

City of Fall River Massachusetts

Office of the City Clerk

ALISON M. BOUCHARD
CITY CLERK

INÊS LEITE
ASSISTANT CITY CLERK

SEPTEMBER 7, 2012
MEETINGS SCHEDULED FOR NEXT WEEK
TUESDAY, SEPTEMBER 11, 2012

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

1. Discussion with Administration re M.G.L. c 59 § 57 Affidavit of Address (Resol. adopted 8-14-12)
2. Discussion with South Coast Rail re proposed layover facility at Weaver's Cove

AGENDA

7:00 P.M. REGULAR MEETING OF THE CITY COUNCIL
PRIORITY MATTERS - None

PRIORITY COMMUNICATIONS

1. *Fall River Contributory Retirement Board and order re Section 65 of Chapter 139 of the Acts of 2012
2. *Board of Park Commissioners re naming of green space at intersection of Durfee, Turner & Old Colony Sts.
3. Traffic Commission recommending amendments to the traffic ordinances
4. Corp. Counsel & judgment from US District Court rel. to REO ordinance

COMMITTEE REPORTS

Committee on Ordinances and Legislation recommending:

First Reading:

5. *Zoning – Neighborhood Shopping District – Brayton Avenue & Stevens Street
6. *Food vending push carts

Grant leave to withdraw:

7. Resolution – review of ordinance 14-661 regarding door-to-door solicitation

Committee on Public Safety recommending:

Grant leave to withdraw:

8. Resolution – Vacant and abandoned buildings

ORDINANCES

Second Reading and Enrollment:

9. *Zoning – Laurel Lake School from Two Family Residence District to Mixed Business District

RESOLUTIONS

10. *City Council go on record opposing Weaver's Cove Property for proposed layover site for South Coast Rail
11. *Administration be invited to future Com. on Finance meeting to discuss recent rainstorm flooding
12. *Permitting Guide for Local Businesses be updated and made available on City of Fall River website
13. *Traffic Commission discontinue charging fifty dollar fee for applications for handicapped parking spaces
14. *Com. on Finance meet to discuss possible locations for Fall River Falcons Pop Warner Football

CITATIONS

15. Manuel Papoula – dedication in supporting young adults to further their education
16. Ms. Senior Sweetheart Pageant of American Participants

ORDERS – HEARINGS FOR TONIGHT

Storage of combustible liquids:

17. Clean Holdings, LLC to store 119,000 gals. of combustible liquids aboveground at 763 Quequechan Street
18. Revocation of permits for the storage of inflammables for:
 - Antone D. Vargas - 681 Brayton Avenue
 - Fall River Sales & Supply, Inc. - 829 Robeson Street
 - Five Kings Associates LLC - 386 Kilburn Street

ORDERS – HEARINGS TO BE SCHEDULED - None

ORDERS – NO HEARING REQUIRED – None

ORDERS – MISCELLANEOUS

19. Police Chief's report on licenses
20. Auto Repair Shop license renewals
21. Transfer auto repair license no. 112 from Thomas J. Cox to Fernandes Yared d/b/a State Road Motor at 703 Brayton Avenue

COMMUNICATIONS – INVITATIONS – PETITIONS

22. *Claims
23. Planning Board Minutes – June 18, 2012

BULLETINS – NEWSLETTERS – NOTICES

24. *Mass. Development Finance Agency – public hearing Sept. 24, 2012 @ 4:00 PM – 160 Federal St., Boston


City Clerk



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

August 30, 2012

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

RE: Section 65 of Chapter 139 of the Acts of 2012 (FY13 State Budget)

Dear Members of the City Council:

Please be advised that Section 65 of Chapter 139 of the Acts of 2012 amended M.G.L. c.32 § 101 by adding a "local option" provision to increase to \$12,000.00 the annual benefits payable to eligible surviving spouses of disabled employees. An eligible surviving spouse under §101 is one whose spouse retired for accidental disability prior to November 7, 1996 and was therefore not able to select an Option C benefit at the time he/she retired.

At a meeting of the Fall River Retirement Board held August 23, 2012 it was voted to increase from \$6,000.00 to \$12,000.00 the annual allowance of surviving spouses eligible for benefits pursuant to G.L. c. 32, § 101.

Before acceptance of this is official, the City Council and Mayor must approve it. We therefore respectfully request the City Council consider and approve the increase to \$12,000.00 of the annual survivor allowance payable pursuant to M.G.L. c. 32, § 101 at the meeting to be held September 11, 2012.

If you have any questions regarding this matter please do not hesitate to contact me at 508-646-9120. Thank you for your consideration.

Very truly yours,

Christine A. Tetreault
Executive Director

CITY CLERK
FALL RIVER, MA

2012 AUG 28 P 3:03

RECEIVED

City of Fall River, *In City Council*

ORDERED, by the City Council of the City of Fall River, that the City of Fall River accepts the provisions of Section 65 of Chapter 139 of the Acts of 2012 to allow the minimum allowance paid to a surviving spouse eligible for benefits pursuant to M.G.L. c. 32 § 101 to be increased to \$12,000.



City of Fall River
Massachusetts

Department of Community Maintenance

CEMETERIES • MUNICIPAL BUILDINGS • PARKS • SANITATION
STREETS & HIGHWAYS • TRAFFIC & PARKING • VEHICLES

Parks Division

RECEIVED

2012 AUG 15 P 2:53

CITY CLERK _____
FALL RIVER, MA

WILLIAM A. FLANAGAN
Mayor

KENNETH C. PACHECO
Director

NANCY SMITH
Manager

August 15, 2012

Ms. Alison M. Bouchard
City Clerk
One Government Center
Fall River, Massachusetts

Dear Ms. Bouchard:

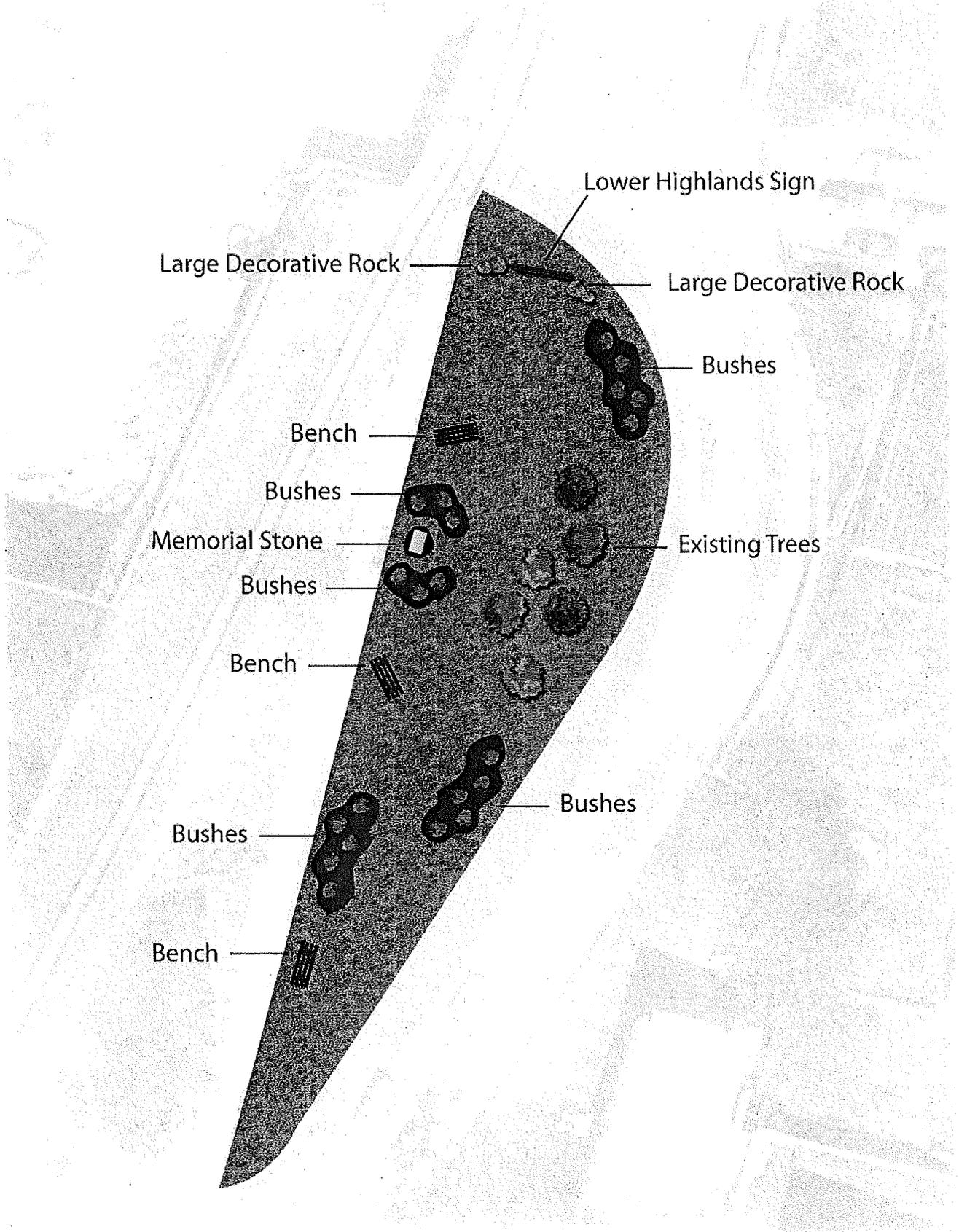
Attached please find information that was submitted to the Board of Park Commissioners regarding the naming of the green space located at the intersections of Durfee, Turner, & Old Colony Streets. The Board voted to forward this information to the City Council so the matter may be research prior to taking action on the request.

Please advise of you findings at your earliest convenience.

Sincerely,
Board of Park Commissioners

Nancy Smith
Parks Manager

Bowenville Green Landscape Proposal



- Lower Highlands Sign
- Large Decorative Rock
- Large Decorative Rock
- Bushes
- Bench
- Bushes
- Memorial Stone
- Existing Trees
- Bushes
- Bench
- Bushes
- Bushes
- Bench

CITY OF FALL RIVER

5

To the City Council

Councillors:

The Committee on

Ordinances and Legislation, at a meeting held on August 21,
2012, voted unanimously to recommend that the accompanying proposed ordinance
be passed through first reading.

Callum A. Taylor
Clerk of Committees

City of Fall River, *In City Council*

5

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

That the Planning Director be, and she is hereby authorized and directed to amend the map entitled "Zoning Map of the City of Fall River" which by Chapter 86, Section 121 of the Revised Ordinances of the City of Fall River, Mass., 1999, is made a part of said Chapter, by drawing on it, in addition to the presently existing districts shown thereon, the following:

As a Neighborhood Shopping District B-N, that area now in an Industrial District IND, bounded and described as follows:

Beginning at a point at the centerline intersection of Brayton Avenue and Stevens Street; thence southerly by the centerline of Stevens Street approximately 348 +/- feet to the southerly boundary of tax assessor's lot E-27-4; thence easterly along the property line of tax assessor's lot E-27-4 approximately 275 +/- feet; thence northerly along the easterly property line of tax assessor's lot E-27-4 to the centerline of Brayton Avenue approximately 349 +/- feet; thence westerly by the centerline of Brayton Avenue 278 +/- feet to the centerline intersection of Brayton Avenue and Stevens Street and the point of beginning. Being the same area as shown on the map entitled Zoning Change from IND to B-N; dated February 17, 2012.

Pro.Ord. – Food Vending Push Carts
CITY OF FALL RIVER

6

To the City Council

Councillors:

The Committee on

Ordinances and Legislation, at a meeting held on August 21,
2012, voted unanimously to recommend that the accompanying proposed ordinance
be passed through first reading.

Colleen A. Taylor
Clerk of Committees

City of Fall River, *In City Council*

6

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

By inserting in Chapter 14, which chapter relates to Businesses, a new Article XXI VENDING PUSH CARTS, and inserting under said article, the following new sections to read as follows:

Sec. 14-700 Food Vending Push Carts

The City Council finds that vending push carts offering pretzels, hotdogs, sausages, lemonade, and ice cream provide an atmosphere conducive for public enjoyment, leisure, and recreation. The City Council also finds that regulation of vending push cards is necessary to protect the public safety and welfare, as street-vending can pose particular hazards to pedestrians and impact vehicular traffic on public rights of way. The City Council further finds that food vending requires special regulation to protect the public health and limit the potential for unlicensed service of food to the public.

Sec. 14-701 Definitions

For purposes of this section, the following terms are defined as follows:

“City” means the City of Fall River.

“Department” means the Department of Engineering.

“Permitting authority” means the Clerk of the City of Fall River or her designee.

“Person” means an individual, corporation, partnership, or other business organization or entity.

“Push cart” means any wagon, cart, or similar wheeled container, but not a vehicle, from which food is offered for sale to the public.

Sec. 14-702 Permit requirement

No person shall sell, offer for sale, or provide any food or beverage from a push cart without first obtaining a food vending permit from the permitting authority. Nor shall any person employ, direct, or otherwise cause any other person to sell, offer for sale, or provide any food or beverage from a push cart without first obtaining a food vending permit from the permitting authority.

Sec. 14-703 Permit application

An applicant for a food vending push cart permit shall file with the permitting authority a written application containing:

- A. The name, address, and telephone number of the applicant;
- B. The name, address, and telephone number of the business, its owner or owners, and the mailing address of the business;
- C. The items offered for sale or provided to the public;
- D. The proposed location of the vending site, including two alternative locations, listed by order of preference;
- E. Evidence that the push cart passed all necessary inspections required by the Board of Health.

Each application shall be accompanied by a fifty dollar (\$50) permit fee.

Sec. 14-704 Approval process

- A. A permit application shall be forwarded to the Department of Engineering for review and approval of the proposed location requested by the applicant. The Department shall determine whether the width of the sidewalk at the proposed location or service route contains a minimum of seven (7) feet, including a minimum 36-inch path of travel around the push cart. Failure of the sidewalk to possess a minimum width of seven (7) feet, including a minimum 36-inch path of travel around the push cart will result in automatic rejection of the proposed location or service route by the Department. The Department may also consider in its approval or rejection of the proposed location whether the proposed location or service route poses a danger or nuisance to the public health, safety, or welfare, or impedes pedestrian or vehicular traffic.
- B. The Department may work with the applicant or permit holder to modify the location or service route at any time (i) before the issuance of a permit or (ii) after the issuance of a permit, if the grant of a permit or approval of the location or service route has led to the creation of a nuisance or otherwise endangers the public health, safety, welfare, or impedes pedestrian or vehicular traffic or (iii) by request of the permit holder.
- C. The permit application shall be forwarded to the food inspector who shall determine whether the items listed to be sold or provided to the public are safe for handling, selling, or providing, given the nature of the push cart and the limitations imposed on the push cart under this Article. The food inspector shall examine the push cart that is the subject of the application to determine its compliance with all laws and regulations set by the Commonwealth of Massachusetts and the City with regard to applicable health codes.
- D. The permit shall state the approved location or service route in which the push cart may be located and operated.

Sec. 14-705 Indemnification

Prior to the issuance of any food vending permit, the applicant shall execute an agreement holding the City, its employees, and agents harmless from any liability arising from the use of the permit.

Sec. 14-706 Insurance

The permit holder, at his or her sole cost and expense, shall obtain and maintain liability insurance for bodily injury and property damage in an amount not less than five hundred thousand dollars (\$500,000). The policy or policies shall contain an endorsement listing the City of Fall River as additional insured, and shall provide that the City be given thirty (30) days written notice prior to cancellation or material change. Proof of insurance shall be submitted to the permitting authority prior to issuance of any food vending permit.

Sec. 14-707 Permit term and renewal

Each permit issued pursuant to this Article shall be for a period of one year commencing on May 1 and ending April 30. Renewal of any permit shall be for an additional one year term and requires the submission of a new application along with a fifty dollar (\$50) renewal fee.

Sec. 14-708 Prohibition against transfer of permit

No person holding a food vending permit shall sell, lend, lease, assign, or transfer in any manner the food vending permit.

Sec. 14-709 Push cart regulations

- A. Push cart operations shall be limited to sidewalks that conform to the requirements of this Article.
- B. Each push cart shall have conspicuously affixed thereto the permit required by this Article.
- C. The maximum dimensions for any push cart shall not exceed six feet in length by four feet in width.

- D. The push cart may have affixed thereto or painted thereon a sign used in conjunction with the pushcart.
- E. No operator of a push cart shall park, stand, or move a push cart and conduct business where the permit holder has not been authorized to operate.
- F. No push cart operator or permit holder shall provide or allow any dining area, including, but not limited to, tables, chairs, booths, bar stools, benches, or standup counters.
- G. A garbage receptacle shall be provided for patrons.
- H. The push cart operator shall refrain from using bells, chimes, horns or other sounds, including the utterance of boisterous outcries to promote the sale of its food or beverage.
- I. The permit holder and the operator are responsible for ensuring that the area surrounding the push cart is kept clean and free of trash and debris associated with the push cart operation.
- J. The push cart shall not be unattended at any time. Nor shall the push cart be stored, parked or left at the permitted location over night.
- K. No propane tanks or open flames are permitted for operation on the push cart.

Sec. 14-710 Exceptions

For the purposes of this Article, a food vending permit holder shall not be considered a transient vendor under Article XVI. Further, a food vending permit holder shall not be subject to the time limitation described in Article VIII, Section 14-309.

Sec. 14-711 Revocation, hearing, and appeal

A violation of this article or violation of the State Sanitary Code 105 CMR 590 shall result in suspension of a food vending permit for up to five (5) days or revocation.

Prior to suspension or revocation of a permit, the permit holder shall be promptly afforded an opportunity for a hearing before the Board of Health.

Any person whose permit is suspended or revoked pursuant to this article may appeal in a non-criminal proceeding by making a written request to the Law Department of the City of Fall River within twenty-one (21) calendar days of the date of issuance of the suspension or revocation. Failure to timely appeal the administrative citation is deemed a waiver of the right to appeal.

Sec. 14-712 Enforcement

The Chief of Police or his designee as well as the Board of Health and its designee shall be vested with enforcement of this Article.

Sec. 14-713 Severability

The invalidity of any portion or portions of this article shall not invalidate any other portion, provision or section thereof.

9

City of Fall River, *In City Council*

BE IT ORDAINED, by the City Council of the City of Fall River, Massachusetts, that the Revised Ordinances of the City of Fall River (1999), are hereby amended as follows:

That the Planning Director be, and she is hereby authorized and directed to amend the map entitled "Zoning Map of the City of Fall River" which by Chapter 86, Section 121 of the Revised Ordinances of the City of Fall River, Mass., 1999, is made a part of said Chapter, by drawing on it, in addition to the presently existing districts shown thereon the following:

As a Mixed Use Business District MBD, that area now in a Two Family Residence District R-4, bounded and described as follows:

Beginning at a point at the centerline intersection of Laurel Street and Orswell Street; thence running easterly by the centerline of Orswell Street to the centerline of Rhode Island Avenue; thence running northerly by the centerline of Rhode Island Avenue to the existing Local Business District; thence running westerly along the southerly line of the existing Local Business District to the centerline of Laurel Street; thence running southerly by the centerline of Laurel Street to the centerline intersection of Laurel Street and Orswell Street and the point of beginning. Being the same area as shown the map entitled Laurel Lake School Zoning Change: R-4 to MBD; dated April 18, 2012.

CITY OF FALL RIVER
IN CITY COUNCIL

AUG 14 2012

*Passed Through
First Reading*

City of Fall River, *In City Council*

(Councilor Raymond A. Mitchell)

WHEREAS, there has been much discussion regarding the Weaver's Cove property, and

WHEREAS, Massachusetts Department of Transportation is considering using a portion of this property for a proposed layover site for South Coast Rail, now therefore

BE IT RESOLVED, that the City Council go on record opposing this location, as it could render this area useless for economic development purposes in the future.

City of Fall River, In City Council

(Councilor Eric Poulin)
(Council President Linda M. Pereira)
(Councilor David J. Dennis)
(Councilor Michael L. Miozza)
(Councilor Raymond A. Mitchell)
(Councilor Daniel M. Rego)

WHEREAS, recent rainstorms caused flooding in several sections of the city, and

WHEREAS, the city's drainage doesn't seem adequate to deal with these high rainfall flooding events, now therefore

BE IT RESOLVED, that representatives of the Administration be invited to a future meeting of the Committee on Finance to discuss these matters.

City of Fall River, *In City Council*

12

(Councilor Michael L. Miozza)
(Council President Linda M. Pereira)

WHEREAS, many local businesses and potential businesses seek guidance when applying for necessary licenses, zoning regulations and other required local and state permits, and

WHEREAS, this process can be confusing and overwhelming for our citizens, and

WHEREAS, the City of Fall River is working to increase businesses in our City, and

WHEREAS, a Permitting Guide for Local Businesses was worked on years ago, now therefore

BE IT RESOLVED, that this guide be updated and made available to the citizens of Fall River in a "user friendly" manner on the City of Fall River website as soon as possible.

City of Fall River, *In City Council*

13

(Councilor Joseph D. Camara)

WHEREAS, an application for a handicapped parking space must be accompanied by a fifty dollar fee for advertising in the Herald News, and

WHEREAS, many handicapped people are living on a very limited income, now therefore

BE IT RESOLVED, that the Traffic Commission discontinue charging this fee.

City of Fall River, *In City Council*

14

(Councilor Daniel M. Rego)

WHEREAS, the Fall River Falcons Pop Warner Football Team has outgrown its present location and has been looking for a larger location to accommodate its growth, and

WHEREAS, meetings were held with the Administration to assist them in finding a new location, and

WHEREAS, the Fall River Falcons still is without a location, now therefore

BE IT RESOLVED, that the Administration, Director of Community Maintenance, representatives of the Fall River Falcons Pop Warner Football Team and representatives of the Park Board be invited to a future meeting of the City Council Committee on Finance to discuss possible locations as soon as possible, so that they will have a location to play this season.

Katherine Paquette

469 Harvard Street • Fall River, MA 02720 • Phone: 774-488-9240
E-Mail: kmmpaquette@aol.com



RECEIVED

Date: August 11, 2012

2012 AUG 20 P 12:36

Alison Bouchard
City Clerk, Fall River
1 Government
Fall River, MA 02722

CITY CLERK 12-45
FALL RIVER, MA

wry + 2 cases lan
1 Fire Dept
1 Water
1 CC
1 city clerk

Dear Ms. Bouchard:

This letter is to request compensation for damages to personal property as a result of hydrant draining by the Fall River Fire Department on July 31, 2012. Captain Sean Flannery and two other officers were draining the fire hydrant in front of my home at 11:30 am on the 31st. No notification of the hydrant draining was received. Since there were three individuals involved in this endeavor I would have expected that at least one person could have alerted residents in the affected houses with a verbal warning. Brown, rusty water was draining from the hydrant and also my faucets (see pictures 1-3 for visualization). Unfortunately, I happened to be doing a large load of light laundry at the same time that the hydrant was draining. Consequently, I had an entire load of severely rust stained clothing. I showed Captain Flannery and his colleagues a piece of my rusty clothing. They suggested I contact Acting Captain Powers in Fire Prevention. I did contact Captain Powers, explained my circumstances, and he then contacted the Water Department. They gave him a product called Red-B-Gone and he kindly delivered two bottles of it to my home that afternoon.

I could not wash any of the laundry until later that evening as the water was still running rusty. I washed the clothing according to Captain Power's directions with the Red-B-Gone. I divided the load and used both bottles. They did not adequately remove the rust from many of my clothing items and discolored many others. I then purchased an additional whitening product and washed the clothing several more times with some improvements but still with many expensive items left damaged. I believe I washed the laundry an additional six times. Below is a list of pictured items that were damaged and approximate costs:

Picture # 4 - J Jill sweater, was heather gray, now washed out white - \$60.00

Pictures # 5 & 6 - J Jill jacket, used to be robin's egg blue, now multicolored with rust stains on the shoulder - \$35.00

Pictures # 7 & 8 - J Jill camisole, used to be the color of the inner strip, dark purple, now muted light brown - \$20.00

Pictures # 9, 10 & 11 - Chico's white top, multiple areas of rust stains - \$40.00

Pictures # 12, 13, 14 & 15 - J Jill sweater, multiple areas of stains on the arms and originally a dark pink - \$70.00

city Council

72

RECEIVED

CLAIM FORM
City of Fall River, Massachusetts

2012 AUG 21 P 1:42

Name: Hudner Associates
Managed by Nebel Property Management, Inc.

CITY CLERK 12-46
FALL RIVER, MA

Address: 145 Old Second Street
Fall River, MA 02721

Phone #: 508-679-8353

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

Date of Incident: January 4, 2012

Time of Incident: 03:55

Location of Incident: Unit 204E - 145 Old Second Street
Fall River, MA 02721

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

Claim is being submitted for \$760.85 for replacement door for unit 204E. Emergency alarm was going off in unit 204E. Other tenants called the police. Police arrived at the Hudner Building. No maintenance personnel were on site because it was approximately 4 am. Instead of police using the key lock box number to get the keys, they broke down the tenant's door. Nebel Property Management Inc. has provided the police with the key lock box number numerous times. Attached are the bills for the new door, lock set and labor.

Please make out the check for \$760.85 to Hudner Associates and mail to Nebel Property Management Inc., 145 Old Second Street, Fall River, MA 02721.

Linda Hutchison
Linda Hutchison
Property Manager
Nebel Property Management Inc.

ary & Lopez Lau
Police
ics
city clerk

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

22

Orig + 2 - Law
1 - DPW
1 - Council
1 - C. Clerk
8/30/12

CLAIM FORM
City of Fall River, Massachusetts

RECEIVED

Name: BENJAMIN LEVINE

2012 AUG 30 A 10:47

Address: 19 FREEMONT ST.
LEXINGTON MA.

CITY CLERK 12-47
FALL RIVER, MA

Phone #: 781-538-5038

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

Date of Incident: 8/12/12

Time of Incident: 10 AM (SUNDAY)

Location of Incident: 79 NORTH JUST AFTER EXITING 195

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

I HIT A POT-HOLE WITH A PIECE OF REE-BAR
EXPOSED. THIS SLICED A 2 INCH GASH IN BOTH
OF MY RIGHT SIDE TIRES. I WAS DRIVING MY
FORD F-50 WHICH WAS LOADED WITH BICYCLES, LOGGAGE
AND FOUR PASSENGERS (INCLUDING MYSELF). DURING
THE 3 HOURS I WAITED FOR A FLAT BED
8 OTHER CARS SUFFERED THE SAME FATE. LUCKILY
I HAD TRIPLE A TO TOW THE CAR AND TIRE INSURANCE.
HOWEVER THIS DID NOT COVER THE CAB RIDE TO
IF GREEN TO PICK UP A RENTAL CAR (\$65)
OR THE ONE-WAY RENTAL THAT WAS LARGE ENOUGH
TO TAKE THE BICYCLES, LOGGAGE AND PASSENGERS (\$465.75)
COPY ^{OF REPORT} INCLUDED, WE DID CALL THE STATE POLICE
FOR SAFETY CONCERNS FOR OTHER MOTORIST, WHO DID

*You should consult with your own attorney in preparing this Claim Form to understand your legal rights
NOT ARRIVE DURING OUR 3 HOUR VISIT IN
FALL RIVER



cc

22

RECEIVED

2012 SEP -5 A 10:51

CITY CLERK 12-48
FALL RIVER, MA

I went back the next day to take a picture and it was completely filled in.

I would like to be reimbursed for the time my road service is taken care of.

Thank you

ARTHUR E. BIENVENUE
104 BENOIT ST
WESTPORT, MA 02790
508-677-2211

any + 2 copies - Law
IDPW
ICS
1 city clerk



FIORE TOYOTA
 1480 SOUTH MAIN STREET
 FALL RIVER, MASSACHUSETTS 02724
 (508) 674-4661 OR (800) 533-3389



#12-41-B
 22

CUST NO.	TAX EXEMPT NUMBER	CUST. P. O. NO.	SHIP VIA	PAY CHECK	SOLD BY	INVOICE DATE	INVOICE NO.
6428	508-675-9057	CHECK#10160		CHECK	RONALD	08/22/12	58642 TOR

B I L L
 TO
 L
 ROBERT GRIFFIN
 72 BRYANTS WAY
 SWANSEA, MA 02777

(A/Da)

S H I P
 I O

SHIP QTY	B. O. QTY	PART NUMBER/DESCRIPTION	BIN	LIST	NET	AMOUNT
1	0	87931-48160 MIRROR OUTER, RH		76.59	76.59	76.59
PAID						
FIORE TOYOTA THANKS YOU FOR YOUR BUSINESS FOR ALL YOUR PARTS NEEDS STOCK PARTS MUST BE RETURNED WITHIN 10 DAYS. AFTER 24 HOURS, A 30% HANDLING CHARGE WILL BE APPLIED. OPEN PACKAGES, SPECIAL ORDERED PARTS, ELECTRICAL AND FUEL PARTS ARE NOT RETURNABLE. NOT RESPONSIBLE FOR LABOR ON PARTS NOT INSTALLED BY FIORE TOYOTA.						
SUBTOTAL						76.59
TAX						4.79
FREIGHT						0.00
PAY THIS AMOUNT						81.38

Any warranties on the item/items sold hereby are those made by the manufacturer. The seller hereby expressly disclaims all warranties, express or implied, including any implied warranty of merchantability or fitness for a particular purpose, and neither assumes nor authorizes any other person to assume any liability in connection with the sale of this item/items.

CUSTOMER COPY

X

11:03:48 PAGE 1 OF 1
 NET504

PARTS INVOICE

any & 2 copies Lau
 1 DPW
 1 CC
 1 CC of dist

CLAIM FORM
City of Fall River, Massachusetts

RECEIVED

2012 AUG 13 A 11:40

Name: GARY BIGELOW

CITY CLERK 12-47
FALL RIVER, MA

Address: 171 HANOVER ST
FALL RIVER, MA 02720

Phone #: 508 558-5134

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

Date of Incident: 8/13/12

Time of Incident: 9 AM

Location of Incident: PARKING LOT "TEDESCO'S" CORNER OF ROBESON & NEW BOSTON RD.

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

I WAS IN THE STORE AND CAME OUT MR JOSEPH
ANDRE WAS THERE AND LET ME KNOW HE
ACCIDENTALLY BACKED INTO THE REAR OF MY CAR
WITH HIS CITY PARKS & RECREATION PUMP TRUCK.
THIS PIERCED MY REAR FENDER (DRIVERS SIDE)
HE WAS VERY NICE & IMMEDIATELY PROVIDED
ME WITH ALL HIS PERSONAL INFORMATION.
HIS NAME IS: JOSEPH ANDRE 670 PROSPECT ST
FALL RIVER, MA
org22@ps.com
CDPW
ICP
city clerk

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

* Please file this Claim Form with: City Clerk, One Government Center, 2nd Floor, Fall River, MA 02722

RECEIVED

CLAIM FORM
City of Fall River, Massachusetts

2012 AUG 13 A 10:45

Name: Jose and Maria Pacheco

CITY CLERK 12-44
FALL RIVER, MA

Address: 67 Miller Street
Fall River Ma

Phone #: Daughter (Melinda) contact # 774-930-7407

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

Date of Incident: 8/10/2012

Time of Incident: Between 4:30 pm + 5:00 pm

Location of Incident: Basement of Property

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

Started on Tues 8/7/2012 I called the City Sewer Dept. Because there was a Large Hole Right next to the sewer and I Reported it with Steve that the hole was Large and Deep and very dangerous Looking, and all he said with an Attitude was that someone would be by the next day. I told him that it should be looked at right away since that sewer has always been an issue. Meanwhile my Dad Jose Pacheco placed an ^{orange} cone over the hole so nobody would fall in. They didn't get out there until Wednesday, and all they did was place a metal plate over it. Then they came out again on Thurs and placed

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

* Please file this Claim Form with: City Clerk, One Government Center, 2nd Floor, Fall River, MA 02722

copy + 2 copies to law
1 sewer
1 cc

24

**MCCARTER
& ENGLISH**
ATTORNEYS AT LAW

August 29, 2012

VIA FEDEX

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

Re: Massachusetts Development Finance Agency
Issue for the Benefit of The May Institute, Inc.

RECEIVED
2012 AUG 30 A 10:47
CITY CLERK
FALL RIVER, MA

Dear Ladies and Gentlemen:

Enclosed is a form of legal notice to be posted in connection with the above-captioned bond issuance.

As evidence of your office's receipt of and confirmation that this notice has been posted as of August 30, 2012, please date-stamp the enclosed copies of this letter and notice and return the same to me using the enclosed self-addressed stamped envelope as well as faxing the same to my attention at 617-607-9137.

If you have any questions or concerns, please feel free to call me.

Thank you.

Very truly yours,



Rachel E.D. Churchill

Enclosures

Rachel E.D. Churchill
Associate
T. 617.449.6559
F. 617.607.9137
RChurchill@mccarter.com

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NOTICE OF PUBLIC HEARING

MASSACHUSETTS DEVELOPMENT FINANCE AGENCY

The Massachusetts Development Finance Agency (“MassDevelopment”) will conduct a public hearing at 4:00 p.m. on September 24, 2012, at its offices located at 160 Federal Street, Boston, Massachusetts, with respect to the proposed issuance by MassDevelopment, acting under and pursuant to Massachusetts General Laws, Chapters 23G and 40D, as amended, of bonds in the maximum aggregate principal amount of \$16,500,000 (the “Bonds”). The Bonds will be issued to provide for the financing or refinancing of, or the reimbursement of funds advanced by The May Institute, Inc. (the “Institution,” which term includes for purposes of this Notice any parent, subsidiary or other affiliate thereof) with respect to facilities owned or to be owned by the Institution (including without limitation such financing, refinancing or reimbursement of bond reserves and issuance costs), in particular:

(I) the construction and equipping of an approximately 10,000 square foot Aquatics Center addition to 41 Pacella Park Drive, Randolph, Massachusetts (the “Aquatic Center Property”) including a pool, river feature, whirlpool, water spouts and water jets playscape, changing rooms, shower rooms, and ancillary uses for educational and recreational purposes, together with renovations to existing structure walls to accommodate entrance to the addition and reconfiguration of parking at the Aquatic Center Property;

(II) the construction and equipping of a single story, steel frame, free-standing, approximately 3,000 square foot records storage facility to be located at the Aquatic Center Property and to be connected to utilities on an adjacent parcel located at 35 Pacella Park Drive, Randolph, Massachusetts;

(III) the refinancing of a conventional bank loan, the proceeds of which were used to acquire 41 Papermill Road, Westfield, Massachusetts, for use as community residential services to adults with disabilities;

(IV) the refinancing of the \$16,400,000 Massachusetts Development Finance Agency Revenue Bonds The May Institution Issue, Series 1999 Bonds (the “1999 Bonds”), which 1999 Bonds were issued for the purposes of: (a)(i) the acquisition of, rehabilitation of and/or capital improvements (including the acquisition of equipment and furnishings) to any and all of the Institution’s properties which are or will be located at the following addresses: (A) One Commerce Way, Norwood, Massachusetts, an approximately 40,000 square foot building, which is or will be used as administrative office space, (B) 35 Shepard Road, Braintree, Massachusetts, an approximately 2,120 square foot building, (C) 110 Lexington Street, Burlington, Massachusetts, an approximately 2,080 square foot building, (D) 182 Royal Street, Chicopee, Massachusetts, an approximately 1,104 square foot building, (E) 406 South Franklin Street, Holbrook, Massachusetts, an approximately 1,642 square foot building, (F) 91 Masthead Drive, Norwell, Massachusetts, an approximately 2,780 square foot building, (G) 15 Rose Way, Randolph, Massachusetts, an approximately 1,762 square foot building, (H) 15 Ross Street, Springfield, Massachusetts, an approximately 1,100 square foot building, (I) 910 Plumtree Road, Springfield, Massachusetts, an approximately 1,500 square foot building, (J) 630 V.F.W. Parkway, West Roxbury, Massachusetts, an approximately 1,464 square foot building, (K) 97 Warwick Road, Centerville, Massachusetts, an approximately 1,500 square foot building, (L) 7 Kelli Road, Randolph, Massachusetts, an approximately 1,800 square foot building, (M) Lot 1 Baker Street, Wilmington, Massachusetts, a lot approximately 13,000 square feet, and (N) 156

White Street, Weymouth, Massachusetts, an approximately 1,800 square foot building, the properties identified in (B) through (N) of this clause (a)(i) being or to be used to provide community residential services to children or adults with disabilities, (ii) the rehabilitation of and/or capital improvements (including the acquisition of equipment and furnishings) to any and all of the Institution's properties which are located at the following addresses: (AA) 940 Main Street, South Harwich, Massachusetts, an approximately 11,488 square foot building, which is or will be used as administrative office space, (BB) 37 Purchase Street, Fall River, Massachusetts, an approximately 8,000 square foot building, which is used as administrative office space and as the location of the Borrower's social club, (CC) 36-38 Lincoln Boulevard, Abington, Massachusetts, an approximately 2,760 square foot building, (DD) 29-31 Revere Terrace, Attleboro, Massachusetts, an approximately 2,400 square foot building, (EE) 29 Millbrook Road, Beverly, Massachusetts, an approximately 1,926 square foot building, (FF) 70 Guildford Road, Centerville, Massachusetts, an approximately 1,800 square foot building, (GG) 60 Bramblebush Road, Cotuit, Massachusetts, an approximately 2,384 square foot building, (HH) 3 Shayer Road, East Harwich, Massachusetts, an approximately 2,269 square foot building, (II) 120 Bonnie Lane, Falmouth, Massachusetts, an approximately 2,384 square foot building, (JJ) 18 Putting Green Circle, Harwich, Massachusetts, an approximately 1,612 square foot building, (KK) 21 Lakeview Avenue, Holbrook, Massachusetts, an approximately 2,424 square foot building, (LL) 63 Pine Street, Hyannis, Massachusetts, an approximately 1,792 square foot building, (MM) 550 Main Street, Mashpee, Massachusetts, an approximately 5,849 square foot building, which provides adult day services, (NN) 4 Dublin Road, Peabody, Massachusetts, an approximately 2,000 square foot building, (OO) 10 Maple Road, Randolph, Massachusetts, an approximately 1,788 square foot building, (PP) 10 Shirley Terrace, Randolph, Massachusetts, an approximately 1,100 square foot building, (QQ) 160 Park Avenue, Revere, Massachusetts, an approximately 1,350 square foot building, (RR) 117 Pinkham Road, Sandwich, Massachusetts, an approximately 2,384 square foot building, (SS) 100 Seaview Street, Chatham, Massachusetts, an approximately 10,500 square foot building, (TT) 110 Seaview Street, Chatham, Massachusetts, an approximately 7,200 square foot building, (UU) 176 Seaview Street, Chatham, Massachusetts, an approximately 2,400 square foot building, (VV) 177 Seaview Street, Chatham, Massachusetts, an approximately 2,400 square foot building, and (WW) 98 Seaview Street, Chatham, Massachusetts, an approximately 2,400 square foot building, the properties identified in (CC) through (LL) and (NN) through (WW) of this clause (a)(ii) being or to be used to provide community residential services to children or adults with disabilities, and (iii) such certain other miscellaneous capital projects of the Institution at any one or more of the properties identified in clauses (a)(i) and (a)(ii); (b) the refinancing of certain existing conventional bank indebtedness which financed all or a portion of the costs associated with the acquisition and/or renovation of those properties identified in subclauses (AA), (BB), (CC), (DD), (EE), (FF), (HH), (JJ), (KK), (LL), (MM), (NN), (OO), (PP) and (QQ) of clause (a)(ii) of this sentence; (c) the refunding of the outstanding amount of the \$1,450,000 Massachusetts Industrial Finance Agency Revenue Bonds, The May Institute, Series 1990, the proceeds of which bonds financed all or a portion of the costs associated with the acquisition and/or renovation of those properties identified in subclauses (GG), (II) and (RR) of clause (a)(ii), each of which are used to provide community residential services to children or adults with disabilities; and

(V) miscellaneous renovations, including construction to and renovation and equipping of the Institution's facilities on the Aquatic Center Property.

The Bonds will not constitute a general obligation of, or a pledge of the faith and credit of MassDevelopment or a general obligation of, or a debt or pledge of the faith and credit of The Commonwealth of Massachusetts.

MASSACHUSETTS DEVELOPMENT FINANCE AGENCY