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CITY CLERK
FALL RIVER, MA

City of Fall River Massachusetts
Office of the City Clerk

ALISON M. BOUCHARD
CITY CLERK

INÊS LEITE
ASSISTANT CITY CLERK

SEPTEMBER 19, 2014
MEETINGS SCHEDULED FOR NEXT WEEK
CITY COUNCIL CHAMBER

TUESDAY, SEPTEMBER 23, 2014

6:00 P.M. COMMITTEE ON FINANCE

1. Transfers and appropriations (see # 2 below)
2. Discussion of loan order for the purchase of land adjacent to Maplewood Park (ref. 9-9-14)

AGENDA

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

PRIORITY MATTERS

1. *Mayor and appointments and re-appointment to the Local Historic District Study Committee

PRIORITY COMMUNICATIONS

2. *Transfers and appropriations (see Finance #1)
3. *Communication from City Administrator re: former police station located at 158 Bedford Street
4. *Communication from Corporation Counsel and ordinance re: maintenance of vacant properties
5. *Purchasing Agent re: surplus property
6. Board of Election Commissioners and official results for State Primary held on September 9, 2014

COMMITTEE REPORTS

Committee on Ordinances and Legislation recommending:

First Reading:

7. Proposed ordinance – park hours
8. Proposed ordinance – wintertime utility line extensions
9. Proposed ordinance – traffic, miscellaneous

All Readings:

10. Proposed ordinance – Traffic, handicapped parking

ORDINANCES – None

ADA Coordinator: Gary P. Howayeck, Esq. 508-324-2650
One Government Center • Fall River, MA 02722
TEL 508-324-2220 • FAX 508-324-2211 • EMAIL city_clerks@fallriverma.org

RESOLUTIONS

11. *Comm. on Public Safety meet with various parties re: Hamlet Street reconstruction
12. *Comm. on Finance discuss anticipated deficits and possible increases in utilities for Fiscal Year 2016
13. *Quequechan River Rail Trail be named the Alfred J. Lima Quequechan River Rail Trail

CITATIONS

14. Armand Desmarais – 50th Anniversary of Teaching

ORDERS – HEARINGS FOR TONIGHT

Pole location:

15. Amity Street – One (1) pole location

ORDERS – HEARINGS TO BE SCHEDULED

Pole location:

16. Thompson Street – One (1) pole location

17. Revocation of permits for the storage of inflammables:
    - Crosson Oil Company – 162 Durfee Street
    - Economy Body and Radiator Works – 38 Corneau Street
    - MTY Trust – 566 Rodman Street
    - Roma Color – 749 Quequechan Street

ORDERS – NO HEARING REQUIRED – None

ORDERS – MISCELLANEOUS

18. Police chief's report on licenses

COMMUNICATIONS – INVITATIONS – PETITIONS

19. *Claims
20. *Mass. DEP re BFI Transfer Station at former BFI Landfill
21. *Street opening request for pavement less than 5 years old – 331 Dwelly Street
22. *Fall River Holiday Parade Committee, Inc. re: hawker and peddler ordinance

BULLETINS – NEWSLETTERS – NOTICES – None

Alison M. Bouchard
City Clerk

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

Finance 2

City of Fall River, *In City Council*

LOAN ORDER
(Land Acquisition)

ORDERED: That the City hereby appropriates Five Hundred Thousand Dollars ($500,000) to pay costs of purchasing Lots 1, 2, 3, 4, 5 and 6 shown on the Form A subdivision plan, which plan is on record at the Fall River Registry of Deeds at Plan Book 155, Page 60, and recorded on March 21, 2014, and for the payment landscaping said lots and for the payment of all other costs incidental and related thereto. Such parcels of land to be used for general municipal purposes. To meet this appropriation, the City Treasurer, with the approval of the Mayor, is authorized to borrow said sum under and pursuant to M.G.L. Chapter 44, Section 7(3) or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor. The Mayor is authorized to apply for, accept and expend any and all grants or gifts from any sources whatsoever that may be available to the City on account of this project; provided, however, that the amount authorized to be borrowed by this order shall be reduced to the extent of any such grants or gifts received by the City.

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

CITY OF FALL RIVER
IN CITY COUNCIL
SEP - 9 2014
Authorized to be published and referred to the Committee on Finance

City of Fall River
Massachusetts
Office of the Mayor

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CITY CLERK
FALL RIVER, MA

WILLIAM A. FLANAGAN
Mayor

September 17, 2014

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

Dear Members of the Honorable Council:

Pursuant to Massachusetts General Law Chapter 40C, I hereby make the following appointments to the Local Historic District Study Committee:

Antone J. Dias
80 Hood Street
Fall River, MA 02720
Replacing: Attorney William Kenney

Laurence Dykes, Jr
28 Chaloner Street
Fall River, MA 02720
Replacing: Darlene Pavao

Kristen Oliveira
100 Chavenson Street
Fall River, MA 02723
Replacing: Derek Farias

Reappointment:

Michael L. Keane
96 Colfax Street
Fall River, MA 02720

Respectfully,

William A. Flanagan
Mayor

WAF/amos

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

ANTONE J. DIAS

80 Hood Street
Fall River, MA 02720
(508) 678-5775
E-mail: Tdias616@msn.com

EXPERIENCE

Symmes Maini & McKee Associates Cambridge, MA (2008-Present)

Construction Administrator

Various Projects

CVS – Caremark – Corporate Facilities, Boca Raton, FL; Baton Rouge, LA; and RI

Assists with the implementation of design and contract documents, coordinated with the G.C/Owner and SMMA architects/engineers. Provided construction solutions/recommendations to design and construction team.

Project Architect

East Providence School District, East Providence, RI

Designed and developed construction details, sections, floor plans, and elevations. Responsible for coordination and review of drawings. Developed in-house Code Review drawings for handicap and building code compliance. Provided on site Construction Administration. Processed RFI's, Construction Change Directive's. Signed substantial completion. Attended weekly Progress meetings, coordination meetings. Processed field decisions and Change Orders. Graphic Designer of presentational boards and firm's informational brochures. Met with clients in order to develop the project's program.

Architect's Project Representative

Blue Cross Blue Shield of Rhode Island, Providence, RI

Worked independently as the Architect's project representative of a 100 million dollar project. Duties include writing daily and monthly reports to the Building department. Review of pay applications and Change estimates. Coordinated meetings with MEP & S. Provided technical and design expertise in resolving construction conflicts. Prepared written instructions and sketches to respond to Request for Information from the Contractor.

S/L/A/M Collaborative, Boston, MA (2003-2008)

Project Manager

Providence College - Smith Center for the Arts, Providence, RI

Managed all phases of the project. Developed Code Review drawings and all necessary code required information to Building and Fire Departments. Provide periodic review of construction documents with staff. Chaired weekly project meetings with owner, contractor and sub-contractors. Created a written record of Meeting Minutes for all meetings. Provide monthly construction progress reports. Redlined shop drawings. Issued verbal instructions to Contractor and Sub's in field and any necessary sketches in a timely manner. Reviewed and coordinated, Landscaping, Structural, Mechanical, Electrical, Plumbing, HVAC, Technology, Acoustical, Civil and Fire Protection drawings with various consultants. Revised and reviewed Contractors Requisition for Payment. Maintained Change Estimate Log, Change Order Log and Contingency Remaining on Project. Reviewed Contractor Monthly Schedule. Communicated necessary Architectural Supplementary Instructions, Proposal Requests and Change Orders with Project Manager and Field Supervisor. Reviewed Contractor's Change Estimates for associated costs & overall accuracy with the intent of the requested design.

Construction Administrator

Genzyme - Building 31, Framingham, MA
The Archdiocese of Boston – Sacred Heart Church, Weymouth, MA
City of Providence – Renovations to 5 Schools, Providence, RI
Fort Devens – OMS, CSMC & Training Facilities, Ayer, MA
Providence College – Siena Hall, Center for Catholic & Dominican Studies, Providence, RI

Vassar College – Josselyn House, Townhouses & Quad Entries, Poughkeepsie, NY

Keefe Associates Inc., Boston, MA (2002-2003)

Project Manager

Middlesex School - Clay Centennial Center, Concord, MA

Provide monthly construction progress reports. Redlined shop drawings. Issued ASI's, PR's, PCO's, CO's and Sketches. Reviewed and coordinated, Landscaping, Structural, Mechanical, Electrical, Plumbing, HVAC, Technology, Acoustical, Civil and Fire Protection drawings with various consultants. Revised and reviewed Contractors Requisition for Payment. Developed a deficiency report during construction and Punchlist.

Mount Vernon Group Inc., Woburn, MA (1997-2002)

Project Manager

Three Ashland Schools, Ashland, MA
Roosevelt Middle School, New Bedford, MA
Dracut Junior High School, Dracut, MA
Kittredge School, Hinsdale, MA

Worked independently as the Project manager for the three Ashland Schools and the Kittredge School. Provided Full Time on site representation for the Roosevelt Middle School in New Bedford, MA and Dracut Junior High School. Issued ASI's, PR's, PCO's, CO's and Sketches. Reviewed and coordinated, Landscaping, Structural, Mechanical, Electrical, Plumbing, HVAC, Technology, Acoustical, Civil and Fire Protection drawings with various consultants. Revised and reviewed Contractors Requisition for Payment. Held project meetings with owner and contractor. Provide monthly construction progress reports. Redlined shop drawings. Attended prospective client's briefing sessions and gathered information to be provided into the firm's proposal request. Created Interior and Exterior Punchlist. Developed punchlist.

Project Architect

North End Elementary School, Fall River, MA
North End Pump Station, Fall River, MA
BMW of Peabody, M-Store, Peabody, MA
Schoen Residence, Eagle, CO

Designed and developed construction details, sections, floor plans, and elevations. Responsible for coordination and review of drawings. Developed in-house Code Review drawings for handicap and building code compliance. Provided on site Construction Administration. Processed RFI's, Construction Change Directive's. Signed substantial completion. Attended weekly Progress meetings, coordination meetings. Processed field decisions and Change Orders. Graphic Designer of presentational boards and firm's informational brochures. Met with clients in order to develop the project's program.

Payette Associates, Boston, MA (1996-1997)

Construction Administrator

Brigham & Women's Hospital, Boston, MA
Sleep Study

Children's Hospital, Boston, MA
Wintergarden Lobby

Carnegie Mellon University, Pittsburgh, PA
Roberts Engineering Hall

Blue Cross Blue Shield, Boston, MA

Received all submittals and RFI's from the Contractor and processed them. Reviewed shop drawing. Proposed and developed new methods for record keeping and streamlined construction administration paperwork. Obtained travel visas at Saudi Arabian Embassy in Washington, D.C. for Principal's of firm in order to travel. Developed project based specifications.

Arrowstreet Inc., Somerville, MA (1993-1996)

Designer/Draftsman

Worcester Commons Fashion Outlet, Worcester, MA
CambridgeSide Galleria, Cambridge, MA
Swissotel-Boston, Boston, MA
Lotus Corp., Cambridge, MA
Subase New London, Groton, CT
Bed Bath & Beyond, Framingham, MA

Worked independently in completing a record drawing set for the Worcester Commons Fashion Outlet. Coordinated Supplemental Instructions, Addendums and Sketches needed to complete a Record Set. Assisted in creating a Presentational Brochure along with a handicap package to be submitted for a City Variance. Drafted wall sections, plans, elevations, and details. Completed a model for the Harvard Manor Hotel. Cad Manager for the Greendale Mall. Researched building codes and ADA standards.

EDUCATION

Wentworth Institute of Technology, Boston, MA (1993)
Bachelor of Architecture
Associate in Engineering (1990)

Recipient of: *Who's Who Among Students in American Colleges & Universities.*
Wentworth Soccer Team (Leopard's Award)

Study Abroad: **Bauhaus,** Dessau, East Germany (1992)
Berlin Technical University, Berlin, West Germany (1992)

COMPUTER SKILLS

AutoCAD 2014, Prolog Manager, Microsoft Office, PhotoShop, PageMaker CS6, Illustrator 10, Revit Architecture 2014, PowerPoint, Adobe Acrobat 9 Pro and Windows 7

LANGUAGES

Fluent in Portuguese.

LICENSES

Massachusetts Construction Supervisor (Unrestricted) - License No. 085773
American Institute of Architects, Associate - 38266740

MEMBERSHIPS

American Institute of Architects
Boston Society of Architects
Fall River Community Preservation, Board member
North End Neighborhood Association, Treasurer

References Available upon Request

April 17, 2014

Mr. Jim Soule

President, Fall River Preservation Society

Fall River, Massachusetts

Dear Mr. Soule,

My name is Laurence Dykes, Jr. and I am writing to be considered for positions on the Fall River's Historic Commission and the Local Historic District Study Committee.

With two years membership on The Lower Highlands Association, one of which as an active board member, one year on The Bowenville Green Association and one year as a volunteer at The Fall River Preservation Society, I feel that I would be an asset and willing contributor to these organizations.

Being a member of these various committees has given me a great deal of insight and stirred an internal passion relative to not only maintaining Fall River's historical integrity but to become a more active participant in its re-gentrification.

As a ten year resident of Fall River's Lower Highlands section, it has been my ongoing goal to become more involved with the different organizations that are dedicated to these causes.

Your consideration for these positions would be greatly appreciated.

Respectfully,

Laurence Dykes, Jr.

Laurence Dykes, Jr.
28 Chaloner Street
Fall River, MA 02722
(508) 678-7003

QUALIFICATIONS

Twenty nine years- experience in the construction field. Nine years- experience as a Licensed Construction Supervisor. Responsible for project management, coordination of sub-contractors, interfacing with building inspectors/ managers and local officials. Ordering and purchasing of stock and delivery of projects upon completion.

EXPERIENCE

Dillon Acoustical Corporation/Smithfield, RI **2007 to Present**
Suspended Ceiling Installation Engineer

- Responsible for pre-installation
- Review blue prints for accuracy and integrity
- Order and purchase job related stock and supplies
- Partner with job supervisors to ensure timely delivery

Lawton Contracting/Braintree, MA **2004 to 2007**
Suspended Ceiling Installation Engineer

- Responsible for pre-installation
- Review blue prints for accuracy and integrity
- Order and purchase job related stock and supplies
- Partner with job supervisors to ensure timely delivery

Forest Construction Corporation/Stoughton, MA **1995 to 2004**
Licensed Construction Supervisor

- Responsible for overseeing projects from beginning phases to completion
- Manage sub-contractors to ensure completion of project delivery and submission of relevant inspections
- Scheduled inspections with local building inspectors and fire officials
- Partnered with building managers to ensure compliant project execution in accordance with building rules and regulations

Fine Line Interiors/Boxford, MA **1985 to 1995**
Suspended Ceiling Installation Engineer

- Responsible for pre-installation
- Review blue prints for accuracy and integrity
- Order and purchase job related stock and supplies
- Partner with job supervisors to ensure timely delivery

EDUCATION AND CERTIFICATIONS

East Bridgewater High School
Graduate **1985**

Construction Certification Institute, Inc. **2001**
Licensed Construction Supervisor

Operations and Maintenance of Asbestos Removal **2001**

OSHA 30 **2009**
Construction Safety and Health

KRISTEN OLIVEIRA
100 Chavenson Street
Fall River, MA 02723
Cell (508) 837-4447, Home (508) 674-8566

EDUCATIONAL HISTORY

BRISTOL COMMUNITY COLLEGE, Fall River, MA
Thanatology Program – graduated June 2013

DIMAN SCHOOL OF PRACTICAL NURSING, Fall River, MA
Practical Nursing Program – graduated June 2008

BRISTOL COMMUNITY COLLEGE, Fall River, MA
Business Office Technology – graduated September 1998

JOHNSON AND WALES UNIVERSITY, Providence, RI
Fashion Merchandising – graduated June 1987

WORK HISTORY

BISHOP CONNOLLY HIGH SCHOOL, Fall River, MA
School Nurse – August 2012 to Present

HOPE HOUSE OF ST. ANNE'S HOSPITAL, Fall River, MA
Licensed Practical Nurse – March 2010 to June 2012

HIGHLAND MANOR NURSING HOME, Fall River, MA
Licensed Practical Nurse – November 2008 to March 2010

IDDI / CRYSTAL SPRINGS SCHOOL, Assonet, MA
Licensed Practical Nurse – July 2008 to January 2009

BROTHERS OF CHRISTIAN INSTRUCTION, Fall River, MA
Private Cook – October 2006 to June 2012

BISHOP CONNOLLY HIGH SCHOOL, Fall River, MA
Administrative Assistant – December 1998 to May 2007

September 16, 2014

Dear Fall River Historic Commission:

I am writing to inform you that I am resigning from my appointment to the Fall River Historic Commission effectively immediately.

I truly appreciate the opportunity to serve on the Committee. It was a great pleasure to work with all of you. The work of the Fall River Historic Committee is some of the most important work going on in our great City.

If I have any outstanding duties to complete please let know so I can complete them in a timely manner.

Again, that you for this great opportunity,

Derek Farias

2

City of Fall River
Massachusetts
Office of the Mayor

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CITY CLERK
FALL RIVER, MA

WILLIAM A. FLANAGAN
Mayor

September 18, 2014

Honorable Members Fall River City Council
One Government Center
Fall River, Massachusetts 02722

RE: Financial Orders

Mr. President and Members of the Honorable Council:

The following financial orders are requested for adjustments to the FY 2015 Budget:

From	**To**	
Administrative Services, Salaries	Community Services, Salaries	$ 38,155
Tax Levy	Gen. Fund Stabilization Fund	$146,500

Your approval of these orders is respectfully requested.

Mayor William A. Flanagan

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

2

CITY OF FALL RIVER, *In City Council* **September 23, 2014**

 # 1

ORDERED:

That the sum of $38,155 be transferred, and the same is, hereby appropriated for the ADMINISTRATIVE SERVICES, SALARIES from the COMMUNITY SERVICES, SALARIES

2

CITY OF FALL RIVER, *In City Council* **September 23, 2014**

 # 2

That the sum of $146,500 be, and the same is, hereby appropriated for the General Fund STABILIZATION FUND from the TAX LEVY

2

Memo

To: Cathy Viveiros, City Administrator

From: Krishan Gupta, City Auditor

cc: John Nunes, Director of Financial Services

Date: September 4, 2014

Re: FY 15 Budget – Nancy Pavao

Please note that Ms. Nancy Pavao, clerk was inadvertently included in the Inspectional Services instead of Management Information Services (MIS) for the FY 15 budget.

I am now recommending that the City Council authorize a transfer $38,155 from Community Services, Salaries to Administrative Services, Salaries Account. Proposed Council Order is attached.

Thank you for your assistance.

2

City of Fall River
Massachusetts
Office of the Mayor

WILLIAM A. FLANAGAN
Mayor

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CITY CLERK
FALL RIVER, MA

September 18, 2014

Honorable Members Fall River City Council
One Government Center
Fall River, Massachusetts 02722

RE: Supplemental Budget-School Department

Mr. President and Members of the Honorable Council:

The Massachusetts State Legislature and Governor Deval Patrick approved increases in state funding for Charter School Reimbursement during the closing hours of the State Budget deliberation. Additional adjustments were also made in other Cherry Sheet line items. As a result of these changes, Fall River is able to appropriate an additional sum of $911,000 to the local School Department Budget. These changes also affect our Indirect Expense calculations. The appropriation is needed to maintain 100% Net School Spending for FY 2015.

Additionally, Argosy Charter School has recently requested transportation funding from the School Department in the amount of $140,000. As you are aware, educational transportation expenses are not part of Net School Spending and, consequently, they require adequate funding to assure there is no reduction in eligible educational expenses.

The following appropriations are presented for your approval:

From:	**To:**	
Tax Levy	Education-School Appropriation	$911,000
	Education-Transportation Argosy	$140,000
TOTAL		**$ 1,051,000**

Your approval of this School Department Supplemental Budget is respectfully requested.

Mayor William A. Flanagan

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

2

CITY OF FALL RIVER, *In City Council* **September 23, 2014**

 # 3

That the sum of $911,000 be, and the same is, hereby appropriated for the Education – SCHOOL APPROPRIATIONS from the TAX LEVY

2

CITY OF FALL RIVER, *In City Council* **September 23, 2014**

 # 4

That the sum of $140,000 be, and the same is, hereby appropriated for the Education – ARGOSY CHARTER SCHOOL TRANSPORTATION from the TAX LEVY

City of Fall River
Massachusetts
Office of the Mayor

WILLIAM A. FLANAGAN
Mayor

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FALL RIVER, MA

September 18, 2014

Honorable Members Fall River City Council
One Government Center
Fall River, Massachusetts 02722

RE: Financial Orders

Mr. President and Members of the Honorable Council:

In response to a request made by the City Council Real Estate Committee, the following transfer will allow funds from the sale of school buildings account to be used toward the purchase of land from the Diocese of Fall River for an expansion at Maplewood Park:

From:	**To:**	
RFA Building Sales	Community Maintenance, Capital	$175,000

Your approval of this transfer is respectfully requested.

Mayor William A. Flanagan

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

2

CITY OF FALL RIVER, *In City Council* **September 23, 2014**

 # 5

That the sum of $175,000 be, and the same is, hereby appropriated for the COMMUNITY MAINTENANCE, CAPITAL ACCOUNT from the RFA BUILDING SALES Account for Maplewood Park land acquisition

FY 15 Appropriation/Transfer Number Analysis #1

Line	Original/Revised Appropriation	Amount Transferred	New Appropriation
Administrative Services, Salaries	$ 1,226,174	$ 38,155	$ 1,264,329
Community Services, Salaries	$ 2,471,950	$ (38,155)	$ 2,433,795
Gen Fund Stabilization Fund	$ 252,755	$ 146,500	$ 399,255
Education - School Appropriations	$ 89,500,000	$ 911,000	$ 90,411,000
Education - Transportation Argosy	$ -	$ 140,000	$ 140,000
(All Three Above From Tax Levy)			
Community Maintenance, Capital Account (Maplewod Park)	$ -	$ 175,000	$ 175,000
RFA Building Sales	$ 184,390	$ (175,000)	$ 9,390

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

Krishan Gupta, City Auditor
9/17/2014

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3

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Massachusetts
Office of the Mayor

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CITY CLERK
FALL RIVER, MA

WILLIAM A. FLANAGAN
Mayor

CATHY ANN VIVEIROS
City Administrator

September 16, 2014

Honorable Fall River City Council
One Government Center
Fall River, Massachusetts 02722

RE: Former Police Station, 158 Bedford Street

Honorable Councilors:

The License Agreement previously given by the City Council to the Redevelopment Authority for the disposition of the above referenced property has expired. As Tax Custodian now in control of the property, I am writing to request a meeting with the City Council's Real Estate Committee to discuss this property's disposition.

This past Spring the City completed a Phase 1 Environmental Report in an effort to determine the extent of contamination and remediation required at the site. A copy is available at the City Council Office for your review. Subsequently, Joe Biszko, Byron Holmes, Ken Pacheco, Chris Gallagher and I toured the site in late August to consider the structural integrity of the building. Pictures were taken that will assist the City Council in assessing the deterioration of the structure.

Based on the most recent information obtained, I am requesting the opportunity to brief the City Council on the options before us. A Request for Proposal will allow the City to include conditions within any disposition agreement. An auction would facilitate the sale of the property but without use restrictions. Finally, the City could choose to remediate the site and maintain ownership. Given the historic nature of this property, a Real Estate Committee meeting will facilitate the broad community input that this structure deserves.

Thank you for your anticipated input and assistance in this regard.

Cathy Ann Viveiros,
City Administrator

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

3

City of Fall River
Massachusetts

Department of Community Maintenance

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

Engineering Division

WILLIAM A. FLANAGAN
Mayor

KENNETH C. PACHECO
Director
BYRON R. HOLMES, P.E.
City Engineer

MEMO

To: Cathy Viveiros
Ken Pacheco

From: Byron Holmes

Date: August 6, 2014

Subject: ~~Nuchrome and~~ Police Station

Comments:

The draft reports from BETA are enclosed. I also have a 108 page hazardous waste report that is referenced within the report. If you need that report, or if there is anyone else who you think should see the draft, please let me know.

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FALL RIVER, MA

One Government Center • Fall River, MA 02722
Telephone: (508) 324-2512 • Fax: (508) 324-2564 • Email: BHOLMES@FALLRIVERMA.ORG

3

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CITY CLERK
FALL RIVER, MA

DRAFT
Phase I
Environmental Site Assessment

Former Fall River Police Station
158 Bedford Street
Fall River, Massachusetts

June 12, 2014

Prepared for:

Mr. Byron Holmes, P.E.
City of Fall River
Engineering Department
One Government Center, Room 501
Fall River, Massachusetts 02722

BETA
ENGINEERING SUCCESS TOGETHER

BETA GROUP, INC.
1010 Wethersfield Avenue, Suite 305, Fall River, CT 06114
6 Blackstone Valley Place, Lincoln, RI 02865
P: 860.513.1503 | F: 860.513.1582 | W: www.BETA-Inc.com

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1. Executive Summary

This report documents findings from the Phase I Environmental Site Assessment (ESA) that BETA Group, Inc. (BETA) has prepared for the property located at 158 Bedford Street in Fall River, Massachusetts (the Site, see Figure 1). The Fall River Assessor's Office identifies the Site as Parcel ID N-04-0042 and consisting of approximately 0.345 acres of land. Records indicate that the Site building was constructed in 1915.

The purpose of this Phase I Environmental Site Assessment was to assess current Site conditions and render an opinion as to the presence of Recognized Environmental Conditions* (RECs) in connection with the property, within the scope and limitations of the American Society for Testing and Materials (ASTM) Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process E1527-13. Any exceptions or deletions from the ASTM practice or Scope of Work are described in Section 2.0 of this Report. Refer to Section 10.0 for a list of acronyms and their definitions.

Site History

Historical records indicate that in 1888 and 1893 a dwelling and one small building improved the southern portion of the Site and was addressed as 69 Bedford Street. In 1905 a different building improved the southern portion of the Site and was used as an office building. Additionally, a few smaller buildings improved the northern portion of the Site at that time. Since 1915, the current Site building has improved the Site and was occupied by the City of Fall River Central Police Station and addressed as 150 Bedford Street. Since the 1930s, the northern portion of the Site building has been used as auto repair for fleet vehicles associated with the police station. The building was vacated sometime in 2003 and has fallen into disrepair since that time.

Site Reconnaissance

A 47,920-square foot four-story commercial building with a single-story attached two-bay garage improves the Site. The four-story portion of the Site building is constructed of a wood frame with brick, a concrete partial basement foundation, and a flat rubber membrane roof. The interior of this portion of the Site building consists of mainly office space. The single-story garage portion of the building is constructed of a wood-frame with flat concrete foundation and flat roof. The interior of the building is in disrepair. BETA observed the interior portion of the building to be in poor condition with some floors having holes and many building materials on the floors of the building. The remainder of the Site includes a sidewalk on the southern portion of the Site and alleyways on the north and west sides of the building.

BETA observed a fill-in place former fuel oil aboveground storage tank in the basement of the building. Mr. Gallagher stated that the tank was taken out of service because it had been leaking. Refer to Section 8.3 for more information on this tank.

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* Recognized Environmental Conditions are defined in the American Society for Testing and Materials (ASTM) Standard E1527-05 as, "...the presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, groundwater, or surface water of the property. The term includes hazardous substances or petroleum products even under conditions in compliance with laws. The term is not intended to include de minimus conditions that generally do not present a material risk of harm to public health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies."

BETA observed a trench drain in the garage portion of the Site building but could not determine where this drain discharged.

BETA observed a sand-filled area on the first floor of the building that was formerly used as a firing range for police personnel training. Lead bullet remnants were clearly visible in the sand.

BETA observed a car lift in the floor of the garage portion of the building. BETA could not determine if this lift had an oil-filled cylinder beneath the floor.

Adjacent and Surrounding Properties

Based on the reviewed information, it appears that the Site vicinity has been developed with commercial and industrial type buildings since the early 1900s. Properties north of the Site have been used for residential purposes since as early as 1888. The Troy Mills, cotton manufacturer, existed south of the Site from as early as 1888 until sometime between 1950 and 1976. In 1976, this property was unimproved and has been used as a parking lot since that time. Additionally, a gasoline station and auto repair (151-153 Bedford Street) improved a south-adjoining property since as early as 1938 until at least 1963. Properties east of the Site were originally residential in nature from 1888 until 1905. After 1905, two commercial buildings have improved these properties. Records indicate that one building was utilized as Salvation Army from as early as 1933 until at least 1975. The second building was used by a paper supply company from as early as 1933 until at least 1976. After 1975, the buildings have been used by various commercial tenants. Commercial buildings west of the Site were occupied by a paint shop, hardware, curtain shop, storage house, and other small retailers since as early as 1888 until sometime between 1950 and 1976. These buildings were demolished and the west abutting property has been used as a parking lot since 1976. Additionally, the Second District Court House has improved a property west of the Site since as early as 1928 to the present day.

Previous Site Investigations

BETA did not identify previous reports for the Site during our review of municipal records. However, the Client provided BETA with a June 14, 1999 letter from Green Environmental, Inc. (Green) to the Fall River Fire Department indicating that removal of two on-Site USTs would be difficult based on their locations relative to the buildings foundation. Therefore, Green stated that the tanks should be "closed in-place". The letter includes an Application and Permit issued to the City of Fall River for the closure of a 1,000-gallon UST last storing gasoline.

Database Search

The Environmental Data Resources, Inc. (EDR) report gives a listing of sites identified on select federal and state standard source environmental databases within the approximate search distance specified by ASTM Standard Practice for Environmental Site Assessments E1527-13. BETA reviewed each environmental database on a record-by-record basis to determine if certain sites identified in the EDR report represent environmental liability to the Site.

The database search identified the Site on the Spill database. The search indicates that in 1989 approximately 10-50 gallons of transformer oil ruptured from a transformer. The Spill was cleaned and the case has been closed since that time.

The database search identified Fire Department Headquarters at 165 Bedford Street as a leaking underground storage tank (LUST) facility. This property is located across Bedford Street and is approximately 80 feet southeast of the Site. According to the search, a 1,000-gallon diesel fuel UST and a 500-gallon gasoline UST were removed from the property in 1999. A soil sample revealed headspace concentration in excess of 100 parts per million (ppm) and

triggered a 72-hour reporting to MassDEP. At that time, MassDEP issued Release Tracking Number (RTN) 4-14789. Additional investigation was conducted to determine the delineated area to support the implementation of an AUL. Coneco concluded that the gasoline and diesel fuel USTs had been removed from the property and approximately 142.55 tons of impacted soil were removed. However, some soil remained underneath the fire station building due to structural limitations. Remedial actions were performed and thus a Method 1 S-3 Risk Characterization Standard had been applied. Based on the investigation, the groundwater flow, and remedial activities at this southeast adjoining property, the LUST listing does not likely pose a threat of release of oil and/or hazardous material (OHM) to the Site.

Additionally, the database search did not identify other properties in the Site vicinity that pose a threat of release of OHM to the Site.

Municipal Information

BETA submitted a written request to the Fall River Fire Department to inquire about current and historical Site conditions, including current or former intact or leaking underground storage tanks (USTs) or aboveground storage tanks (ASTs), hazardous materials spills or hazardous materials or wastes used or stored on a property. Fire department records include the removal of three tanks at the Site in June 1999. Tanks included a 10,000-gallon UST formerly containing gasoline, a 1,000-gallon UST formerly containing gasoline, and 275-gallon tank formerly containing fuel oil. BETA observed an area within the garage portion of the building where the concrete had been removed. It is suspected that this area was the former location of the 1,000-gallon UST. BETA believes the 10,000-gallon UST was located beneath the parking lot on the north-abutting property. Records also include a March 20, 1962 "Oil Burners-Furnace" card issued to Fall River Police Department. The card indicates that the 5,000-gallon tank was "incased" in the cellar and contained #5 oil. A note on this card indicates that the tank was "filled in place." BETA observed this tank in the basement of the Site building. The Fire Department records did not include any information regarding sampling or laboratory analysis of soil or groundwater samples.

Fire department did not include other records pertaining to the Site. BETA visited the Inspectional Services Department to inquire about permits or licenses for the Site. Permits recorded for the Site a 1933 permit to the City of Fall River (Police Department) to enlarge an opening for auto repair shop and install new doors; 20'wide x 60'long single-story with 20" concrete foundation. No further records pertaining to environmental issues were encountered at the Inspectional Services Department. Persons at the Board of Health stated that he believed that a garage was located on the lower level of the Site building where police vehicles were parked. He further believed that maintenance of their fleet may have occurred but he did not have records pertaining to such operations. He stated that the Police Chief would be able to provide historic use of the Site. The Board of Health office did not have environmental records for the Site.

Data Gaps

BETA did not identify any data gaps that would affect our ability to identify RECs at the Site.

Hazardous Building Materials

Green Environmental, Inc. (Green) conducted a Hazardous Materials Survey in June 2014 and identified asbestos and lead-based paint within the Site building. Appendix ? contains a copy of Green's report.

Phase I ESA Findings and Conclusions

BETA performed a Phase I ESA in conformance with the scope and limitations of ASTM Practice E1527-13 for the property at 158 Bedford Street in Fall River, Massachusetts. Any exceptions to, or deletions from, this practice are described in Section 2.2 of this report and Appendix A.

Due to the lack of documentation regarding soil and/or groundwater conditions in the vicinity of the filled-in place AST in the basement of the building and the former UST in the garage area, the possibility of contamination associated with these tanks represent a possible REC at the Site.

The floor drain and car lift in the garage portion of the building represent a possible REC.

The database search identified the Site on the Spill database. Based on the limited nature of the release and its regulatory closure, the Site's Spill listing is considered a historical REC (HREC) and no additional investigation is warranted regarding this issue.

Recommendations

Based on the identified RECs, BETA recommends conducting a subsurface investigation at the Site. This investigation should include the advancement of soil borings and the completion of groundwater monitoring wells. Soil and groundwater samples should be collected and submitted for laboratory analysis of petroleum, volatile organic compounds (VOCs), metals, and polychlorinated biphenyls (PCBs). The soil borings should be advanced in exterior portions of the Site and through the floor within the interior of the Site building near the AST in the basement and in the garage area. Additionally, samples of the sand within the firing range area should be sampled for total lead and toxicity characteristic leaching procedure (TCLP) lead.

BETA also recommends conducting an additional hazardous building material investigation (HBMI) to identify building materials (equipment, building components, residue, dust, etc.) that may contain hazardous materials including PCB-containing caulking.

2. Introduction

2.1 General

At the request of the City of Fall River (the Client), BETA conducted an ASTM Phase I Environmental Site Assessment (ESA) of the property at 158 Bedford Street in Fall River, Bristol County, Massachusetts (the Site, see Figure 1). The Site consists of an approximately 0.345-acre parcel of land that is identified by the Fall River Assessor's Office as M N-04, Lot 42. The Site is improved with a gross area of 47,920-square foot, four-story commercial building that was constructed in 1915. The building is currently vacant and most recently occupied by the City of Fall River Police Department Headquarters.

2.2 Purpose and Scope

This report was prepared for the sole and exclusive use of the Client and is subject to and issued in connection with the Agreement and the provisions thereof. The ESA was conducted to identify Recognized Environmental Conditions (RECs) based on a review of available environmental information and observations of the Site and adjacent properties for overt evidence of a release or threat of release of oil or hazardous materials (OHM). The scope of services for this ESA included a federal and state environmental database search, local research, Site reconnaissance, and interviews with people knowledgeable about the Site. This ESA is subject to the terms of the Agreement between the Client and BETA and the Limitations included in Appendix A.

The scope of services for this report did not include the assessment of the following "additional issues" that are outside the scope of the ASTM Phase I ESA: asbestos-containing building materials, radon, lead-based paint, lead in drinking water, wetlands, regulatory compliance, cultural and historical resources, industrial hygiene, health and safety, ecological resources, endangered species, indoor air quality, biological agents, and mold.

2.3 Site Visit Information

Site Visit Conducted By:	Joseph McLoughlin, Senior Project Manager
Date of Site Visit:	May 22, 2014 and June 20, 2014
Site Representative:	Mr. Chris Gallagher, a representative of the City of Fall River
Weather:	60°F and cloudy

3. Project Description

3.1 Site Description

The Site consists of an approximately 0.345-acre parcel of land located at 158 Bedford Street. The Site is improved by a four-story commercial/office building with an attached garage that was constructed in 1915 and has been vacant since as early as 1999. The approximate geographic coordinates of the property are N 41° 42′ 5″ latitude and W 71° 9′ 9″ longitude.

3.2 Current Operations

The Site building is vacant and in poor condition but is configured for commercial/office use.

3.3 Building Description

A 47,920-square foot four-story commercial building with a single-story attached two-bay garage improves the Site. The four-story portion of the Site building is constructed of a wood frame with brick, a concrete partial basement foundation, and a flat rubber membrane roof. The interior of this portion of the Site building consists of mainly office space. The single-story garage portion of the building is constructed of a wood-frame with flat concrete foundation and flat roof. The interior of the building is in disrepair. BETA observed the interior portion of the building to be in poor condition with some floors having holes and many building materials on the floors of the building.

3.4 Building Heating and Cooling System

The building was formerly heated by a forced hot water heating system, supplied by fuel oil. The boilers have been partially dismantled. The building is not currently heated or cooled.

3.5 Plans and Specifications

A copy of the City of Fall River Assessor's Map is provided as Figure 2.

3.6 Utilities

The City of Fall River provides municipal water and sewer services to the Site. However, persons at the Fall River Water Department stated that the Site has been connected to the municipal water system for over 50 years. The water department has shut off water service to the Site. Persons at the Fall River Engineering Department stated that they have provided municipal sewer service to the Site since 1915.

3.7 Environmental Land Use Restrictions

BETA did not encounter any evidence of an Environmental Land Use Restriction (ELUR) or other restriction on the deed for the Site.

3.8 Purchase Price

The Site owner believes the purchase price of the Site reflects fair market value and that the property has not been devalued by contamination.

3.9 User Provided Information

As required by Section 6 of the ASTM 1527-13 standard, Mr. Chris Gallagher, City of Fall River representative, provided BETA with information summarized in this report based on actual and specialized knowledge of the Site (see Appendix B). The Client informed BETA that this Phase I ESA was being conducted as part of a pending real estate transaction. Additional information provided by Mr. Gallagher is included in various sections of this report.

4. Site Characteristics

4.1 Surface Waters

BETA did not observe surface water bodies at, or in the vicinity of, the Site. However, BETA observed ponding on the south abutting property. A tributary of the Quequechan River is located approximately 1,000 feet south of the Site and the Taunton River is located approximately 2,700 feet west of the Site. Refer to Figure 1.

4.2 Site Drainage/Sensitive Receptors

Stormwater at the Site enters catch basin within the parking lot of the Site or into catch basins located along Bedford and High Streets.

4.3 Topography

According to the USGS Fall River, MA-RI topographic map, the Site is located at an elevation of approximately 130 feet above the 1929 National Geodetic Vertical Datum. The Site and vicinity are relatively flat with a very gentle slope downward to the south.

4.4 Soils and Geology

Soils

According to the Natural Resources Conservation Service (NRCS) Web Soil Survey (WSS) website (http://websoilsurvey.nrcs.usda.gov/app/), the dominant soil composition in the vicinity of the Site is classified as Urban Land. Urban Land soils consist of areas where 85 percent of the land surface is covered by structures or impervious surfaces such as buildings, pavement, industrial sites, and railroad yards. These areas are mapped throughout the survey area, typically in central business area and along major roads and highways. Since this mapping unit is covered by structures and pavement, a site investigation would be necessary in order to assess the land's suitability for specific uses.

Based on a 2001 subsurface investigation at the southeast adjoining Fall River Fire Department, soils in the vicinity were identified as "urban fill containing miscellaneous debris such as wood timbers, concrete blocks, bricks, coal ask, wire, and steel pipes, and gravelly silty sand fill to approximately 12 feet."

Geology

Bedrock outcrops were not observed at or in the vicinity of the Site. According to the Bedrock Geologic Map of Massachusetts (1985), the Site is located within the Milford-Dedham Zone (tertiary and older rocks). The area is identified as granite of the Fall River pluton with light-gray, medium-grained, biotite granite.

Based on a 2001 subsurface investigation at the southeast adjoining Fall River Fire Department, bedrock was encountered at approximately eight feet below grade.

4.5 Groundwater

According to the MassGIS on-line Priority Resource Map, the Site is not located within a Surface Water Supply Protection Zone, within a Public Water Supply Watershed, a Zone II, or an Interim Water Protection Area (IWPA). However, the Site is located within 30 feet of an occupied building and has an average annual depth to water that is less than 15 feet below ground surface. Therefore, groundwater at the Site is classified as GW-2/GW-3. Based on local topography and surface water bodies and previous investigations, groundwater at the Site is divided and flows in northeast and southwest direction. Groundwater at properties west of the Site is inferred to flow in a southwesterly direction toward Mount Hope Bay.

Based on a 2001 subsurface investigation at the southeast adjoining Fall River Fire Department, groundwater was encountered at approximately 12 feet below grade.

4.6 Wetlands

BETA did not observe wetlands on, or in the vicinity of, the Site. Additionally, no vegetation exists at the Site.

4.7 Floodplain Information

According to the Federal Emergency Management Association (FEMA) Flood Insurance Rate Map (FIRM) Number 25005C 00334F dated July 7, 2009, the Site is located in Zone X, which has been determined to be an area of minimal risk flooding outside the one percent and floodplains.

5. Adjacent and Surrounding Properties

The property is located in a commercial and residential area of downtown Fall River. Information concerning surrounding properties was compiled from the Site reconnaissance, as summarized below:

Direction	Adjacent and Surrounding Properties
North	A multi-family residence, beyond which is Bank Street followed by residential properties.
South	Bedford Street and the intersection of Bedford Street and High Street, beyond which is a paved parking lot, Troy Street, and Fall River Central Fire Station.
East	High Street, beyond which is Ser-Job (21 High Street and 164 Bedford Street) and residences along High Street.
West	A parking lot associated with the Second District County Court House building (37-43 Rock Street), beyond which is Rock Street.

BETA did not observe abutting/adjoining properties that represent an environmental concern to the Site, except for the Fall River Central Fire Station which is further discussed in Section 8 of this Report.

6. Site History

6.1 Sanborn Fire Insurance Maps

Sanborn maps identify prior Site uses of real property for many cities and towns in the United States. The maps were originally created to assist insurance underwriters in understanding the potential fire risk of structures requiring insurance; however, they are also useful for determining the previous uses of a property. Sanborn maps often contain information relating to uses of individual structures, location of certain fuel storage tanks, chemical storage tanks, or both, and storage of other potentially toxic substances. Sanborn maps begin their coverage in 1867 and continue through the present. BETA requested copies of Sanborn maps for the Site from Environmental Data Resources, Inc. (EDR). EDR provided copies of 1888, 1893, 1905, 1928, 1933, 1950, and 1976 Sanborns. A copy of the Sanborn report is included in Appendix C. The following summarizes our review of these maps:

- **1888 and 1893**: These maps depict a dwelling and one small building on the southern portion of the Site, addressed as 69 Bedford Street. Additionally, a portion of an east abutting residence improves the southeastern corner of the Site. The remainder of the Site is depicted as being unimproved. Dwellings appear north, east, and southeast of the Site. The Troy Mills (cotton mfg) appears south of the Site. A paint shop and a building identified as Hardware and Paints appears west of the Site.
- **1905**: This map depicts an office building on the southern portion of the Site and a few smaller buildings on the remainder of the Site, addressed as 138-142 Bedford Street. Additionally, a portion of an east abutting residence improves the southeastern corner of the Site (addressed as 152 Bedford Street). Dwellings appear north and east of the Site. A hotel appears further east of the Site. The Troy Mills appears south of the Site. A paint shop and a building identified as Hardware and Paints appears west of the Site.
- **1928**: This map depicts the current Site building as improving the Site and identified as Police Station No. 1 addressed as 150 Bedford Street. The southern portion of the building is four stories and the northern portion of the building is labeled as "garage and storage." Dwellings appear north of the Site. This map does not depict properties east of the Site. The Troy Mills appears south of the Site. A paint shop and a building identified as Hardware and Paints appears west of the Site.
- **1933**: This map depicts the Site similar to the 1928 map. Dwellings appear north and northeast of the Site. A Salvation Army building and a City Commissary building appear east of the Site. A Central Fire Engine House appears southeast of the Site. The Troy Woolen and Cotton Manufacturing facility appears south of the Site. A Second District County Court House and a building identified as Hardware and Paints appears west of the Site.
- **1950**: This map depicts the Site similar to the 1933 map; however, the northern portion of the building is only labeled as auto repair (no longer labeled as storage as in the 1933 map). Additionally, surrounding properties appear similar to the 1933 map, except that a gasoline station with three associated gasoline tanks appears south of the Site.
- **1976**: This map depicts the Site similar to the 1950 map. The Site building is identified as Central Police Station No. 1, as a private garage, and as auto repair. A dwelling appears north and northeast of the Site. The Salvation Army building and a paper supply building appear east of the Site. The Central Fire Engine House appears southeast of the Site. An unimproved parcel of land appear south of the Site (former location of the cotton mfg facility). An unimproved parcel of land and the Second District County Court House appear west of the Site.

6.2 Aerial Photographs

BETA requested copies of historical aerial photographs for the Site from EDR. EDR provided copies of 1938, 1966, 1969, 1977, 1986, 1991, 1995, 2006, 2008, 2010, and 2012 aerial photographs. Based on the urban density of the Site and its vicinity, BETA is unable to determine exact Site usage. However, it appears as though the same building has improved the Site since the 1938 photograph. Properties surrounding the Site are improved with large- to medium-sized buildings and appear to be used for commercial or industrial type purposes. A copy of the EDR aerial photograph report is included in Appendix C.

6.3 Topographic Maps

BETA requested copies of historical United States Geologic Survey (USGS) topographic maps for the Site from EDR. EDR provided 1888, 1893, 1944, 1950, 1967, 1979, and 1985 USGS Topographic Maps. A copy of the topographic map report is included in Appendix C. The following summarizes our review of these maps.

- **1888 and 1893**: Based on the scale of these maps, the Site and vicinity are too small to depict structures. However, it appears as though the Site and vicinity are located in a densely populated area.
- **1944**: Based on the shading of this map, the Site and vicinity are located in a dense area.
- **1950**: Based on the shading of this map, the Site and vicinity are located in a dense area. Additionally, a building appears to improve the Site.
- **1967, 1979, and 1985**: Based on the shading of these maps, the Site and vicinity are located in a densely urban area. These maps identify the Site building as a "police station." A building identified as a "fire station" appears south of the Site.

6.4 City Directories

Historical City directories and Cross Reference directories are often useful for obtaining historical tenants for a property. City directories provide tenant listings, by address, for every year covered by the directory service. BETA requested City directories for the Site from EDR. EDR searched copies of 1938, 1940, 1947, 1950, 1963, 1965, 1970, 1975, 1980, 1985, 1990, 1994, 1999, 2003, 2008, and 2013 City directories. A copy of the EDR City Directory Abstract is included in Appendix C. The following summarizes these directories.

Year	Site Address	Adjoining Properties along Bedford Street
1938 1940 1947 1950	Police Department Headquarters	135: Fall River Soda Fountain Supply Co. Inc.; 153: Poirier Bros (gas station); 164: Salvation Army Building; 165: Fire Department Headquarters
1963	Police Department Headquarters	135: vacant; 153: Peloquin's Service Station (gas station); 164: Salvation Army Building; 165: Fire Department Headquarters
1965	Police Department Headquarters	135: vacant; 153: vacant; 164: Salvation Army Building; 165: Fire Department Headquarters
1970 1975	Police Department Headquarters	135: not listed; 153: not listed; 164: Salvation Army Building; 165: Fire Department Headquarters

1980	Police Department Headquarters	135: not listed; 153: not listed; 164: vacant; 165: Fire Department Headquarters
1985	Police Department Headquarters	135: not listed; 153: not listed; 164: Municipal Appraisal Service Corporation; 165: Fire Department Headquarters
1990 1994	Police Department Headquarters	135: not listed; 153: not listed; 164: Ser-Jobs for Progress Inc.; 165: Fire Department Headquarters
1999 2003	Police Athletic League Hockey	135: not listed; 153: not listed; 164: Ser-Jobs for Progress Inc.; 165: Fire Department Headquarters
2008 2013	Not listed	135: not listed; 153: not listed; 164: Ser-Jobs for Progress Inc.; 165: not listed

6.5 Interviews

BETA also received a completed User Questionnaire from Mr. Matt Thomas. <more here> A copy of the checklist completed by Mr. Thomas is included in Appendix B.

6.6 Previous Assessments or Investigations

BETA did not identify previous assessments for the Site during the research for this Phase I ESA. However, the Client provided BETA with a June 14, 1999 letter from Green Environmental, Inc. (Green) to the Fall River Fire Department indicating that removal of two on-Site USTs would be difficult based on their locations relative to the buildings foundation. Therefore, Green stated that the tanks should be "closed in-place". The letter includes an Application and Permit issued to the City of Fall River for the closure of a 1,000-gallon UST last storing gasoline.

6.7 Ownership History

According to the City of Fall River Assessor's records, the Site has been owned by the City of Fall River since July 1914. BETA could not determine ownership history prior to 1914.

6.8 Adjacent Properties

Based on the reviewed information, it appears that the Site vicinity has been developed with commercial and industrial type buildings since the early 1900s. Properties north of the Site have been used for residential purposes since as early as 1888. The Troy Mills, cotton manufacturer, existed south of the Site from as early as 1888 until sometime between 1950 and 1976. In 1976, this property was unimproved and has been used as a parking lot since that time. Additionally, a gasoline station and auto repair (151-153 Bedford Street) improved a south-adjoining property since as early as 1938 until at least 1963. Properties east of the Site were originally residential in nature from 1888 until 1905. After 1905, two commercial buildings have improved these properties. Records indicate that one building was utilized as Salvation Army from as early as 1933 until at least 1975. The second building was used by a paper supply company from as early as 1933 until at least 1976. After 1975, the buildings have been used by various commercial tenants. Commercial buildings west of the Site were occupied by a paint shop, hardware, curtain shop, storage house, and other small retailers since as early as 1888 until sometime between 1950 and 1976. These

buildings were demolished and the west abutting property has been used as a parking lot since 1976. Additionally, the Second District Court House has improved a property west of the Site since as early as 1928 to the present day.

6.9 Historical Summary

Historical records indicate that in 1888 and 1893 a dwelling and one small building improved the southern portion of the Site and was addressed as 69 Bedford Street. In 1905 a different building improved the southern portion of the Site and was used as an office building. Additionally, a few smaller buildings improved the northern portion of the Site at that time. Since 1915, the current Site building has improved the Site and has been occupied by the City of Fall River Central Police Station and addressed as 150 Bedford Street. Since the 1930s, the northern portion of the Site building has been used as auto repair for fleet vehicles associated with the police station. The building was vacated sometime in 2003 and has fallen into disrepair since that time.

7. Site Reconnaissance

7.1 Nature of Operations & Current Tenants

At the time of our inspection, the Site was improved with a vacant four-story office/commercial building with an attached single-story garage. The building was last used by the Fall River police department. BETA observed the interior portion of the building to be in poor condition with some floors having holes and many building materials on the floors of the building. The remainder of the Site includes a sidewalk on the southern portion of the Site and alleyways on the north and west sides of the building.

7.2 Oil and Hazardous Materials (OHM) Storage and Usage

Since the Site building is a vacant, OHM are not used or stored at the Site.

7.3 Petroleum and Chemical Storage Tanks

BETA observed a fill-in place former fuel oil aboveground storage tank in the basement of the building. Mr. Gallagher stated that the tank was taken out of service because it had been leaking. Refer to Section 8.3 for more information on this tank.

BETA observed a car lift in the floor of the garage portion of the building. BETA could not determine if this lift had an oil-filled cylinder beneath the floor.

7.4 Environmental Permits

BETA did not encounter environmental permits during the research for this Phase I ESA.

7.5 Hazardous Waste

BETA did not observe the generation or storage of hazardous waste at the Site.

7.6 Solid Waste and Wastewater

Solid Waste

Solid waste is not currently generated at the Site. BETA observed solid waste throughout the Site building and in the alley areas north and west of the building.

Sanitary Sewage

Sanitary sewage is not currently generated at the Site; however, the building is connected to the municipal sewer system.

Liquid Discharges

BETA did not observe liquid discharges at the Site.

7.7 Site Housekeeping

The Site building is currently vacant and in poor condition. BETA observed solid waste and deteriorating building materials throughout the Site building and in the alley areas north and west of the building..

7.8 Stained Soil, Stained Pavement or Stressed Vegetation

BETA did not observe stained soil, stained pavement or stressed vegetation at the Site. Vegetation appeared to be seasonally healthy.

7.9 Interior and Exterior Drainage Structures

BETA observed a trench drain in the garage portion of the Site building but could not determine where this drain discharged.

7.10 Pools, Ponds, Pits or Lagoons

BETA did not observe any man-made pools, ponds, pits or lagoons at the Site.

7.11 On-Site Water Supply and Observation Wells

Fall River municipal water serves the Site vicinity. BETA did not observe observation wells at the Site.

7.12 Fill Material

BETA did not observe evidence of urban fill at the Site.

BETA observed a sand-filled area on the first floor of the building that was formerly used as a firing range for police personnel training. Lead bullet remnants were clearly visible in the sand.

7.13 Air Emissions

BETA did not observe indications of significant air emissions at the Site.

7.14 Odors

BETA did not notice chemical or other odors during the Site reconnaissance.

7.15 Polychlorinated Biphenyls (PCBs)

BETA did not observe transformers at the Site.

7.16 Asbestos Containing Materials (ACM)

Since the Site building was built prior to 1978, it is likely that building materials could be classified as ACM. Green Environmental, Inc. (Green) conducted a Hazardous Materials Survey in June 2014 and identified ACM within the Site building. Appendix ? contains a copy of Green's report.

7.17 Lead Based Paint (LBP)

Since the Site building was built prior to 1978, it is likely that LBP is present. Green conducted a Hazardous Materials Survey in June 2014 and identified LBP surfaces within the Site building. Appendix ? contains a copy of Green's report.

7.18 Lead in Drinking Water

Testing for lead in drinking water was beyond the scope of this ESA.

7.19 Radon

Measurement of potential radon contamination was beyond the scope of this ESA. The U.S. EPA publishes a map of the United States on which each of the 3,141 counties in the U.S. is assigned to one of three zones based on radon potential. Each zone designation reflects the average short-term radon measurement that can be expected to be measured in a building without the implementation of radon control methods.

According to the EPA map, the Radon Zone for Bristol County is identified as Zone 2. Zone 2 is defined as an area that has a moderate potential for radon gas, with a predicted average indoor radon screening level between 2.0 picoCuries per liter (pCi/L) and 4.0 pCi/L. The EPA recommended Action Level for radon is 4.0 pCi/L. Based upon the non-residential use of the Site, radon testing was not performed or warranted at this time.

7.20 Areas Not Inspected

BETA inspected accessible interior and exterior portions of the Site building.

8.0 Regulatory Review

The EDR report gives a listing of sites identified on select federal and state standard source environmental databases within the approximate search distance specified by ASTM Standard Practice for Environmental Site Assessments E1527-13. BETA reviewed each environmental database on a record-by-record basis to determine if certain sites identified in the EDR report represent environmental liability to the Site. A copy of EDR regulatory database report is included in Appendix F. The following table lists the number of sites identified by the EDR report.

FEDERAL, STATE, AND TRIBAL AGENCY DATABASE FINDINGS			
REGULATORY DATABASE	SEARCH DISTANCE	TARGET SITE	OFF-SITE LISTINGS
Federal National Priority List (NPL) Facilities	1 Mile	No	0
Federal Delisted NPL Facilities	½-Mile	No	0
Federal Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) Facilities	½-Mile	No	0
Federal CERCLIS No Further Remedial Action Planned (NFRAP) Facilities	½-Mile	No	0
Federal Resource Conservation and Recovery Act (RCRA) Corrective Action (CORRACTS) Facilities	1 Mile	No	0
Federal RCRA Treatment, Storage, and Disposal (TSD) Facilities	½-Mile	No	0
Federal RCRA Generator Facilities	Site and Adjoining	No	0
Federal Institutional Controls/Engineering Controls (IC/EC) Registries	½-Mile	No	0
Federal Brownfield Facilities	½-Mile	No	0
Federal Emergency Response Notification System (ERNS) Facility	Site Only	No	-
Federal Facility Index System (FINDS) Facility	Site Only	No	-
State Hazardous Waste Sites (SHWS/Release)/Tribal Equivalent CERCLIS Facilities	1 Mile	No	84
State Release Facility	Site Only	No	-
State and Tribal Solid Waste Landfill (SWL) Facilities	½-Mile	No	0
State and Tribal Registered Underground Storage Tank (UST) Facilities	Site and Adjoining	No	1
State and Tribal Leaking UST (LUST) Facilities	½-Mile	No	18
State and Tribal Registered Aboveground Storage Tank (AST) Facilities	Site and Adjoining	No	0
State and Tribal IC Registries	½-Mile	No	6
State and Tribal Voluntary Cleanup Program (VCP) Facilities	½-Mile	No	0
State and Tribal Brownfield Facilities	½-Mile	No	0
State Spill Facilities	Site Only	Yes	-

The EDR report also identified 20 non-geocoded sites. These are sites which could not be mapped or "geocoded" due to inadequate address information. Refer to the EDR report for a list of these sites. BETA attempted to locate these sites via vehicular reconnaissance and interviews with personnel familiar with the area. Based on this research, BETA did not identify any sites within the specified radii that represent an environmental concern to the Site.

A description of the databases reviewed by BETA and an analysis of sites identified within the prescribed search area are presented in the following sections.

8.1 United States Environmental Protection Agency (USEPA) Databases

8.1.1 NPL Facilities

This is a list of the most serious uncontrolled or abandoned hazardous waste sites identified for possible long-term remedial action under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA or "Superfund"). A site must be on the NPL to receive money from the Trust Fund for Remedial Action. The database search did not identify NPL facilities within one mile of the Site.

8.1.2 Delisted NPL Facilities

Facilities that the EPA determined may be deleted from the NPL because no further response is appropriate. The database search did not identify Delisted NPL facilities within ½-mile of the Site.

8.1.3 CERCLIS Facilities

CERCLIS is the USEPA system for tracking potential hazardous waste sites within the Superfund program. A site's presence in CERCLIS does not imply a level of federal activity or progress at a site, nor does it indicate that hazardous conditions necessarily exist at the location. Within one year of being entered into CERCLIS, the USEPA performs a preliminary assessment of a site. Based upon the results of the preliminary assessment, the USEPA may conduct additional investigations which could lead to a site being listed on the NPL. The database search did not identify CERCLIS facilities within ½-mile of the Site.

8.1.4 CERCLIS NFRAP Facilities

CERCLIS sites identified as NFRAP facilities have been removed from the CERCLIS because these sites may be identified as where no contamination was found, contamination was removed without the need for the site to be placed on the NPL, or the contamination was not considered significant enough to be placed on the NPL. The database search did not identify CERCLIS NFRAP facilities within ½-mile of the Site.

8.1.5 RCRA CORRACTS Facilities

RCRA CORRACTS is a list of facilities that are found to have had hazardous waste releases and require RCRA corrective action activity, which can range from site investigations to remediation. The database search did not identify RCRA CORRACTS facilities within one mile of the Site.

8.1.6 RCRA TSD Facilities

The RCRA TSD Facilities List contains information pertaining to those facilities that either treat, store, or dispose of hazardous waste. While these facilities represent some form of hazardous waste activity, they are most significant if determined to be out of compliance or to have violations. The database search did not identify RCRA TSD facilities within ½-mile of the Site.

8.1.7 RCRA Generator Facilities

BETA reviewed the list of sites which have filed notification with the USEPA in accordance with RCRA requirements. These sites include generators of hazardous waste regulated under RCRA. Under RCRA, hazardous waste generators are classified by the mass of hazardous waste generated in a calendar month into the following categories: Large Quantity Generator, greater than 1,000 kilograms/month (Kg/month); Small Quantity Generator,

100 to 1,000 Kg/month; and Conditionally-Exempt Small Quantity Generator, less than 100 Kg/month. RCRA Generators, while they represent some form of hazardous waste activity, are most significant if they are determined to have Class I Violations or to be non-compliant. The database search did not identify the Site or adjoining properties as a RCRA facility.

8.1.8 IC/EC Registries

The database search did not identify IC/EC registries within ½-mile of the Site.

8.1.9 Brownfield Facilities

The database search did not identify Brownfields facilities within ½-mile of the Site.

8.1.10 ERNS Facility

The database search did not identify the Site as an ERNS facility.

8.1.11 FINDS Facility

The database search did not identify the Site as a FINDS facility.

8.2 Massachusetts Department of Environmental Protection (MassDEP) Databases

8.2.1 SHWS Facilities

The database search did not identify the Site on the SHWS database. According to the search, 84 SHWS facilities are located within 1.0 mile of the Site. Of the listed sites, 78 facilities are located greater than 1,250 feet from the Site. Based upon the distances, their regulatory status, and/or inferred hydraulic down- or crossgradient location to the Site, these facilities do not likely pose a threat of release of OHM to the Site. Information regarding the six closest SHWS sites, at five locations, is presented in the following table:

SHWS Sites			
Listing	Release Tracking Number (RTN)	Distance/ Direction/ Gradient*	Regulatory Status
4th Street 60 Hartwell Street	4-15520	1,018 feet/ South-southwest/ Downgradient	Notification Date: 5/30/2000 Contaminants: Lead Media Impacted: Not reported Status: Downgradient Property Status (DPS) Date of Closure: 4/08/2002
Borden Place East 111Borden Street	4-19024	1,026 feet/ South-southwest/ Downgradient	Notification Date: 4/11/2005 Contaminants: Transformer oil; 10 gallons Media Impacted: Not reported Status: Class A-1 RAO Date of Closure: 8/09/2005
4th Street 82 Hartwell Street	4-16721	1,113 feet/ South-southwest/ Downgradient	Notification Date: 10/10/2001 Contaminants: Cyanide Media Impacted: Not reported Status: DPS Date of Closure: 4/08/2002

SHWS SITES			
Listing	Release Tracking Number (RTN)	Distance/ Direction/ Gradient*	Regulatory Status
5th Street 118 4th Street	4-15521	1,139 feet/ South-southwest/ Upgradient	Notification Date5/30/2000 Contaminants: Lead and cyanide Media Impacted: Not reported Status: Class B-1 RAO Date of Closure: 6/04/2003
Loescher & Rose Co. 387 Bedford Street	4-11328	1,165 feet/ East-southeast/ Upgradient	Notification Date: 4/27/1995 Contaminants: #2 fuel oil and unknown chemical Media Impacted: Not reported Status: Class A-2 RAO Date of Closure: 8/28/1995
Fall River Trial Court 186 South Main Street	4-17729	1,243 feet/ West-southwest/ Downgradient	Notification Date: 3/19/2003 Contaminants: Oil Media Impacted: Not reported Status: Class B-1 RAO Date of Closure: 5/15/2003
	4-21023		Notification Date: 1/25/2008 Contaminants: Diesel range petroleum Media Impacted: Not reported Status: Class A-2 RAO Date of Closure: 6/05/2008

Based upon the distances, their regulatory status, and/or inferred hydraulic down- or crossgradient location to the Site, the tabulated SHWS sites do not likely poses a threat of release of OHM to the Site.

8.2.2 SWL Facilities

The database search did not identify SWL facilities within ½-mile of the Site.

8.2.3 Registered UST Facilities

The database search did not identify the Site as a registered UST facility.

However, the database search identified the southeast adjoining Central Fire Station at 165 Bedford Street as a registered UST facility. The search indicates that a 500-gallon gasoline UST was removed in 1999 (install date not provided), a 1,000-gallon diesel fuel UST was removed in 1999 (installed in 1973), and a 3,000-gallon fuel oil UST was removed (date not provided). The property was also identified as a known release site and as an IC registry due to an Activity Use Limitation (AUL). Please refer to Section 8.2.5 below for a summary of the release.

8.2.5 LUST Facilities

The database search did not identify the Site on the LUST database. According to the search, 18 LUST facilities are located within 0.5 mile of the Site. Of the listed sites, 15 facilities are located greater than 1,200 feet from the Site. Based upon the distances, their regulatory status, and/or inferred hydraulic down- or crossgradient location to the Site, these facilities do not likely pose a threat of release of OHM to the Site. Information regarding the three closest LUST facilities is presented in the following table:

LUST FACILITIES			
Listing	Release Tracking Number (RTN)	Distance/ Direction/ Gradient*	Regulatory Status
Fire Dept Headquarters 165 Bedford Street	4-14789	80 feet/ Southeast/ Downgradient	Notification Date: 6/14/1999 Contaminants: Gasoline Media Impacted: Not reported Status: Class A-3 RAO with AUL Date of Closure: 4/12/2005
Finish Master 196 Bedford Street	4-12428	268 feet/ East-southeast/ Upgradient	Notification Date: 8/15/1996 Contaminants: #2 fuel oil Media Impacted: Not reported Status: Class B-1 RAO Date of Closure: 12/22/2004
Loescher & Rose Co. 387 Bedford Street	4-11328	1,165 feet/ East-southeast/ Upgradient	Notification Date: 4/27/1995 Contaminants: #2 fuel oil and unknown chemical Media Impacted: Not reported Status: Class A-2 RAO Date of Closure: 8/28/1995

The search identified Fire Dept. Headquarters at 165 Bedford Street as a LUST facility. This property is located across Bedford Street and is approximately 80 feet southeast of the Site. According to the search, a 1,000-gallon diesel fuel UST and a 500-gallon gasoline UST were removed from the property in 1999. A soil sample revealed headspace concentration in excess of 100 parts per million (ppm) and triggered a 72-hour reporting to MassDEP. At that time, MassDEP issued Release Tracking Number (RTN) 4-14789. The tanks, fuel lines and fuel dispenser were removed. A release was observed east of the diesel fuel UST and west of the gasoline UST. Both tanks appeared to be rusting, pitting and several holes were identified in the gasoline UST. Excavation dimensions from both USTs were approximately 25 feet long by 16 feet wide by 12 feet deep. Soil samples were collected and analyzed for EP and VPH. Borings encountered shallow bedrock and boulders at 3 to7.5 feet below grade. One soil sample revealed a concentration of 11,000 mg/kg for C19-C36 aliphatics above the Method 1 S-3 and GW-2/3 Standards. A composite sample from two borings revealed a concentration of polynuclear aromatic hydrocarbons (PAHs) above the Method 1 Risk Characterization Standards. However, the sample was composed of fill material and the PAHs are attributed to coal ash identified in the fill material.

Additionally, two groundwater monitoring wells were installed to determine the vertical and horizontal extent of contamination. Groundwater at this property was determined to flow in a southeasterly direction (please note: this is downgradient of the Site). Groundwater was sampled and analyzed for VPH and EPH analysis. Both EPH and VPH constituents were detected in the groundwater samples; however, the results were below the Method 1 Risk Characterization. Release Abatement Measures included the removal of contaminated soil along with removal of the two USTs and delineating the extent of contamination onto a south abutting property. Confirmatory soils samples were collected from the excavation limits and submitted for laboratory analysis of EPH and VPH. Results identified benzo(a)pyrene, indeno(1,2,3-cd)pyrene and dibenzo(a,h)anthracene at concentrations above the Method 1 Risk Characterization Standards. Coneco stated that these constituents are likely attributed to coal and coal ash identified in soils throughout the property and these results were representative of background levels. Additional investigation was conducted to determine the delineated area to support the implementation of an AUL.

Coneco concluded that the gasoline and diesel fuel USTs had been removed from the property and approximately 142.55 tons of impacted soil were removed. However, some soil remained underneath the fire station building due to structural limitations. Remedial actions were performed and thus a Class A-3 RAO Method 1 S-3 Risk

Characterization Standard were submitted to MassDEP. Based on the investigation, the groundwater flow, and remedial activities at this southeast adjoining property, the LUST listing does not likely pose a threat of release of OHM to the Site.

Based upon the distances, their regulatory status, and/or inferred hydraulic down- or crossgradient location to the Site, the two remaining tabulated SHWS sites do not likely pose a threat of release of OHM to the Site.

8.2.6 Registered AST Facilities

The database search did not identify the Site or adjoining properties as registered AST facilities.

8.2.7 IC Facilities

The database search identified six IC facilities within ½-mile of the Site. The closest IC facility is identified as the Fire Department Headquarters at 165 Bedford Street. The property is listed due to its recorded Class A-3 RAO and associated AUL (see Section 8.2.5 above). The remaining five IC facilities are located over 1,300 feet and do not likely pose a threat of release of OHM to the Site.

8.2.8 VCP Facilities

The database search did not identify VCP facilities within ½-mile of the Site.

8.2.9 Brownfields Facilities

The database search did not identify state Brownfield facilities within ½-mile of the Site.

8.2.10 Spills Site

The database search identified the Site on the Spill database. The search indicates that in 1989 approximately 10-50 gallons of transformer oil ruptured from a transformer. The Spill was cleaned and the case has been closed since that time. Based on the limited nature of the release and its regulatory closure, the Site's Spill listing is considered a historical REC (HREC) and no additional investigation is warranted regarding this issue.

8.3 Local Regulatory Agency Interviews

BETA conducted a review of municipal records during this assessment for records pertaining to the Site. Additionally, we searched for records pertaining to USTs, ASTs, storage of oil and/or hazardous material (OHM), hazardous materials spills or wastes used or stored on the Site. Offices included the City of Fall River Fire Department - Fire Prevention Division, Inspectional Services Department, Board of Health, Clerk's Office, and Conservation Commission. The following is a summary of records obtained at each of these offices.

8.3.1 Fire Department - Fire Prevention Office

BETA submitted a written request to the Fall River Fire Department to inquire about current and historical Site conditions, including current or former intact or leaking USTs, ASTs, hazardous materials spills or hazardous materials or wastes used or stored on a property.

Fire department records include the removal of three tanks at the Site in June 1999. Tanks included a 10,000-gallon UST formerly containing gasoline, a 1,000-gallon UST formerly containing gasoline, and 275-gallon tank formerly containing fuel oil.

Records also include a March 20, 1962 "Oil Burners-Furnace" card issued to Fall River Police Department. The card indicates that the 5,000-gallon tank was "incased" in the cellar and contained #5 oil. A note on this card indicates that the tank was "filled in place." BETA observed this tank in the basement of the Site building.

Fire department did not include other records pertaining to the Site.

8.3.2 Inspectional Services Department

BETA visited the Inspectional Services Department to inquire about permits or licenses for the Site. The following is a list of permits recorded for the Site.

- December 5, 1884: permit issued to E.P. Frances for an addition to a barn for storage purposes.
- February 7, 1933: permit issued to City of Fall River (Police Department) to enlarge an opening for auto repair shop and install new doors; 20'wide x 60'long single-story with 20" concrete foundation
- August 24, 1936: permit issued to Police Station for adding transmitting and receiving antennas to existing building for police radio.
- January 12, 1994: permit issued to Fall River Police Department for renovations.

8.3.3 Board of Health

Persons at the Board of Health stated that he believed that a garage was located on the lower level of the Site building where police vehicles were parked. He further believed that they maintenance of their fleet may have occurred but he did not have records pertaining to such operations. He stated that the Police Chief would be able to provide historic use of the Site. The Board of Health office did not have environmental records for the Site.

8.3.4 Clerk's Office

The Clerk's office did not have any environmental records for the Site. However, they stated that the Clerk's Office maintains current Licenses to store OHM; but they do not keep records of former licenses or records for licenses that have not been renewed.

8.3.5 Conservation Commission

The Conservation Commission office did not have environmental records for the Site.

9. Environmental Professional Certification

The following provides the certifications required by the ASTM 1527-05 standard. "I declare that, to the best of my professional knowledge and belief, I meet the definition of Environmental professional as defined in §312.10 of 40 CFR 312". "I have the specific qualifications based on educations, training, and experience to assess a property of the nature, history, and setting of the subject property. I have developed and performed all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312".

Joseph R. McLoughlin II, LEP, LSP.

10. List of Acronyms

ACM	Asbestos Containing Materials
AST	Aboveground Storage Tank
ASTM	American Society of Testing and Materials
CERCLIS	Comprehensive Environmental Response Compensation and Liability Information System
CESQG	Conditionally Exempt Small Quantity Generator
CORRACTS	Corrective Action Tracking System
CTDEEP	Massachusetts Department of Energy and Environmental Protection
DPW	Department of Public Works
EDR	Environmental First Search Report
ETPH	Extractable Total Petroleum Hydrocarbons
ERNS	Emergency Response Notification System
ESA	Phase I Environmental Site Assessment
FINDS	Facility Index System
GEN	Generators
HWS	Hazardous Waste Sites
IRA	Immediate Response Action
Kg	Kilogram
LBP	Lead Based Paint
Lbs	Pounds
LPG	Liquid Petroleum Gas
LTBI	Locations To Be Investigated
LUST	Leaking Underground Storage Tank
MSL	Mean Sea Level
NLR	No Longer Regulated
NPDES	National Pollutant Discharge Elimination System
NPL	National Priorities List
OHM	Oil and/or Hazardous Material
PBS	Petroleum Bulk Storage
PCB	Polychlorinated Biphenyls
pCi/L	PicoCuries per liter
Ppb	Parts per billion
RAATS	RCRA Administrative Action Tracking System

RCRA	Resource Conservation and Recovery Act
RCRIS	Resource Conservation and Recovery Information System
REC	Recognized Environmental Conditions
SF	Square feet
SQG	Small Quantity Generator
SPILLS	State Spills List
STATE	State Sites
SVOC	Semi-volatile Organic Compound
SWL	Solid Waste Landfills
TPH	Total Petroleum Hydrocarbons
TPH-DRO	Total Petroleum Hydrocarbons – Diesel Range Organics
TRIS	Toxic Release Inventory System
TSD	Transportation, Storage, Disposal Facility
USEPA/EPA	United States Environmental Protection Agency
USGS	United States Geological Survey
UST	Underground Storage Tank
VOC	Volatile Organic Compounds

The Site: 158 Bedford Street, Fall River, Massachusetts (Fall River Assessor's Parcel ID N-04-0042)

- This report has been prepared for the sole and exclusive use of the Client and is subject to and issued in connection with the Agreement and the provisions thereof. Any use or reliance upon information provided in this report, without the specific written authorization of Client and BETA, shall be at the User's sole risk.
- In conducting this assessment and investigation, BETA has obtained and relied upon information from multiple sources to form certain conclusions regarding potential environmental issues at and in the vicinity of the subject property. Except as otherwise noted, no attempt has been made to verify the accuracy or completeness of such information.
- The objectives of the assessment and investigation described in this report were to assess the physical characteristics of the subject property with respect to overt evidence of past or present use, storage, and/or disposal of oil or hazardous materials, as defined in applicable state and federal environmental laws and regulations, and to gather information regarding current and past operations and environmental conditions at and in the vicinity of the subject property.
- The scope of this report does not include an assessment of the suitability of Site soil for development/construction. Please note that certain soils, particularly in urban areas, may include low levels of contaminants such as lead, metals, or ash constituents. The presence of such contaminants in soil, while not representing a "release," may result in the need for special handling at increased costs to allow for off Site soil reuse during Site development.
- No attempt has been made to assess the compliance status of any past or present Owner or Operator of the Site with any federal, state, or local laws or regulations.
- The findings, observations, and conclusions presented in this report are limited by the scope of services outlined in our Agreement, which reflects schedule and budgetary constraints imposed by Client for the current phase of environmental assessment. Furthermore, the assessment has been performed in accordance with generally accepted engineering practices and standards set forth in ASTM E 1527-05. No other warranty, expressed or implied, is made.
- The assessment presented in this report is based solely upon: readily-available data, visible portions of the Site, and information gathered to date. Should further environmental or other relevant information be developed at a later date, Client should bring the information to the attention of BETA as soon as possible. Based upon an evaluation, BETA may modify the report and its conclusions.
- It should be noted that the Executive Summary does not contain all the information that is found in the full report. The report should be read in its entirety to obtain a more complete understanding of the information provided and to aid in any decisions made or actions taken based on this information. This report documents the recognized environmental conditions as defined in ASTM and where appropriate other suspect environmental conditions noted on the Site and associated risks to the environment. Although the survey may not disclose all potential liabilities, a reasonable attempt has been made to do so within the scope of work.
- BETA cannot and does not warrant or guarantee that the information provided by these sources is accurate or complete. The methodologies of this assessment are not intended to produce all inclusive or comprehensive results, but rather to provide the client with information regarding overt evidence of past use storage, and/or release or threat of release of OHM the Site.

- The environmental database search was conducted under the Notice of Disclaimer/Waiver of Liability included in the EDR report.

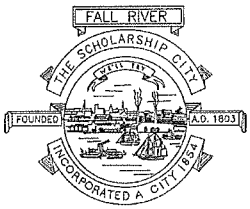
4

City of Fall River

Office of the Corporation Counsel

WILLIAM A. FLANAGAN
Mayor

ELIZABETH SOUSA
Corporation Counsel



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FALL RIVER, MA

GARY P. HOWAYECK
Assistant Corporation Counsel

CHRISTY M. DIORIO
Assistant Corporation Counsel

September 11, 2014

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

RE: Maintenance of Vacant Properties

Dear President Camara:

In order to prevent blight, protect property values and ensure a safe and sanitary maintenance of unoccupied buildings or units the City is proposing an ordinance that sets maintenance requirements for vacant buildings or unoccupied units.

I respectfully request that the City Council review and consider passage of the attached proposed Ordinance.

Sincerely,

Elizabeth Sousa

Elizabeth Sousa

cc: William A Flanagan, Mayor
Joseph Biszko, Inspector of Buildings
Kenneth Fiola, Director of the Office of Economic Development
Perry Long, Community Outreach Coordinator

Enclosure

City of Fall River, *In City Council*

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

By striking Section 10-95 under Chapter 10 of Article III pertaining to Purpose and Intent in its entirety and replacing it with the following:

Section 10-95. Purpose and Intent/Definitions:

A. Purpose and Intent - It is the purpose of this Article to promote the health, safety and welfare of the citizens of the City of Fall River by preventing blight, protecting property values and neighborhood integrity, protecting City's resources and ensuring the safe and sanitary maintenance of unoccupied buildings or units. Vacant buildings and/or unoccupied units are at an increased risk for fire, water and natural damage as well as vandalism, unlawful entry and other public heath and safety hazards. This regulation will promote the City's public welfare by requiring all property owners to register and properly maintain vacant buildings and properly maintain unoccupied unit(s).

B. Definitions:
Vacant Building – Any building which is not legally occupied, abandoned or not used for a period of at least forty-five (45) consecutive days, and shows visible signs of substantial physical distress, including, but not limited to, boarded-up or broken windows or doors, fire damage, exposure to the elements, susceptibility to unauthorized entry, disconnected utilities, the accumulation of trash, junk, and/or debris, or that appears to pose a risk to public safety, as determined by the Inspector of Buildings.
Unoccupied – a residential structure that is not occupied or that is occupied by unauthorized persons. In the case of a multi-unit residential structure, unoccupied means when any one unit is unoccupied or is occupied by unauthorized persons.
Owner – the holder of title in fee simple.
Inspector of Buildings – Person appointed by the Mayor to provide inspectional services and enforce all ordinances, regulations and laws relating to buildings in the city, or the constructions, alteration or repair thereof.
Board Up – the boarding up of any means of egress and ingress, including, without limitation, windows and doors, to any vacant structure or in case of multi-unit residential structure any single unit.

By inserting under Chapter 10 of Article III, the following new section pertaining to Maintenance of Vacant Buildings:

Section 10-102 Maintenance Requirements:

a. The owner of a vacant building or unoccupied residential unit or units must maintain it in accordance with all applicable state and local laws and regulation, including but not limited to the sanitary code, building code, plumbing and gas code, electrical code and fire code.
b. The owner of a vacant building or unoccupied residential unit or units shall promptly repair all broken windows, doors, other openings or any unsafe conditions. Boarding up of open or broken windows and doors in vacant buildings or unoccupied residential

unit(s) is prohibited except as a temporary measure for no longer than forty-five (45) consecutive days, unless the Inspector of Buildings determines that, due to vandalism or security reasons and due to circumstances out of the owner's control, proper boarding of windows is necessary for a period of time longer than forty-five (45) consecutive days. Boarding up or covering in any manner of any windows or doors in occupied residential units is prohibited at all times.

c. The owner shall maintain the vacant building or unoccupied unit or units for the duration of the vacancy or abandonment. The owner shall maintain the building and property so as not to appear to be vacant or unoccupied. Upon notice by the Inspector of Buildings, any accumulated trash or graffiti shall be taken off or removed from the property within seven (7) days. Any vacant building or unoccupied unit whose utilities have been shut off for a period exceeding six (6) months shall have such utilities removed or cut and capped to prevent accidents.
d. Compliance with this ordinance shall not relieve the owner of any applicable obligations set forth in any other ordinance, regulation, codes, covenant conditions or restrictions, or association rules and regulations.
e. If the Inspector of Buildings or his designee determines the building to be unsafe, the Inspector may act immediately in accordance with the Massachusetts State Building Code to protect public safety. Nothing in the Ordinance shall abrogate the powers and/or duties of municipal officials to act pursuant to any general statutory authority, including, without limitation the applicable provisions of Massachusetts General Laws Chapter's 139 and 143.
f. Any person in violation of this section shall be fined up to $300.00 per offense. Each day such violation continues shall be considered a separate offense. The Inspector of Buildings or his designee shall be charged with the enforcement of the provisions of this ordinance.

5

City of Fall River
Massachusetts
Department of Administrative Services
HUMAN RESOURCES • INFORMATION SYSTEMS • LAW • PURCHASING

Purchasing Division

WILLIAM A. FLANAGAN
Mayor

TIMOTHY MCCOY
PURCHASING AGENT

September 15, 2014

RECEIVED
2014 SEP 15 P 3: 20
CITY CLERK
FALL RIVER, MA

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

Members of the Council

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

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

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

I would like to recommend at this time, that consideration be given to the auction process.

Pending approval of the City Council the auction will be held **Saturday, November 1, 2014 at 9:00 a.m.** at the Public Works Complex, 10 Lewiston Street, Fall River, MA.

Very truly,

Timothy McCoy
Purchasing Agent

One Government Center • Fall River, MA 02722
TEL (508) 324-2250 • FAX (508) 324-2255 • EMAIL tmccoy@fallriverma.org

To: Tim McCoy

Fr: John Friar

Re: Surplus Items

Two surplus items from Water Maintenance:

1. One HP Design Jet 800 PS Plotter, serial no. DK2493202M.
   It may not be working, now after long term inactivity.

2. One Ingersoll-Rand truck-mounted compressor (now off truck).

Model # F3L912HO- Serial # 122411081921.

The compressor needs a major overhaul. Does not deliver much air, and air contains excess oil.

5

To: Tim

Fr: Fall River School Department

Re: Surplus Auction

1) 59 "Large Picture Tube" type televisions of various brands and models. We anticipate that many are inoperable.

Police Dept.

#	LOCATION: BOOKING ROOM STORAGE Item Description	Make	Model	Color	Product ID	Defects or Missing Parts	Lot #
10	COMPUTER TOWER	DELL	OPTIPLEX GX 520	BLK		HARD DRIVE	
3	COMPUTER TOWER	DELL	OPTIPLEX GX 620	BLK		HARD DRIVE	
5	COMPUTER TOWER	DELL	OPTIPLEX GX280	BLK		HARD DRIVE	
5	COMPUTER TOWER	DELL	OPTIPLEX 330	BLK		HARD DRIVE	
1	COMPUTER TOWER	HP	XW4400 WORKSTATION	GRY		HARD DRIVE	
1	COMPUTER TOWER	UNKOWN	GENERIC CASE	WHI		HARD DRIVE / RAM	
1	COMPUTER TOWER	HP	COMPAQ d530SFF	WHI		HARD DRIVE / RAM /	
1	DVR	SAMSUNG	SHR-2042	BLK		CABLES	
4	LAPTOP	PANASONIC	CF-28	GRY		HARDDRIVE	
3	TOUCH SCREEN MONITOR	PLANAR	LX1200T1	GRY		CABLES / POWER	
2	LAPTOP	PANASONIC	CF-29	GRY		HARD DRIVE	
1	HIGH DENSITY LABLER	N SYSTEM	NL-2000	WHI		HARD DRIVE / POWER CRL	
1	SERVER / SWITCH	HP	PROLIANT DL380	BLK		CABLES	
1	BOX OF MICE (9)	DELL	N/A	BLK		N/A	
1	PRINTER / W CARTRIDGE	LEXMARK	X73	GRY			
1	LCD MONITOR	DELL	14" MONITOR	BLK		STAND / CABLE	
1	CRT MONITOR	NEC	14" ACCUSYNC	BLK		CABLES	
1	MONITOR CRT	HP	PAVILION 14" CRT	BLK		CABLES	
1	CRT MONITOR	HONEYWELL	21" HMC21	GRY		CABLES	

Prepared by: MS

City of Fall River
Massachusetts
Fire Department Headquarters
Office of Operations and Personnel

WILLIAM A. FLANAGAN
Mayor

ROBERT J. VIVEIROS
Fire Chief
JOHN D. LYNCH
Deputy Chief, Chief of Operations

August 13, 2014
Tim Mc Coy, Purchasing Agent
Govt. Center
Fall River, Ma.02720

Tim,
Here is a list of what was sent to me for surplus.

Shop: (1) 1986 Ford 1250 GPM Engine. Rotted Body	$1,500
(1) 1978 GMC 1 ton Pickup Rotted body	$100
North Station: (2) small desks 12 years old	$25 each
(1) 4 drawer metal file cabinet 15 years	$15
(1) Computer monitor and tower 15 years	$15
Center: (3) metal file cabinets 20 years	$15 each
75 SCBA cylinders 25 years	$200
Stanley: (1) GE Refrigerator 30 years	$50
(1) Fedders window AC 25 years	$25

Deputy Chief,

John D Lynch

140 Commerce Drive • Fall River, MA 02720 • TEL (508) 324-2746
FAX (508) 672-5993 • EMAIL deputypersonnel@frfd.org

City of Fall River Massachusetts
Office of the City Clerk

ALISON M. BOUCHARD
CITY CLERK

INÊS LEITE
ASSISTANT CITY CLERK

DATE: August 4, 2014

TO: Timothy McCoy
Purchasing Agent

FROM: Alison M. Bouchard
City Clerk

RE: Surplus Property

The following is a list of surplus items located in the City Clerk's office:

- Sharp Calculator
  Model EL-11925
- Sharp Calculator
  Model UX-2612
- Panasonic Answering Machine
  Model KX-T1461 (approx. 15+ years old)
- (3) Cash Drawers

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

Veolia Water

item description	condition/age/surplus or junk	value	known defects	location
mercoid switches exp proof qty 8	brand new never used. Surplus 15 yr old	25.00 each	none	wwtp
qty2 24x 20 electrical panels	used junk 25+ years old	10.00 pair	none	wwtp
qty 1 file cabnet	used surplus 10+ years old	$10.00	none	wwtp
qty stainless electrical cabnet 17"x18"	used surplus 10+ years old	$10.00	none	wwtp
qty 7 computers	used junk 20+years old	$10.00 for lot	unusable obsolete non working	wwtp
qty 1 rotary phase generator 1ph to 3 ph up to 7 1/2 hp	used surplus	$20.00	unsure of condition	wwtp
qty 1 tig/stick welder w/ cooling pump	used surplus 30+ years old	$100.00	unsure of operating condition	wwtp
qty 1 honeywell chart recorder	used junk 20+ years old	$10.00	non working	wwtp
qty 1 wakasha generator 115 kw 277-480 volt 3ph` transfer switch inc	used surplus worked when removed from bldg	$400.00	maybe missing some items	wwtp
qty 10 high pressure sodium lights ceiling mounted	used junk non working parts only	$25.00	non working	wwtp
qty 1 portable forklift 12 volt hydraulic	used junk non working , work needed or for parts 20+	$15.00	non working	wwtp
qty 2 honda 9 hp vertical engines	used surplus 10+ years old	$50.00	not sure of running condition may be missing parts	wwtp
lot qty of misc bubbler level system parts	used junk 20+ years old	$10.00	none	wwtp
qty 2 file cabnets	used surplus 20+ years old	$15.00	none	wwtp
qty 1 20x 29 breaker panel	used junk 20+ years old	$10.00	none	wwtp
qty 1 ge motor 3ph 30 hp 230/460 c326hp16 frame	used junk 20+ years old	$25.00	none	wwtp
qty 1 shark robbin heated pressure washer	used surplus 15+ years old	$50.00	unsure of running condtion may not run	wwtp
qty 1 stainless steel electrical disconnect	used surplus 10+ yaers old	$10.00	none	wwtp
kenmore washer and dryer	used surplus 5+ years old	$100.00 for pair	in working conditon when stored away	wwtp
qty 1 fridge medium size	used junk 15+ years old	$20.00	unsure of running condition...	wwtp
lot qty misc lab equipment testing and measuring	used junk 20+ years old obsolete items	$25.00for the whole lot	none obsolete items no longer used	wwtp
qty 1 3" trash pumps non working condition	used surplus 15+ years old	$50.00	unsure of running condition or pump condition	wwtp
qty 1 1980 75 gal pneaumatic air tank	used junk20+ years old	$5.00	none	wwtp
qty 2 used nonworking variable frequency drive 125hp	used junk non working parts only 15+years old	$50.00 pair	non working	wwtp
1 1998 Ford E-350 cube van	Not roadworthy	$350	needs motor and body work	wwtp
1 1999 Ford E-350 dump truck	Not roadworthy	$1,000	needs new dump body, motor runs, needs work	wwtp
Construction trailer	30+ years old falling apart	$50.00	needs a new floor and door	wwtp
Belt conveyor	30 years old	$100.00	In place, belt driven, needs to be removed	wwtp

Will move vehicles to DCM when instructed

5

City of Fall River
Massachusetts
Department of Community Services

PLANNING • HEALTH & HUMAN SERVICES • LIBRARY
INSPECTIONAL SERVICES • ELECTIONS

Council on Aging

WILLIAM A. FLANAGAN
Mayor

HENRY R. VAILLANCOURT, M.D., MPH
Director

PAULINE D. GOUSIE
Associate Director, Council on Aging

MEMORANDUM

TO: Timothy McCoy, Purchasing Agent

FROM: Pauline D. Gousie, Associate Director/Council on Aging

DATE: August 8, 2014

RE: Surplus Property

As per your request, below please find a listing of the Council on Aging's surplus property, an estimated dollar value for each item, and where those items are located:

1) **1 Folding Table – 8'** - approx. 20 years old, poor condition. Located at South Main Senior Center, 114 South Main St., Fall River. (Estimated dollar value - $10)

2) ~~**Sharp Carousel II [illegible]** - approx. 10 years old, good condition - located at South Main Senior Center, 114 South Main St., Fall River. (Estimated dollar value - $25)~~

3) **Panasonic EASA-PHONE – Model # oabqc-38524** – approx. 15 years old – doesn't work – located at Flint Senior Center, 1423 Pleasant St., Fall River. (Estimated dollar value - $0)

4) **3 – 30-cup Coffee Pro Coffee Urns** - approx. 10 years old, not working properly (the cords burn-out). Located at Niagara/Maplewood Senior Center, 550 Tucker St., Fall River. (Estimated dollar value - $0)

5) **TV Stand for large TV** – approx. 14-years-old – good condition. Located at Niagara/Maplewood Senior Center, 550 Tucker St., Fall River. (Estimated dollar value - $20)

6) **SHARP Copy Machine - # AR 1685** – age unknown, does not work. Located at Niagara/Maplewood Senior Center, 550 Tucker St., Fall River. (Estimated dollar value - $5)

One Government Center • Fall River, MA 02722
TEL (508) 324-2401 • FAX (508) 324-2403 • EMAIL coa@fallriverma.org

7) **3 Black Toner Cartridges – SHARP AR 168NT –** age unknown. Located at Niagara/Maplewood Senior Center, 550 Tucker St., Fall River. (Estimated dollar value - $25/each).

8) **Brother MFC Fax Machine - # 1870MC** – age unknown – doesn't work. Located at Niagara/Maplewood Senior Center, 550 Tucker St., Fall River. (Estimated dollar value - 0).

9) **Frigidaire 2.2 Cu. Ft. Countertop Microwave – Model # FFCE2278LS** – one-year-old – microwave works, but special settings on the control panel do not work. Located at Niagara/Maplewood Senior Center, 550 Tucker St., Fall River. (Estimated dollar value - $75).

5

Hi Tim,

Attached is a list of police vehicles, and other surplus equipment we will be sending to the city auction. The items listed below will also be going to auction.

If you have any questions please feel free to call.

Thanks,

Roger

30 sets of rear seats for Ford Crown Victoria vehicles, new, unknown value
Snap-On R12 Air Conditioner recharging station (broken) unknown value

Roger

To: Lt Roger Lafleur

From: Sgt Kevin J Silva

Date: August 12, 2014

Re: Surplus Property

Lt. Lafleur,

In regards to surplus property in the communication area/ booking room area I have noted the following items for junk or surplus.

1 3 years old / Black Long Back Cloth Chair / Broken Mechanism $50.00

1 4 years old / Blue Short Back Cloth / Worn-Out Material $20.00

1 2 years old / Grey Standing Cloth Chair / Unstable Mechanism $50.00

1 3 years old / Black Short Back Cloth Chair / No Arm Rests, Worn-out $5.00

1 2 years old / Grey Short Back Cloth Chair / No Arm Rests, Worn-out $20.00

The above listed items are located in the Record Room. Any further assistance needed please feel free to contact me.

Respectfully Submitted,

Sgt K J Silva

Staff Sergeant Kevin J Silva

ACTIVE	PD #	CAR #	UNIT	YEAR	MAKE	MODLE	VIN #	COLOR
✓ NO	4[illegible]	OLD CAR 6	UNIFORM	2008	FORD	CROWN VIC	2FAFP71V68X179219	BLACK/WHITE
✓ NO	387	OLD VICE	VICE	2000	FORD	EXPEDITION	1FMPU16L9YLC50448	GRAY
✓ NO	258	OLD H-1	SPECIAL OPERATION	2000	FORD	TAURUS	1FAFP53U9YG119627	GOLD
~~NO~~	~~[illegible]~~	~~OLD CAR~~ 14	~~UNIFORM~~	~~[illegible]~~	F[redacted]	[redacted]	[redacted]	[redacted]
✓ NO	345	OLD CAR 11	UNIFORM	2005	FORD	CROWN VIC	2FAP71W95X149197	BLACK/WHITE
~~NO~~	311	OLD CAR 15	UNIFORM	2003	FORD	CROWN VIC	2FAFP71W63X137456	BLACK/WHITE

Tim,

None of these vehicles are operational. They are all missing parts (motor, transmissions etc)

thanks,

Roger

0503072

CERTIFICATE OF TITLE

THE COMMONWEALTH OF MASSACHUSETTS

TITLE NUMBER	VEHICLE IDENTIFICATION NUMBER	DATE OF ISSUE
BG340068	2FAFP71V68X179219 2FAFP71V68X179219	11/28/2008

MFRS. MODEL YEAR	MAKE	MODEL NAME	MODEL NO.	BODY STYLE/TYPE	NEW/USED
2008	FORD	CROVIC	P71	SEDAN	NEW

CYL. PASS. DRS.	PURCHASE DATE	ODOMETER READING	PREV. TITLE NO.	PREV. TITLE STATE
08 05 4	10/08/2008	10 10 ACTUAL MILEAGE	IF PREVIOUS STATE WAS TITLE EXEMPT, REGISTRATION NUMBER IS DISPLAYED.	

MAILING ADDRESS ONLY:
FORD MOTOR COMPANY
PO BOX 6229
DEARBORN, MI 48121

TITLE TYPE AND BRANDS

TITLE TYPE

BRAND
BRAND
BRAND
BRAND

TITLE MESSAGE(S):

OWNER(S) NAME AND ADDRESS:
FALL RIVER CITY OF
DEPT OF POLICE
685 PLEASANT ST
FALL RIVER, MA 02722

FIRST LIENHOLDER:
FORD MOTOR COMPANY
PO BOX 6229
DEARBORN, MI 48121

SECOND LIENHOLDER:

RELEASE OF FIRST LIEN:	RELEASE OF SECOND LIEN:
THE FIRST LIENHOLDER'S INTEREST IN THE VEHICLE DESCRIBED IN THIS CERTIFICATE IS HEREBY RELEASED	THE SECOND LIENHOLDER'S INTEREST IN THE VEHICLE DESCRIBED IN THIS CERTIFICATE IS HEREBY RELEASED
NAME: Ford Motor Credit Company	NAME:
AUTHORIZED SIGNATURE: X [signature] agent	AUTHORIZED SIGNATURE: X
DATE RELEASED: 10 29 2009	DATE RELEASED:

THE REGISTRAR OF MOTOR VEHICLES HEREBY CERTIFIES THAT AN APPLICATION FOR A CERTIFICATE OF TITLE FOR THE MOTOR VEHICLE DESCRIBED HEREIN HAS BEEN DULY FILED, PURSUANT TO THE PROVISIONS OF THE LAWS OF THE COMMONWEALTH OF MASSACHUSETTS, BASED ON THE STATEMENTS OF THE APPLICANT AND THE RECORDS ON FILE WITH THIS AGENCY, THE APPLICANT NAMED IS THE OWNER OF SAID VEHICLE.

THE REGISTRAR OF MOTOR VEHICLES FURTHER CERTIFIES THAT THE VEHICLE IS SUBJECT TO ANY SECURITY INTERESTS SHOWN HEREIN.

CAR-10

PD 401

Rachel Kaprielian
Rachel Kaprielian
Registrar

CONTROL NO. F 5227030
NOT THE TITLE NUMBER

ALTERATION OR ERASURE VOIDS THIS TITLE. KEEP IN SAFE PLACE

REGISTRY OF MOTOR VEHICLES

VERIFY PRESENCE OF WATERMARK HOLD TO LIGHT TO VIEW

VERIFY PRESENCE OF WATERMARK HOLD TO LIGHT TO VIEW

0515222

CERTIFICATE OF TITLE

THE COMMONWEALTH OF MASSACHUSETTS

TITLE NUMBER	VEHICLE IDENTIFICATION NUMBER	DATE OF ISSUE
BE841176	1FMPU16L9YLC50448 1FMPU16L9YLC50448	08/24/2007

MFRS. MODEL YEAR	MAKE	MODEL NAME	MODEL NO.	BODY STYLE/TYPE	NEW/USED
2000	FORD	EXPEDI	U16	UTIL	USED

CYL. PASS. DRS	PURCHASE DATE	ODOMETER READING	PREV. TITLE NO.	PREV. TITLE STATE
08 07 4	08/09/2007	89,794 89,794 ACTUAL MILEAGE	5121905 IF PREVIOUS STATE WAS TITLE EXEMPT REGISTRATION NUMBER IS DISPLAYED	RI

MAILING ADDRESS ONLY:
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685 PLEASANT ST
DEPT OF POLICE
FALL RIVER, MA 02722

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PD 3 8 n
Vice
8-on FRiver

Anne L. Collins
Registrar

CONTROL NO. F 3622856
NOT THE TITLE NUMBER

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REGISTRY OF MOTOR VEHICLES

VERIFY PRESENCE OF WATERMARK HOLD TO LIGHT TO VIEW

VERIFY PRESENCE OF WATERMARK HOLD TO LIGHT TO VIEW

0526368

CERTIFICATE OF TITLE

THE COMMONWEALTH OF MASSACHUSETTS

TITLE NUMBER	VEHICLE IDENTIFICATION NUMBER	DATE OF ISSUE
AT843265	1FAFP53U9YG119627	01/07/2000

MFRS. MODEL YEAR	MAKE	MODEL NAME	MODEL NO.	BODY STYLE/TYPE	NEW/USED
2000	FORD	TAURUS		SEDAN	NEW

CYL. PASS. DRS.	PURCHASE DATE	ODOMETER READING	PREV. TITLE NO.	PREV. TITLE STATE
06 05 4	12/13/1999	20 ACTUAL MILEAGE	IF PREVIOUS STATE WAS TITLE EXEMPT, REGISTRATION NUMBER IS DISPLAYED.	

MAILING ADDRESS ONLY:
FALL RIVER CITY OF
685 PLEASANT ST
POLICE DEPT 00
FALL RIVER, MA 02722

OWNER(S) NAME AND ADDRESS:
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POLICE DEPT 00
685 PLEASANT ST
FALL RIVER, MA 02722

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THE REGISTRAR OF MOTOR VEHICLES FURTHER CERTIFIES THAT THE VEHICLE IS SUBJECT TO ANY SECURITY INTERESTS SHOWN HEREIN.

Daniel A. Grabauskas
Registrar of Motor Vehicles

CONTROL NO. E 1105334
NOT THE TITLE NUMBER

ALTERATION OR ERASURE VOIDS THIS TITLE. KEEP IN SAFE PLACE

REGISTRY OF MOTOR VEHICLES

THIS TITLE CONTAINS A WATERMARK

THIS TITLE CONTAINS A WATERMARK

CERTIFICATE OF TITLE

THE COMMONWEALTH OF MASSACHUSETTS

TITLE NUMBER	VEHICLE IDENTIFICATION NUMBER	DATE OF ISSUE
BB942426	2FAFP71W95X149197 2FAFP71W95X149197	06/24/2005

MFRS. MODEL YEAR	MAKE	MODEL NAME	MODEL NO.	BODY STYLE/TYPE	NEW/USED
2005	FORD	CROVIC	P71	SEDAN	NEW

CYL. PASS. DRS	PURCHASE DATE	ODOMETER READING	PREV. TITLE NO.	PREV. TITLE STATE
08 05 4	05/26/2005	10 10 ACTUAL MILEAGE	IF PREVIOUS STATE WAS TITLE EXEMPT, REGISTRATION NUMBER IS DISPLAYED	

MAILING ADDRESS ONLY:

FALL RIVER CITY OF
685 PLEASANT ST
DEPT OF POLICE
FALL RIVER, MA 02722

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THE REGISTRAR OF MOTOR VEHICLES FURTHER CERTIFIES THAT THE VEHICLE IS SUBJECT TO ANY SECURITY INTERESTS SHOWN HEREIN.

CAR-11

PD 345

Kimberly Hinden

Kimberly Hinden
Registrar

CONTROL NO. E 9352942
NOT THE TITLE NUMBER

ALTERATION OR ERASURE VOIDS THIS TITLE **KEEP IN SAFE PLACE**

REGISTRY OF MOTOR VEHICLES

HOLD TO LIGHT TO VIEW EAGLE WATERMARK

THIS TITLE CONTAINS A WATERMARK

CERTIFICATE OF TITLE

S-2 Pd 311

THE COMMONWEALTH OF MASSACHUSETTS

TITLE NUMBER	VEHICLE IDENTIFICATION NUMBER	DATE OF ISSUE
AX952421	2FAFP71W63X137456	09/27/2002

MFRS. MODEL YEAR	MAKE	MODEL NAME	MODEL NO.	BODY STYLE/TYPE	NEW/USED
2003	FORD	CROWN	P71	SEDAN	NEW

CYL. PASS. DRS.	PURCHASE DATE	ODOMETER READING	PREV. TITLE NO.	PREV. TITLE STATE
08 05 4	08/23/2002	20 ACTUAL MILEAGE	IF PREVIOUS STATE WAS TITLE EXEMPT, REGISTRATION NUMBER IS DISPLAYED.	

MAILING ADDRESS ONLY:
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685 PLEASANT ST
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FALL RIVER, MA 02722

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DEPT OF POLICE
685 PLEASANT ST
FALL RIVER, MA 02722

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THE REGISTRAR OF MOTOR VEHICLES FURTHER CERTIFIES THAT THE VEHICLE IS SUBJECT TO ANY SECURITY INTERESTS SHOWN HEREIN.

Kimberly Hinden

Kimberly Hinden
Registrar

CONTROL NO. E5239630
NOT THE TITLE NUMBER

ALTERATION OR ERASURE VOIDS THIS TITLE — KEEP IN SAFE PLACE

REGISTRY OF MOTOR VEHICLES

THIS TITLE CONTAINS A WATERMARK

THIS TITLE CONTAINS A WATERMARK

*To Be Auctioned Together

MIS SURPLUS

Item	QTY	Probler	FR#	SN#	AGE (yrs)	Value	Works
Hp 4100 Pritner	1	y	6496		10	$13	n
Dell Gx280	1	y	5591	8TTNS51	9	$7	n
Cisco Modem Ubr0924	1	n		FAA0437Q2ZT	12	$8	y
Gateway Monitor	1	y	5898		9	$11	n
Miscellaneaous Box 1	1	y				$25	n
Miscellaneaous Box 2	1	y				$25	n
Hp 4100 Pritner	1	y		U78UJ18342	10	$11	n
Epson Reciept Printer	1	y		BP20015864	12	$4	n
Dell Gx280	1	y	5313	JGUC141	9	$7	n
Dell Gx280	1	y	5406		9	$7	n
Dell Gx280	1	y	5352	5GVC141	9	$7	n
Gateway PC E2000	1	y	5319	31727653	11	$8	n
Gateway PC	1	y			12	$5	n
Gateway 4500	1	y	5624			$8	n
Gateway 4500	1	y	5537			$8	n
Compaq Server	1	y	5664			$3	n
Hp 9050 Printer tray 4	1	y			8	$4	n
Projector Screen	1	y	5788		14	$6	n
Compaq CRT	1	n	5663			$6	y
Keyboard Trays	2	n			16	$2	y
HP 8150DN Printer	1	y		JPBLM27514	8	$35	y
Brother intellifax 4100e	1	y		v61639AOJ126715	8	$40	n
Dell Gx280	1	y	5583		10	$10	n
Dell Optiplex 360	1	y		9XYVXH1	6	$10	n
Custom PC Tower	1	y		4-70041a	10	$0	n
Gateway Server	1	y		27523541	14	$0	n
HP 9000 G40	1	y		3348A41992	14	$15	n
HP 9000 G50	1	y		3402a44635	14	$15	n
Reel Tape Shelf	1	y			12	$10	y
CTX CRT GP1772E	1	y			12	$10	y
IBM CRT 6550-63n	1	y			12	$10	y

*To Be Auctioned Together

MIS SURPLUS

Item	QTY	Probler	FR#	SN#	AGE (yrs)	Value	Works
Compaq CRT PE1164	1	y		217c543bd340	12	$12	y
Compaq CRT 57500	1	n		226c580DA651	11	$17	y
Fedders AC Cover	1	y		FU262837172X	8	$5	y

11

City of Fall River, *In City Council*

(Councilor Leo O. Pelletier)

WHEREAS, Hamlet Street has been reconstructed with a new traffic pattern and a narrowing of the street at the intersection of Hamlet Street and Plymouth Avenue, and

WHEREAS, this new traffic pattern is causing vehicles great difficulty in negotiating the turn from Plymouth Avenue onto Hamlet Street and from Hamlet Street onto Plymouth Avenue, and

WHEREAS, many residents are concerned by this new design and the effects that winter snow and ice will have at this intersection, and

WHEREAS, school buses are having difficulty negotiating the turn, now therefore

BE IT RESOLVED, that the City Council Committee on Public Safety meet with the City Engineer, LAL Construction, Traffic Department, Fall River Police Department, Fall River Fire Department and the State Engineers that laid out this new design to discuss the benefits of the changes and possibly recommend any necessary adjustments.

12

City of Fall River, *In City Council*

(Council President Joseph D. Camara)

WHEREAS, there has been discussion regarding possible increases in water rates due to pending legislation regarding EPA limits on nitrogen levels, and

WHEREAS, stormwater fees have not been increased in six years and sewer rates have been held to minimal increases, now therefore

BE IT RESOLVED, that the City Council Committee on Finance invite the Administration and the Administrator of Public Utilities to discuss these anticipated deficits and possible rate increases for the Fiscal Year 2016 Budget, and

BE IT FURTHER RESOLVED, that the Administration present a proposed rate schedule for any increases in water and sewer rates and stormwater fees.

City of Fall River, *In City Council*

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

WHEREAS, Alfred J. Lima, a retired professional planner and resident of Fall River, has donated his many talents and countless hours to the betterment of Fall River, and

WHEREAS, Mr. Lima has taken a leading role in city projects such as the Southeastern Massachusetts Bioreserve, the Quequechan River Rail Trail and the preservation of many of Fall River's historical sites, and

WHEREAS, Mr. Lima has been active in numerous organizations that have improved the City of Fall River; founder of Save Our Neighborhoods, president of the Greater Fall River Land Conservancy, Director of Research for Green Futures, founding member of the Coalition for Responsible Siting of LNG Facilities, founding member of the Fall River History Club and member of the board of the Taunton River Watershed Alliance, and

WHEREAS, Mr. Lima has strived to keep the rich history of Fall River alive by authoring the following books, "The Taunton Heritage River Guide": A guide to the appreciation of the Taunton River, "A River and Its City": the influence of the Quequechan River on the development of Fall River; and "Preserving Community Character": a citizen's guide to saving place and halting urban sprawl, now therefore

BE IT RESOLVED that the Fall River City Council recommends that the planned Quequechan River Rail Trail be named the Alfred J. Lima Quequechan River Rail Trail.

13

Bike Fall River

The Fall River Bicycle Committee

September 17, 2014

Fall River City Council
1 Government Center
Fall River, MA 02721

Dear City Councilors,

As the Chairman of Bike Fall River I am sending this letter to request that the Fall River City Council give approval to a resolution that would name the Quequechan River Rail Trail the Alfred J. Lima Quequechan River Rail Trail. At our meeting in July a motion was made to support the naming of the multi-use path after Mr. Lima and the vote was unanimous.

As most of the Councilors know, Mr. Lima has dedicated his life to Fall River. He has donated his talent as a professional planner to countless projects within the city. One such project was the creation of the Quequechan River Rail Trail. He has also worked tirelessly in preserving the history of this wonderful community whether it was saving an historical edifice or preserving our long history through the written word as author of several books including *A River and Its City: The Influence of the Quequechan River on the Development of Fall River.*

Mr. Lima took his passion for history and combined it with his new passion, bicycling, and organized bicycle historical tours within the city and in neighboring towns. He has dreamt for years of creating multi use paths that the citizens of Fall River could use safely away from vehicular traffic and where families could experience the joys of nature within an urban setting. His long held dream is now going to be a reality. On November 23, 2002 Mr. Lima was one of the presenters at the UrbanRiver Visions Charrette that took place at the Advanced Technology & Manufacturing Center. The central topic of this charrette was the Quequechan River and the possibilities of what the city could do with this discarded gem located in the heart of the city. His tenacity on this and other projects have benefitted and will benefit the citizens of Fall River immensely.

Bike Fall River sees the naming of the Quequechan River Rail Trail as an opportunity to honor a man who has been fighting all his life to preserving our past and at the same time working hard to better our future. In closing, please vote yes on this resolution. Thank you.

Brian Pearson – Chairman Bike Fall River

Brian Pearson

13

THE PRESERVATION SOCIETY OF FALL RIVER, INC.

September 9, 2014
Fall River City Council
1 Government Center
Fall River, MA 02721

Dear City Councilors,

The Preservation Society of Fall River supports naming the Quechuechan Rail Trail Bikeway in honour of Mr Al Lima. There is, or will be, a resolution before you regarding the new bikeway, and the Society believes that Mr Lima is most deserving of this title.

Al Lima is the poster child of selfless community giving. He has spent a lifetime career, now retired, as a municipal planner outside of Fall River, but he has devoted just as much time and talent advocating for historic preservation, environmental, and zoning causes here in his home city, many times against some of the most formidable and powerful of rivals.

The board of the Preservation Society has voted unanimously in support of this resolution, we hope that you will support Mr Lima's nomination.

Sincerely,

Jim Soule, Pres.

P.O. BOX 9221 FALL RIVER, MA 02720 508.673.4841 FAX 508.675.7777
WWW.FALLRIVERPRESERVATION.ORG

13

FALL RIVER HISTORY CLUB

September 8, 2014

As a representative of the Fall River History Club, I am writing in support of the resolution recommending that the Quequechan River Rail Trail be named the Alfred J. Lima Quequechan River Rail Trail.

Al Lima has devoted a great deal of his energies to creating this trail, in addition to his other active interests for the betterment of the city of Fall River.

A well-respected former city planner and author of several books, one on the history of the Quequechan River (*A River and Its City: The Influence of the Quequechan River on the Development of Fall River*, PearTree Press, 2013), Al has without hesitation taken up the cause of this bike trail and worked tirelessly for its implementation.

Al is the co-founder of this club, founder of Save Our Neighborhoods, President of the Greater Fall River Land Conservancy, director of research for Green Futures, founding member of the Coalition for Responsible Siting of LNG Facilities, and member of the board of the Taunton River Watershed Alliance.

Al Lima has helped the City of Fall River in both large and small ways. It is an appropriate honor for this great man and we wholeheartedly support this resolution.

Stefani Koorey
Co-President
Fall River History Club

13

Fall River
Park Advocates

August 27, 2014

Commitment, loyalty, dedication! These are just a couple of words that describe Al Lima. Over the years Al has given his time, talent and treasure to the city of Fall River, and always with the best interest of the city in mind.

I have, personally, worked with Al on numerous projects; one being the Quequechan River Rail Trail. I have always appreciated, and respected his depth of knowledge of the city's history and project logistics.

As Fall River Park Advocate Coordinator, I am in full support and encourage the naming of the Quequechan River Rail Trail the Alfred J. Lima Quequechan River Rail Trail.

Respectfully,

Sandy Dennis

Sandy Dennis, Coordinator
Fall River Park Advocates

13

DAVID J. DENNIS, ESQ.

August 27, 2014

Letter in Support of Alfred J. Lima

This letter is in support of naming the Quequechan River Rail Trail for Alfred J. Lima in recognition of his selfless and numerous contributions to the City of Fall River and the region.

Al Lima's lifelong community involvement has helped shape our region and improved the lives of countless people living and working in the greater Fall River area. Al's contributions are as varied as his interests and have enriched our city by his conservation efforts, planning proposals, neighborhood advocacy, and historic knowledge of Fall River and the South Coast to name a few.

Al Lima's vision and passion for preservation, planning and building sustainable communities was the impetus for many regional initiatives where he always led by example. Often it was Al Lima's conspicuous advocacy that led the way to shaping public policy that truly made a positive difference and will endure for generations.

For these reasons and many more I enthusiastically support naming the Quequechan River Rail Trail for Alfred J. Lima as well deserved for a lifetime of achievement and his generous personal and professional contributions to his fellow citizens.

Sincerely,

DAVID J. DENNIS, ESQ.

132 Highland Avenue, Fall River, MA 02720

13

Sept. 2, 2014

I TOTALLY SUPPORT, IN NAMING THE QUEQUECHAN RIVER RAIL TRAIL AFTER AL LIMA.

James Barky

19

RECEIVED

2014 SEP -5 A 9:50

CITY CLERK 14-264
FALL RIVER, MA

City of Fall River
Notice of Claim

1. Claimant's name: Gerry McCarthy
2. Claimant's complete address: 66 Malbone Road Box 526 Assonet MA 02702
3. Telephone number: Home: 508-644-3447 Work: 508-644-3447
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
   Auto damage from a pothole
5. Date and time of accident: 8/24/14 11:45 AM Amount of damages claimed: $ 394-78
6. Exact location of the incident: (include as much detail as possible):
   442 Hancock St. Fall River MA 02721
7. Circumstances of the incident: (attach additional pages if necessary):
   While picking up retired police officer Pat McNerney my car hit a pothole which ruptured the side wall and cracked the wheel. Dave's Tire and Auto replaced the tire and repaired the wheel for $394.78
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☐ Yes ☒ No

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

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

Date: 9/5/14 Claimant's signature: [signature]

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

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

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

For official use only:
Copies forwarded to: ☑ City Clerk ☑ Law ☐ City Council ☑ City Administrator ☑ DPW Date: 9/5/14

19

RECEIVED

2014 SEP -9 A 11:13

CITY CLERK
FALL RIVER, MA

City of Fall River
Notice of Claim

#14-265

1. Claimant's name: ANDREW M. LIZAK
2. Claimant's complete address: 94 CHERRY STREET, FALL RIVER, MA 02720
3. Telephone number: Home (508) 675-4172 Work: —
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
   CITY WORKER DROPPED TRASH CONTAINER ON CAR
5. Date and time of accident: AUG. 5, 2014 @ 9:17 AM Amount of damages claimed: $ 450.00
6. Exact location of the incident: (include as much detail as possible):
   STREET, 94 CHERRY STREET, FALL RIVER
7. Circumstances of the incident: (attach additional pages if necessary):
   see attached police report.
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☐ Yes ☑ No

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

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

Date: SEPT. 9, 2014 Claimant's signature: Andrew M. Lizak

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

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

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

For official use only:
Copies forwarded to: ☑ City Clerk ☑ Law ☑ City Council ☑ City Administrator ☑ DPW Date: 9/9/14

19

ROB LEVINE & ASSOCIATES

The Lawyers for Personal Injury

Certified Mail/Return Receipt Requested

September 2, 2014

RECEIVED
2014 SEP 11 A 11: 22
CITY CLERK 14-266
FALL RIVER, MA

City of Fall River
Attn: City Clerk's Office
1 Government Center
Fall River, MA 02720
Attention: City of Fall River

Re: Our Client: ***Victor Hennessey***

Dear Sir or Madam:

This letter of presentment is being sent to you pursuant to M.G.L Ch. 258 §4, and M.G.L. Ch. 84 §18. Please be advised that I represent Victor Hennessey of 130 Canal Street Apt 911 Fall River, MA 02721 with regard to injuries sustained in a Slip and Fall on June 15, 2014 at: 130 Canal Street Apt 911, Fall River MA due to your insured's negligence.

Mr. Victor Hennessey was riding his scooter within the vicinity of the apartment complex when he fell due to broken chips in the sidewalk. Mr. Victor Hennessey sustained a torus fracture to the right wrist. Please see attached form for additional information.

Thank you for your anticipated cooperation with regard to this matter.

Very truly yours,

Robert J. Levine, Esq.
RL/EG

544 DOUGLAS AVE
PROVIDENCE, RI 02908

ANYTIME-DAY OR NIGHT
[401] 621-7000

SEND FAXES TO
[401] 621-7050

19

RECEIVED

2014 SEP 16 A 11: 12

CITY CLERK
FALL RIVER, MA

City of Fall River
Notice of Claim

14-267

1. Claimant's name: Timothy Desrosiers
2. Claimant's complete address: Po box 1422 F.R. MA 4 Webster St. F.R. MA.
3. Telephone number: Home: (774) 225-4621 Work: _____
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage): Pothole debris Damage
5. Date and time of accident: 8/15/14 Amount of damages claimed: $ $1,476.57
6. Exact location of the incident: (include as much detail as possible): Pleasant st/ Plymouth ave
7. Circumstances of the incident: (attach additional pages if necessary): Pothole in Road - ran over it caused damage to vehicle
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☐ Yes ☑ No

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

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

Date: 9.11.14 Claimant's signature: Timothy Desrosiers

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

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

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

For official use only:
Copies forwarded to: ☐ City Clerk ☐ Law ☐ City Council ☐ City Administrator ☐ DPW Date: 9/16/2014

19

RECEIVED

2014 SEP 18 A 11: 34

CITY CLERK 14-268
FALL RIVER, MA

City of Fall River
Notice of Claim

1. Claimant's name: Melissa Beliveau
2. Claimant's complete address: 43 Westnell Ave #1 Somerset MA 02726
3. Telephone number: Home: 781-626-3361 Work: 508-979-1378
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage): Tire / alignment damage
5. Date and time of accident: Several over summer. Amount of damages claimed: $ 429.99
6. Exact location of the incident: (include as much detail as possible): Under Braga Bridge Rt 79 / 138
7. Circumstances of the incident: (attach additional pages if necessary):

   See attached

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

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

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

Date: _____ Claimant's signature: [signature]

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

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

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

For official use only:
Copies forwarded to: ☐ City Clerk ☐ Law ☐ City Council ☐ City Administrator ☐ DPW Date: 9/18/14

20

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

RECEIVED

2014 SEP 10 P 3:46

CITY CLERK
FALL RIVER, MA

DEVAL L. PATRICK
Governor

MAEVE VALLELY BARTLETT
Secretary

DAVID W. CASH
Commissioner

FAX: (508) 947-6557

To: Mayor William A. Flanagan
Fall River City Council

Fax: (508) 324-2626
(508) 324-2211

From: Roslyn Reimao (508) 946-2863

Date: 9/10/14

Pages: 11 1-sided/2-sided (2/9)

Comments: Please find attached: Fall River BFI Transfer Station @ Former BFI Landfill

Written by: Dan Connick

This information is available in alternate format. Call Donald M. Gomes, ADA Coordinator at 617-556-1057. TDD# 866-539-7622 or 617-574-6868.

DEP on the World Wide Web: http://www.mass.gov/dep

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

Southeast Regional Office • 20 Riverside Drive, Lakeville MA 02347 • 508-946-2700

DEVAL L. PATRICK
Governor

MAEVE VALLELY BARTLETT
Secretary

DAVID W. CASH
Commissioner

COPY

September 8, 2014

Mr. Christopher October
Environmental Manager
Browning-Ferris Industries, Inc. (MA)
1080 Airport Road
Fall River, Massachusetts 02720

RE: APPROVAL WITH CONDITIONS
Application for: BWP SW 06
AUTHORIZATION TO OPERATE
A LARGE HANDLING FACILITY

AT: BFI Fall River Transfer Station
At the Former BFI Fall River Landfill
1080 Airport Road
Fall River, MA 02720
Facility Number: 132278
Landfill Regulated Object No. 172513
Handling Facility Regulated Object No. 547901

Transmittal Number: X262449

Dear Mr. October:

The Massachusetts Department of Environmental Protection ("MassDEP") has completed its Technical Review of the permit application ("Application") listed above and determined that the Application is technically complete. Accordingly, MassDEP hereby issues this approval of the Browning Ferris Industries, Inc. ("BFI") Application to Operate a large solid waste transfer facility ("Facility" or "Transfer Station") at the Former BFI Fall River Landfill, 1080 Airport Road, Fall River, Massachusetts (the "Site"), subject to the conditions listed below.

I. Submittals

The Application was received by MassDEP on August 1, 2014, and is comprised of a document entitled: "Application for Authorization to Operate a Large Handling Facility, BWP SW 06, Transmittal X262449, Browning-Ferris Industries, Inc. (MA), Fall River Transfer Station, 1080 Fall

30

3. the site meets the suitability criteria at 310 CMR 16.40(3)(d), unless a waiver of one or more criteria has been granted pursuant to 310 16.40(6).

The BFI Fall River Landfill is permitted at a maximum daily waste intake rate of 1950 tons per day and an annual average of 1500 tons per day. The proposed Transfer Station will operate at a daily maximum rate of 1000 tons per day. The site assignment does not contain any special conditions. The site meets the suitability criteria at 310 CMR 16.40(3)(d).

Variance Request

The site design does not meet the requirement established at 310 CMR 19.038(2)(b)(2)(a) that the waste handling area not be within 100 feet of the nearest edge of the property boundary. On September 16, 2013, SITEC submitted a detailed Request for a Variance pursuant to the provisions of 310 CMR 19.080; Variances, requesting that the waste handling area be allowed to be within 40 feet of the property boundary citing, among other factors, that BFI owns the abutting property, which is used for solid waste collection vehicle parking and maintenance. A revised request was submitted on November 4, 2013, providing additional details. On December 20, 2013, MassDEP's Southeast Regional Office Regional Director granted the Variance Request.

Authorization to Construct Permit

An Authorization to Construct Application was submitted to MassDEP on August 23, 2013, comprised of a document entitled: "Application For a Large Handling Facility BWP SW 05, Transmittal X255837, Browning-Ferris Industries, Inc. (MA), Fall River Transfer Station, 1080 Fall River Road, Fall River, MA 02720, August 2013", prepared by SITEC Environmental, Inc. ("SITEC"). Supplemental Application information was submitted on October 23, 2013, and on November 7, 2013. A Final Permit Approval with Conditions was issued on January 27, 2014.

III. Project Description

BFI constructed and will operate a 1,000 ton per day solid waste Transfer Station that will handle Municipal Solid Waste ("MSW") and bulky waste. The major improvements made at the site include the construction of the 20,900 square foot Transfer Station building and a 1,250 square foot detached office building, site grading, paving, a storm water collection and management system, and underground utility improvements.

The Transfer Station will be open to accept incoming loads of waste on Monday through Saturday from 7:00 AM to 5:00 PM. Transfer Station start-up and clean-up operations will be conducted prior to and following this operational period.

The Facility may accept and handle municipal solid waste ("MSW"), Bulky Waste, and special wastes that have received prior written approval from MassDEP. The Facility may not accept, consolidate, or transfer dedicated loads of construction and demolition ("C&D") material or loads of mixed C&D waste and bulky waste, and should redirect such loads to an appropriately permitted C&D waste recycling/processing facility.

be detected and removed from waste loads. An area is designated on the northerly side of the building for the potential overnight layover of empty and full transfer trailers.

Storm Water Management

The storm water management system was designed in accordance with the MassDEP's Stormwater Management Regulations. Stormwater runoff from the newly paved areas will be collected by a series of deep sump catch and conveyed to a detention basin to be constructed on the easterly side of the Site. The detention basin includes a sediment forebay at its inlet and an outlet control structure at the discharge end of the basin.

Landfill Gas Considerations

The Transfer Station was constructed adjacent to a closed and capped area of the Landfill. There are currently four existing landfill soil gas probes located to the west of the proposed Transfer Station. To ensure that any subsurface soil gas migration directly from the Landfill towards the Transfer Station is detected, one additional landfill gas probe was installed between the Landfill and the Transfer Station building and will be monitored as part of the Landfill's soil gas probe monitoring program.

Waste Ban Compliance Plan

A Waste Ban Compliance Plan and related supplemental submittals were included in the Application. Within the Waste Ban Compliance Plan, BFI indicated that BFI will remove waste materials banned from disposal to the greatest degree possible. All BFI employees will be trained in identification of Waste Ban Materials and waste loads will be subject to inspection at several points. At any of these stages, banned materials may be rejected, reloaded or removed from waste loads. All loads deposited onto the tipping floor will be inspected by the waste load inspector with the assistance of the front end loader. Containers for segregation of waste ban materials will be placed at the east side of the building, as well as inside the building. For Waste Ban Materials that BFI does not have containers for segregation, loads will be rejected. (refer to Attachment A for Waste Ban Approval and Conditions).

IV. Department Determinations

This application was reviewed in accordance with Massachusetts General Laws Chapter 111, Section 150A, and the Massachusetts Solid Waste Regulations at 310 CMR 16.00 and 19.000, including 310 CMR 19.033, Permit Procedure for an Application for a Permit Modification or Other Approval. The plans and reports described above establish that the facility complies with the criteria at 310 CMR 19.038(2)(a) and (b), except where variances have been approved by MassDEP.

MassDEP, as a result of its review of the Application, has determined that the permit application substantially complies with the requirements of 310 CMR 19.042 Authorization to Operate. Accordingly, MassDEP, with the authority granted pursuant to 310 CMR 19.042, hereby approves the Authorization to Operate subject to the conditions herein.

rights under applicable federal and states laws and regulations, as well as any permits or other agreements between the Permittee and MassDEP.

9. **Other Laws and Regulations** - The operation, maintenance, and closure shall be performed in compliance with other applicable local, state, and federal laws, regulations, and policies, by-laws, ordinances and agreements. Applicable federal regulations include, but are not limited to, 29 CFR Part 1910, OSHA standards governing employee health and safety in the workplace.

10. **Submissions** - Compliance with submission deadlines pursuant to this approval shall be determined by the date of receipt by MassDEP or by the postmarked date, whichever is earlier. Unless otherwise directed herein, all submissions required pursuant to this Permit shall be sent to:

    Section Chief, Solid Waste Management Section
    Massachusetts Department of Environmental Protection
    20 Riverside Drive
    Lakeville, Massachusetts 02347

11. **Authorization to Construct an Expansion** - Before commencing construction that would result in an expansion of the Facility, BFI shall obtain an Authorization to Construct in accordance with 310 CMR 19.041.

12. **Facility Modification** - BFI shall follow the permitting procedures specified at 310 CMR 19.029 prior to any modifications of the Facility or its operation.

13. **Annual Compliance Fees** - BFI shall, pursuant to 310 CMR 4.03, pay an annual compliance fee.

B. Specific Permit Conditions

1. Amount of Waste and Recyclables: The Facility shall not accept more than 1000 tons per day unless otherwise approved by MassDEP in writing. The combined waste and recyclables acceptance at the Facility and the BFI Fall River Landfill shall also not exceed 1950 tons per day and an annual average of 1500 tons per day.

2. Types of Acceptable Wastes: The Facility may accept municipal solid waste, bulky waste, and recyclable materials, subject to the following restrictions:

   A. BFI shall comply with any restrictions on acceptable wastes contained in the local site assignment and any MEPA restrictions;

   B. BFI shall comply with its Waste Ban Compliance Plan, the Waste Ban Compliance Plan Approval contained in Attachment A of this Permit, and the Waste Ban Regulations at 310 CMR 19.017. The Waste Ban Compliance Plan Approval shall be considered to be an integral part of this Permit for compliance and enforcement purposes.

B. The Facility shall employ a sufficient number of MDLS-certified Asbestos Inspectors so that all incoming loads can be inspected whenever the Facility is operating.

C. Any work involving asbestos, including but not limited to handling, sampling, segregating, and containerizing, shall be performed only by individuals who possess the proper level of certification to perform that work. BFI shall hire a qualified and properly certified asbestos contractor to do any and all work beyond the qualifications and certifications of Facility employees.

5. BFI shall comply with the following requirements if it accepts presorted dedicated loads of recyclable lead acid batteries, cathode ray tubes, chlorofluorocarbon ("CFC") - containing white goods, glass containers, metal containers, single-polymer plastics, recyclable paper, and leaves, wood, and yard waste:

A. This condition only covers recycling activities that are eligible for a General Permit pursuant to 310 CMR 16.04. Presorted loads containing more than de minimus quantities of nonrecyclable or incompatible materials shall be subject to the Waste Ban Compliance Plan Approval contained in Appendix A of this Permit.

B. Accepting these materials shall not interfere in any way with the proper handling of MSW waste as approved in this Permit.

C. These materials shall be accepted only on a designated part of the tipping floor that is segregated from areas where MSW are received. They shall not be mixed with or contaminated by MSW waste in any manner.

D. These materials shall be transferred only for recycling, reuse, or composting, as appropriate for that particular material, and shall not be transferred for disposal, except for any residual materials within the presorted loads that are not suitable for recycling, reuse, or composting.

E. The handling of these materials shall comply with the General Permit requirements at 310 CMR 16.04. However, BFI shall apply for any necessary permits pursuant to 310 CMR 16.05 if the quantities of recyclable or compostable materials exceed the thresholds set forth at 310 CMR 16.04(1).

6. Financial Assurance Mechanism ("FAM"):

A. BFI shall, pursuant to 310 CMR 19.051, continuously maintain, and keep on file with MassDEP, a Financial Assurance Mechanism ("FAM") in the amount of $67,700.00 for the Facility. This financial assurance obligation shall be met by using any of the approved methods authorized in 310 CMR 19.051.

B. In accordance with 310 CMR 19.051(6), BFI shall revise the estimate of the cost of closure every year and shall submit a revised estimate every two years. The estimate shall be submitted in written form on or before June 1 of the year to which the revised

"I [name of responsible official] attest under the pains and penalties of perjury that:

(a) I have personally examined and am familiar with the information contained in this submittal, including any and all documents accompanying this certification statement;

(b) based on my inquiry of those individuals immediately responsible for obtaining the information, the information contained in this submittal is, to the best of my knowledge, true, accurate and complete;

(c) I am fully authorized to bind the entity required to submit these documents and to make this attestation on behalf of such entity; and

(d) I am aware that there are significant penalties, including but not limited to possible administrative and civil penalties for submitting false, inaccurate, or incomplete information and possible fines and imprisonment for knowingly submitting false inaccurate, or incomplete information.

12. BFI shall cause the Facility to be inspected in accordance with 310 CMR 19.018. Pursuant to 310 CMR 18.018(6)(b), third party inspections shall be performed at least twice every calendar year, with at least two months between consecutive inspections. The third party inspector shall prepare inspection reports in accordance with 310 CMR 19.018(8)(a) and (b), and BFI shall submit inspection reports in accordance with 310 CMR 19.018(8)(c).

13. BFI shall amend the existing Stormwater Pollution Prevention Plan filed with the USEPA to include the stormwater management systems and activities associated with the Transfer Station prior to startup of operations.

C. Permit Expiration and Renewal

1. This Permit shall be valid only for a fixed term of 10 years, provided that MassDEP may amend the term as follows:

   A. In accordance with an approved modification pursuant to either 19.033, 19.034 or 19.036; or

   B. In order to coincide with the termination or renewal date of other MassDEP permits issued for the solid waste processing, treatment, or pollution control equipment located at the Facility.

2. BFI shall apply for a renewal of this Permit at least 180 days prior to the date of expiration, in accordance with 310 CMR 19.042(5)(a).

VI. REVIEW OF DECISION

Pursuant to 310 CMR 19.033(4)(b), if the Applicant is aggrieved by MassDEP's decision to issue this decision, including the Waste Ban Compliance Plan approval in Attachment A, it may,

If you have any questions, please contact me at (508) 946-2847 or Daniel Connick at (508) 946-2884, or at the letterhead address. In any correspondence regarding this permit, refer to Transmittal Number X262449.

Very truly yours,

Mark Dakers, Chief
Solid Waste Management Section

D/DC/rr
P:\E-F\FALLRIV\BFI TRANSFER STATION\DEP letters\TS ATO 9-2014.doc

Attachment

fc: William A. Flanagan, Mayor
City of Fall River, City Hall
One Government Center
Fall River, MA 02772
Fax. No. (508) 324-2626

Fall River City Council
City Hall
One Government Center, 2nd Floor
Fall River, MA 02722
Fax. No. (508) 324-2211

DEP-Boston
ATTN: P. Emond
E. Fahle

DEP-SERO
ATTN: M. Pinaud
L. Black

ec: Representative Fiola
Carole.Fiola@mahouse.gov

Fall River Board of Health
hvaillancourt@fallriverma.org

Fall River Sewer Division
tsullivan@fallriverma.org

Director of Inspectional Services
jbiszko@fallriverma.org

Mike Quatromoni, SITEC Environmental, Inc.
mquatromoni@sitec-engineering.com
rquinn@sitec-engineerig.com

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BFI FALL RIVER TRANSFER STATION
AUTHORIZATION TO OPERATE A LARGE HANDLING FACILITY

ATTACHMENT A: WASTE BAN COMPLIANCE PLAN APPROVAL WITH CONDITIONS

Pursuant to the amendments to Massachusetts Department of Environmental Protection ("MassDEP" or "the Department") solid waste regulations issued on February 14, 2014, all solid waste facilities were required to submit a new or revised Waste Ban Compliance Plan for MassDEP review and approval. This plan is required to include all the banned materials and describe the actions to be taken to comply with the restrictions imposed at 310 CMR 19.017(3), which on February 14, 2014 added Commercial Organic Material as material banned from disposal.

The subject Waste Ban Compliance Plan (WBCP) was prepared and submitted by Browning Ferris Industries, Inc. (MA) ("BFI") within the BWP SW 06 Authorization to Operate a Large Handling Facility Application (Transmittal No. X262449) for BFI Fall River Transfer Station ("Facility").

MassDEP has reviewed the following WBCP documents submitted by BFI:

- BFI's WBCP submitted on August 1, 2014; and
- BFI's response to MassDEP's August 12, 2014, e-mail Request for Additional Information, prepared by Sitec Environmental and submitted on August 28, 2014.

MassDEP has reviewed the WBCP documents submitted for the Facility and, pursuant to its authority under 310 CMR 19.017, approves the BFI Fall River Transfer Station WBCP, subject to all the terms, descriptions, and conditions detailed below.

This document is a permit issued pursuant to Massachusetts General Laws Chapter 111, Section 150A and the regulations promulgated thereunder at 310 CMR 19.000. In the event this permit conflicts with all or parts of prior plan approvals or permits issued pursuant to MGL Chapter 111 Section 150A, the terms and conditions of this permit shall supersede the conflicting provisions of such prior permits or approvals. This permit does not convey property rights of any sort or any exclusive privilege. The conditions upon which this permit is contingent are presented below. This permit is also subject to the standard conditions found at 310 CMR 19.043(5).

A. Facility Background

The Facility is located at1080 Airport Road, Fall River, Massachusetts adjacent to the BFI Fall River Landfill.

B. Definitions

For the purposes of this WBCP permit the terms herein shall have the following meaning:

Action Level: Levels or amounts of waste ban materials that when met or exceeded in a waste load for disposal, or transfer for disposal, constitute a Failed Load. The Action Levels are defined as follows:

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C. Duty to Comply
BFI shall, at all times, fully comply with its WBCP, as well as all the terms, descriptions, and conditions detailed herein.

D. Waste Materials and Acceptance Limits
In accordance with the MassDEP issued Authorization to Operate permit, the Facility may accept an average of 1,000 tons per day of solid waste. The Facility is subject to additional restrictions specified in the Authorization to operate permit.

1. The Facility may accept and handle only the following types of waste materials:

    a. MSW;
    b. Bulky Waste; and
    c. special wastes that have received prior written approval from MassDEP.

2. The Facility may not accept, consolidate, or transfer dedicated loads of construction and demolition ("C&D") material or loads of mixed C&D waste and bulky waste, and should redirect such loads to an appropriately permitted C&D waste recycling/processing facility.

E. Materials Handling and Operating Procedures
BFI shall:

1. Post on-site signage clearly listing all Waste Ban Materials;

2. Store manned materials in a neat, orderly and organized manner;

3. Maintain containers at the active working area for storing removed banned materials;

4. Conduct load inspections in a manner that does not endanger the safety of facility or hauler personnel performed by a dedicated waste ban inspector;

5. Inspect all waste loads for banned materials:

    a. prior to tipping;
    b. as load is tipped; and
    c. after tipping.

6. Spread all accepted waste loads out in a manner that allows for the inspection and identification of all Waste Ban Materials and, following the preferred hierarchy below:

    a. remove to the **greatest extent possible** all Waste Ban Materials from each waste load accepted at the Facility prior to disposal;
    b. reject the waste load, including reloading into the hauler's vehicle, if it is safe to do so;
    c. transfer to a facility that has an approved WBCP that includes separation and recycling of the banned materials or will transfer to such a facility; or

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3. Reporting
   a. In accordance with its ATO permit, BFI shall submit inspection reports prepared by a registered professional engineer, or other qualified environmental professional as determined by MassDEP. The third party inspector shall prepare inspection reports in accordance with 310 CMR 19.018(8)(a) and (b), and BFI shall submit inspection reports in accordance with 310 CMR 19.018(8)(c).
   b. BFI shall submit an Annual Report by February 15th of each year in accordance with 310 CMR 19.207(22)(d) and ATO Specific Permit Condition 11.

G. General

1. All activities at the Facility conducted to comply with the waste ban requirements at 310 CMR 19.017 shall be in strict accordance with BFI's submitted WBCP and this permit. In the event there is a conflict with the provisions between BFI's submitted WBCP and this permit, this permit shall supersede BFI's WBCP.

2. This permit supersedes and replaces in its entirety any previous waste ban compliance plan permits/approvals issued to BFI.

3. BFI shall fully comply with its site assignment and all applicable local, state and federal laws, regulations and policies, bylaws, ordinances and agreements.

4. Failure to comply with the waste ban requirements at 310 CMR 19.017 or the conditions of this WBCP approval may result in enforcement action, or suspension, modification or revocation of this permit as deemed necessary.

5. BFI shall remove and divert from disposal all waste ban materials from every waste load accepted by BFI for disposal, or transfer for disposal, to the greatest extent possible, unless waste ban materials cannot be recycled because doing so would endanger workers or substantially disrupt facility operations. MassDEP intends to take enforcement action against facilities that fail to remove waste ban materials to the greatest extent possible.

6. MassDEP and its agents and employees shall have the right to enter upon the Facility site at all reasonable times and without notice, to inspect the Facility and any equipment, structure or land located thereon, take samples, recover materials or discharges, have access to and copy records, to perform tests and to otherwise monitor compliance with this approval, or any and all permits relative to the operation of the Facility, and all environmental laws and regulations. The right of entry and inspection shall be in addition to the MassDEP's access authorities and rights under applicable federal and state laws and regulations, as well as any permits or other agreements between BFI and MassDEP.

7. Prior written approval from MassDEP is required before any changes or modifications can be made to the Facility's WBCP requirements.

8. MassDEP reserves the right to modify, suspend or revoke this WBCP upon written notification to the Facility.

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WASTE BAN COMPLIANCE PLAN APPROVAL WITH CONDITIONS
ATTACHMENT 1

DEFINITIONS OF MATERIALS BANNED BY 310 CMR 19.017

Asphalt Pavement, Brick, and Concrete: asphalt pavement, brick and concrete from construction activities and demolition of buildings, roads and bridges and similar sources.

Cathode Ray Tubes: any intact, broken, or processed glass tube used to provide the visual display in televisions, computer monitors and certain scientific instruments such as oscilloscopes.

Glass Containers: glass bottles and jars (soda-lime glass) but excluding light bulbs, Pyrex cookware, plate glass, drinking glasses, windows, windshields and ceramics.

Clean Gypsum Wallboard: gypsum wallboard that is not contaminated with paint, wallpaper, joint compound, adhesives, nails, or other substances after manufacture. Gypsum wallboard means a panel (also known as drywall) with a gypsum core and faced with a heavy paper or other material on both sides. Pieces of clean gypsum wallboard 2 square feet or less in size are exempt.

Commercial Organic Material: means food material and vegetative material from any entity that generates more than one ton of those materials for solid waste disposal per week, but excludes material from a residence.

Food Material: material produced from human or animal food production, preparation and consumption activities and which consists of, but is not limited to, fruits, vegetables, grains, and fish and animal products and byproducts.

Lead Batteries: lead-acid batteries used in motor vehicles or stationary applications.

Leaves: deciduous and coniferous leaf deposition.

Metal: ferrous and non-ferrous metals derived from used appliances, building materials, industrial equipment, transportation vehicles, and manufacturing processes.

Metal Containers: aluminum, steel or bi-metal beverage and food containers.

Recyclable Paper: all paper, corrugated cardboard, and paperboard products, except tissue paper, toweling, paper plates and cups, wax-coated corrugated cardboard, and other low-grade paper products.

Single Polymer Plastics: all narrow-neck plastic containers where the diameter of the mouth of the container is less than the diameter of the body of the container. This includes single polymer plastic containers labeled 1 – 6.

Tires: a continuous solid or pneumatic rubber covering intended for use on a motor vehicle.[1]

White Goods: appliances employing electricity, oil, natural gas or liquefied petroleum gas to preserve or cook food; wash or dry clothing, cooking or kitchen utensils or related items; or to

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City of Fall River
Massachusetts
Department of Community Maintenance

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

Engineering Division

RECEIVED
2014 SEP 18 A 11: 24
CITY CLERK
FALL RIVER, MA

WILLIAM A. FLANAGAN
Mayor

KENNETH C. PACHECO
Director
BYRON R. HOLMES, P.E.
City Engineer

MEMO

To: Fall River City Council

From: Byron Holmes, P.E.
City Engineer

Date: September 18, 2014

Subject: Street Opening Request for Pavement less than 5 years old.

Comments:

Stanley Levesque has requested permission to install a new gas service at 331 Dwelly Street. This is necessary in order to serve a home that currently has an oil burner in need of repair. Mr. Levesque wishes to replace this with a gas service due to the reductions in fuel cost.

This portion of Dwelly Street was paved in 2012, so is a street under the City's five year ordinance. If the Council agrees to Mr. Levesque's request, the following conditions would apply:

1. Trench repair work shall be done by a licensed drainalyer within the city of Fall River.

2. All work is to follow the "Standards Employed by Public Utility Operators When Restoring Municipal Streets" as published by the Commonwealth of Massachusetts Division of Telecommunications and Industry and with the requirements of the Fall River City Council.

3. The engineering division shall be notified prior to excavation in order to assure city inspection of this work.

4. An infrared patch will be used for repair of the asphalt surface.

One Government Center • Fall River, MA 02722
Telephone: (508) 324-2512 • Fax: (508) 324-2564 • Email: BHOLMES@FALLRIVERMA.ORG

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THE CHILDREN'S Holiday Parade

RECEIVED
2014 SEP 18 P 1:54
CITY CLERK
FALL RIVER, MA

September 18, 2014

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

Dear Honorable Members of the City Council:

Since 1984 the Annual Children's Holiday Parade has played a special role in helping Fall River's children and their families celebrate the holidays. This year's parade, which will kick off from Kennedy Park on Saturday, December 6, will be celebrating 30 years of existence.

Over the years, one issue has arisen as a result of the parade's increased success and attendance. The increased presence of street vendors who transverse South Main Street in front of parade goers during the course of the parade has become a severe public safety concern.

These Hawkers and Peddlers sell balloons and toys from their overflowing carts stopping in front of parade participants and spectators, causing some instances of children running around them and onto the parade route in front of motor vehicles, marches and horses. Over the last few years, several incidents were reported by spectators of carts hitting adults and children and one parade staff member was hit by a cart while trying to get the vendor to move out of the way.

This parade is quickly becoming a major New England attraction and our committee of volunteers works diligently every year to provide a wonderful experience for children and adults. The last thing anyone wants is to have a child injured as a result of this reckless behavior.

To resolve this matter, we have drafted the attached ordinance in consultation with the Police Department and ask for your support in its passage. If approved, it will provide the balance necessary for parade organizers and vendors alike, as vendors would stay clear of the parade route while still being able to sell their products from side streets.

Thank you in advance for your consideration and support. We welcome the opportunity to further discuss this matter with the City Council Committee on Ordinances and Legislation.

In the meantime, should you have any questions or concerns, please feel free to contact us at 508-324-2585 or 508-328-9771.

Sincerely,

Kenneth C. Pacheco
Committee Co-Chair

Carol A. Valcourt
Committee Co-Chair

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

That Chapter 14 of the Revised Ordinances of the City of Fall River, Massachusetts, 1999, which chapter relates to businesses be amended by inserting a new section to read as follows:

Section 14-333 Sales prohibited on certain streets
On the first Saturday during the month of December, no person shall sell or expose for sale any merchandise in accordance with this article on the following places, streets or parts of streets or sidewalks:

Kennedy Park
Bank Street
Bradford Avenue
Central Street
North Main Street
South Main Street
Water Street

RECEIVED
2014 SEP 18 P 1:54
CITY CLERK
FALL RIVER, MA