occupied as a domicile by any person who qualifies for low income housing or low or moderate income senior housing in the City of Fall River, as defined in Section 2 of the Act, and (2) $100,000 of the value of each taxable parcel of residential real property. A taxpayer receiving a regular property tax abatement or exemption will also receive a full or partial reduction in the surcharge.

Upon acceptance of the Act by the voters, a Community Preservation Committee will be established by ordinance to study community preservation needs, possibilities and resources, and to make annual recommendations to the City Council for approval on spending the funds.

QUESTION 5
THIS QUESTION IS NOT BINDING

Shall the state representative from this district be instructed to vote in favor of legislation that would require a voter, before voting, to show a valid, government-issued photo ID (for example, a driver's license, Massachusetts photo ID, military ID with photo, or U.S. passport)?

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.

Given under our hands this 16th day of October, 2012.

_____ _____

_____ _____

_____ _____

_____ _____

_____

City Council of: **FALL RIVER**

HAND DELIVERED

Brian Pavao October 30, 2012.

CC

25

RECEIVED

2012 SEP 27 P 1:27

CITY CLERK 12-54
FALL RIVER, MA

CLAIM FORM
City of Fall River, Massachusetts

Name: Ruth/Mack Pohl

Address: 215 Whipple st #5
Fall River, MA 02721

Phone #: 508-567-3724

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

Date of Incident: Aug 30, 2012
Time of Incident: 4:30 PM
Location of Incident: Whipple St and Morgan st

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

On aug 30th 2012 at about 4:20PM I was driving down whipple st towards Morgan st. Construction was just ending and a police officer was directing traffic because there were still Barrels in the street. He motioned me to go R on Morgan and with not much Room to move my R rear tire went into a damaged storm drain causing a 2" gash in my tire. At my dealership they said tire had to be replaced because the steel belt was exposed. I pulled over on Morgan st to inspect tire and noticed the workers were taking barrels out of the street to make more room for traffic.

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

orig & 2 copies Law
1 DPW
1 CS
1 City Clerk

CC

25

12-55

Clean Holdings LLC
661 Quequechan Street
Fall River, MA 02721
Phone: 508-676-9355
Fax: 508-676-9430

September 27, 2012

Law Department
City of Fall River
1 Government Center
Fall River, MA 02722

Gentlemen:

Recently our company hired Red Hawk Fire & Security to inspect the water line from our property at 763 Quequechan Street (aka 759 Quequechan, aka 537 Quequechan) to the water main to determine the reason we were not receiving the proper water pressure. During this inspection the water department and Red Hawk Fire & Security determined that the water main had been turned off during recent road work and had not been turned back on. We are requesting to be reimbursed for these charges we incurred which were due to negligence on the part of the water department.

Regards,

Roland L. Byam
Corporate Accountant

RECEIVED
2012 OCT -1 A 10:52
CITY CLERK
FALL RIVER, MA

orig + 2 copies Law
1 Water
1 CC
1 City Clerk

30

RECEIVED

2012 OCT -3 A 11: 25

CITY CLERK
FALL RIVER, MA

September 8, 2012

864 Mariano S. Bishop Blvd
Fall River, MA. 02721

Dear Honorable Councilmen,

We are inquiring to the Fall River City Council for petition to purchase the city property at the above mentioned address of which currently intersects with Mariano S. Bishop Boulevard abutting Laurel Street.

The lot on Mariano S. Bishop Boulevard was purchased by the individuals Nelia, Nancy and Maria T. Pereira in 2001 for building a residential home. As owners of the residence we have maintained the maintenance of the mentioned city property located on Mariano S. Bishop Boulevard abutting Laurel Street, and would like to purchase the existing square footage that belongs to the city, classified as city property. The sole purpose of purchasing the existing square footage of which is classified as city property is to add to the existing square footage of the property with residence.

We are aware that the lot is a corner lot of which intersects with the Mariano S. Bishop Boulevard abutting Laurel Street. Located on the lot in the front of the residence is a fire hydrant and at the corner an intersection light on the premises. The adjacent city property on the lot, abutting Laurel Street does have a utility pole on the premises.

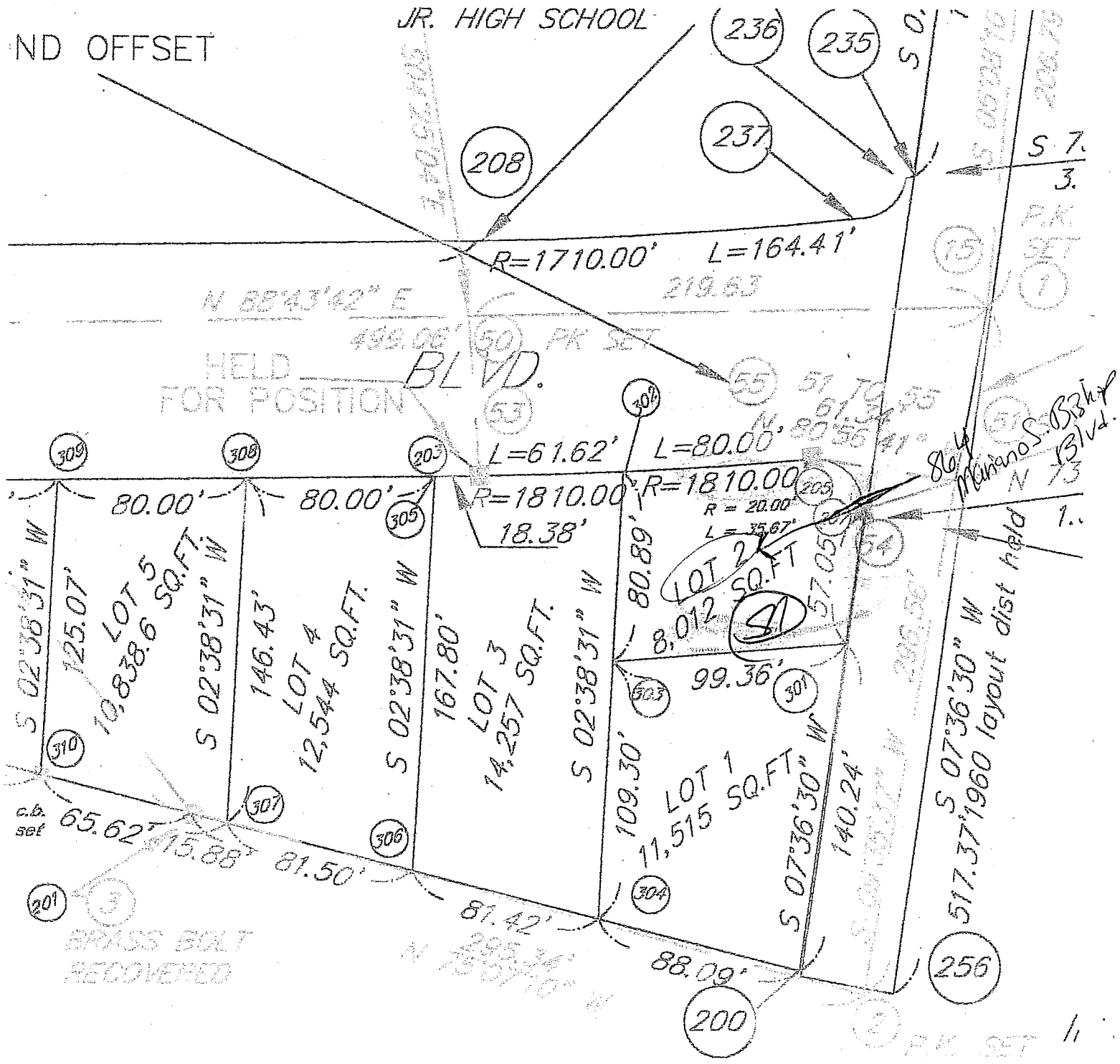
Please find attached a copy of the lot when it was purchased in 2001 and the highlighted area that is called city property. Any questions or concerns please feel free to contact us at the following number (508) 677-3526, thank you.

Sincerely,

Nelia T. Pereira

Nancy T. Pereira

Maria T. Pereira


ND OFFSET
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L=164.41'
219.63
N 88°43'42" E
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61.34'
N 80°56'41"
L=61.62'
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R=1810.00'
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L = 35.67'
LOT 2
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S1
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80.89'
57.05'
LOT 5
10,838.6 SQ.FT.
S 02°38'31" W
125.07'
146.43'
LOT 4
12,544 SQ.FT.
S 02°38'31" W
167.80'
LOT 3
14,257 SQ.FT.
S 02°38'31" W
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LOT 1
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S 07°36'30" W
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S 07°36'30" W
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15.88'
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RECOVERED
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P.K. SET
864 Mariano S. Bishop Blvd.
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THE MISS AMERICA ORGANIZATION

Miss Fall River Scholarship Organization

Pageant Sponsor Program

32

To Whom It May Concern:

The Miss Fall River, Miss Bristol County, Miss Quequechan Scholarship Pageants are preliminary scholarship pageants for entrance into The Miss Massachusetts Scholarship Pageant. The winner of Miss Massachusetts is the face of our state for The Miss America Scholarship Pageant.

The Miss America Organization is the world's largest provider of scholarship assistance for young women; over $45 million in cash and tuition scholarship assistance was made available this past year.

The Miss America Organization is a not for profit organization dedicated to empowering young women to achieve their personal, professional and educational goals.

The dedicated young women who compete for the coveted Miss America title donate more than 500,000 hours each year to make Miss America one of the largest community service organizations in the country.

With all this said, the Miss Fall River Scholarship Organization is ready to embrace, as a model for our contestants, the many women at the head of corporations with local offices as well as women who own or operate locally owned businesses. We would like to include your business as a sponsor of the Miss Fall River 2013 Scholarship Pageant. In this letter today, we are asking for a commitment from you to our organization for a well placed ad in the Pageant Program. Our Pageant will be held on November 10, 2012 at Somerset Middle School, 3:00pm. In exchange for your donation we will place your ad in the Pageant Program and on our website for the duration of this years' title holder's reign. All money is put towards scholarships for the young women competing in this event as well as conducting the pageant itself. Please refer to the attached sheet.

Should you choose to support our program, please make out the check to MFRSO (Miss Fall River Scholarship Organization) and mail to 506 Highview Avenue, Somerset, MA 02726-3838 or if you prefer we will be visiting businesses for donations during the weeks of Oct.15th and 22nd.

We are proud to say our past title holders and contestants include a state representative in general court, a physician, an interior designer, the co-owner of an electrical company, an owner of a dance company, a nurse practitioner, all with very successful careers they say were because of the skills they learned and honed as well as the many contacts made through their participation in the Miss America Organization.

We thank you for any support you choose to provide. Know that it will help to advance the development and education of young women as well as encourage them to be actively involved in the community.

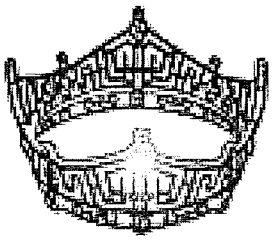
Sincerely,

Eileen Costa

Rachel Gagne, *Executive Director*

Eileen Costa, *Committee Chair 508-454-1713*

RECEIVED
2012 OCT 10 A 11:00
CITY CLERK
FALL RIVER, MA



Program Book Ads--Information

Ask your sponsors to advertise with us!!!

Ad prices

**Full Page: $100.00 - A full page is 8 1/2 by 11" with a 1/2 inch border.
**1/2 Page: $60.00
Pictures of contestants can only be included in full page and half page ads. Pictures may not be larger than 5X7 inches.
**1/4 page: $40.00
**1/8 page: $25.00
Line Sponsors $10.00
****Includes ad on website****

Ads should be type set and ready to print!

If a type set and ready to print ad is not available, please note that a simple listing of name, address, and telephone number of the business can be listed.

All program book information must be received by Friday, October 19, 2012.
All ad page information must be received by the deadline.

Contestant Name: _____

Total Amount enclosed for Ad Pages: _____

Use the form provided to record your ads.

Include all type set ready to print ads in a manila envelope. Avoid folding ads as they will show creases when copied for the program.

Checks should be made out to: MFRSO

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To: The Fall River City Council

Back in 2004 I had requested to purchase from the city of Fall River a small parcel of land. The dimensions I had requested were 80 x 20 feet on the south side of my house which abuts the Davol School. My property is 86 Flint St. Fall River.

The city council at that time informed me that this request needed to addressed by the school committee. The school committee approved the sale of the land but somewhere in the process the requested parcel of land had changed from 20 x 80 to 20 x 50 feet. This was back in 2006. I notified the city council that there had been an error somewhere in the process the land requested had been changed. The city council informed me that they would correct that problem and send the letter back to the school committee requesting a correction and change the approval letter to revise the dimensions to 20 x 80 in Nov of 2006.

I never received a response. I at that time also went through many family problems with me children and deaths in the family. I had forgotten about the land process.

Recently The Davol School has placed on the market for sale. I am requesting the city council to please continue the process of selling me that parcel of land before the school is sold. The school could be made apartments or even demolished and a business setup at that site.

I have had numerous problems with having the school yard fence 2-3 feet away from my property. Children climbing the fence the jumping on the roof of my garage the ripping off shingles and flinging them like frisbies also who would be responsible should one of these children fall off the roof and injure themselves would I or the city be responsible should a lawsuit arise from an injury?

The school yard has been opened for residents on Jenks St to park in the school yard for the past two years. We have had people working on their cars till 1:00 am making noise directly under my bedroom window. This is a recurring problem, also people coming and going all hours of the night with there loud muffler cars (mainly teens) disturbing our sleep.

Should the school be sold I would like to have this land buffer between my house and the school. I hope the City Council will continue with the process I had requested in 2006.

Sincerely

George Borges
86 Flint St.
Fall River Ma. 02723
Phone # 508.675.7718

RECEIVED
2012 OCT 11 P 2:52
CITY CLERK
FALL RIVER, MA