



COLLEEN A. TAYLOR
CLERK OF COMMITTEES

CITY OF FALL RIVER, MASSACHUSETTS

CITY COUNCIL

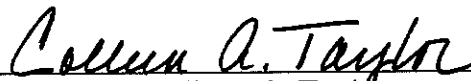
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2018 FEB -8 P 4:20

CITY CLERK _____
FALL RIVER, MA

INÊS LEITE
ASSISTANT CLERK OF COMMITTEES

CITY COUNCIL COMMITTEE ON ORDINANCES AND LEGISLATION
TUESDAY, FEBRUARY 13, 2018 AT 5:30 PM
CITY COUNCIL CHAMBER, ONE GOVERNMENT CENTER
AGENDA

1. Citizen Input
2. Proposed Ordinance – Traffic, HP (referred 12-19-17)
3. Proposed Ordinance – Traffic, miscellaneous (referred 12-19-17 & 2-6-18)
4. Proposed Ordinance –Abolishment of City Council Committee on Budget Preparation, Revenue and Audits (referred 1-9-18)
5. Resolution – City side street sweeping program (tabled 5-9-17)
6. Proposed Ordinance – Wage Theft (tabled 12-19-17)
7. Mayor requesting creation of position of Opioid Clerk (referred 12-19-17)
8. Mayor requesting creation of position of Administrative Assistant/Code Enforcement (referred 2-6-18)



Colleen A. Taylor
Clerk of Committees

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

City of Fall River, *In City Council*

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

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

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

Almy Street, west side, starting at a point 162 feet south of Cory Street, for a distance of 20 feet southerly

Covel Street, east side, starting at a point 130 feet south of Bedford Street, for a distance of 20 feet southerly

Foster Street, east side, starting at a point 330 feet south of Buffinton Street, for a distance of 20 feet southerly

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

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

Section 1.

By inserting in section 70-372, which section relates to parking prohibited during certain hours, in proper alphabetical order the following:

- (13) 7:00 a.m. – 4:00 p.m. Monday through Friday
President Avenue, south side, starting at a point 30 feet east of Stetson Street for a distance of 739 feet easterly

Section 2.

By inserting in section 70-385, which section relates to loading zones, in proper alphabetical order the following:

- (9) 9:00 a.m. – 5:00 p.m. Monday through Friday
Merchant Street, north side, starting at a point 17 feet west of Fifteenth Street for a distance of 30 feet westerly

Section 3.

By striking out in Section 70-387, which section relates to handicapped parking the following:

- Cory Street, north side, starting at a point 62 feet west of North Main Street, for a distance of 20 feet westerly
Foster Street, east side, starting at a point 232 feet south of Buffinton Street, for a distance of 20 feet southerly
Pleasant Street, north side, starting at a point 57 feet east of Quequechan Street, for a distance of 20 feet easterly
Vale Street, west side, starting at a point 27 feet south of Slade Street, for a distance of 20 feet westerly
Warren Street, north side, starting at a point 40 feet west of Smith Street, for a distance of 20 feet easterly

City of Fall River, *In City Council*

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(President Ponte)

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

That Chapter 2 of the Revised Ordinances of the City of Fall River, Mass., 1999, which chapter relates to Administration be amended, as follows:

By striking out in Section 2-151, which section relates to standing committees established, the following:

(10) Committee on Budget Preparation, Revenue and Audits, consisting of three members

(a) Recommendations of the committee shall be referred directly to the Committee on Finance

CITY OF FALL RIVER
IN CITY COUNCIL

JAN 09 2018

*Referred to the
Committee on Ordinances
and Legislation*

(Councilor Pam Laliberte-Lebeau)
(Councilor Cliff Ponte)

WHEREAS, the City of Fall River owns two street sweepers to assist in keeping the city clean, and

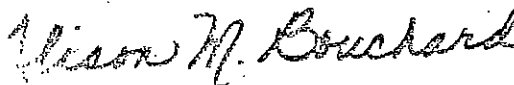
WHEREAS, a street sweeping schedule would improve the cleanliness of the City, and

WHEREAS, keeping Fall River clean should be a collaborative effort between the City and the residents, now therefore

BE IT RESOLVED, that the Department of Community Maintenance be invited to a future meeting of the Committee on Ordinances and Legislation to discuss the implementation and enforcement of a city wide street sweeping program.

In City Council, February 9, 2016
Adopted

A true copy. Attest:


City Clerk

(Councilor Raymond A. Mitchell)

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

Section 1

That Chapter 2 of the Revised Ordinances of the City of Fall River, Massachusetts, 1999, which chapter relates to Administration, be amended by inserting a new section as follows:

Section 2-949 Wage Theft.

- (a) The following section shall be incorporated into the City of Fall River's Standard Contract General Conditions Form as of July 1, 2018 and apply to every new contract and every renewal term of a contract entered into after that date:

The Contractor certifies that neither it nor any of its subcontractors have been subject to a federal or state criminal or civil judgment, administrative citation, final administrative determination, order or debarment resulting from a violation of M.G.L. Chapter 149, M.G.L. Chapter 151, the Fair Labor Standards Act or any other state or federal laws regulating the payment of wages within three years prior to the date of the contract; or certifies that it has provided copies of any and all of the above to the City prior to the date of the contract and any required wage bond or insurance; and certifies that while the contract is in effect, it will report any instance of the above to the City within five days of the contractor's receipt.

- (b) The following provisions shall be included in any request for proposals, invitation for bids or request for qualifications issued by the City on or after July 1, 2018:
- (1) Prospective vendors must provide the following certifications or disclosures in writing to the purchasing agent with their bids or proposals. Failure to provide the following shall result in rejection of the bid or proposal;
 - (2) Prospective vendors must certify that neither they nor any of their subcontractors have been subject to a federal or state criminal or civil judgment, administrative citation, final administrative determination, order or debarment resulting from a violation of M.G.L. Chapter 149, M.G.L. Chapter 151, the Fair Labor Standards Act or any other state or federal laws regulating the payment of wages within three years prior to the date vendors submit their bids or proposals; or
 - (3) Prospective vendors must disclose any such criminal or civil judgments, administrative citation, final administrative determination, order or debarment and include copies with their bids or proposals.
 - (4) Prospective vendors are notified that they must report any such criminal or civil judgment, administrative citation, final administrative determination, order or debarment from a violation of M.G.L. Chapter 149, M.G.L. Chapter 151, the Fair Labor Standards Act or any other state or federal laws regulating the payment of wages while any of their bids or proposals to the purchasing agent official is pending and, if awarded a contract, during the term of the resulting contract, within five days of vendor's receipt.
 - (5) Prospective vendors that are subject to a state or federal debarment for violation of the above laws, either voluntarily or involuntarily, or that have been prohibited from contracting with the Commonwealth or any of its agencies or subdivisions will be deemed not responsible and their bids or proposals shall be rejected. Such vendors shall be deemed not responsible for the entire term of debarment or other stated time period. During the term of a contract, upon a finding or order of such debarment or prohibition, the City may terminate the contract.

City of Fall River, In City Council

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- (6) Vendor(s) awarded a contract that have disclosed a federal or state criminal or civil judgment, administrative citation, final administrative determination, order or debarment resulting from a violation of M.G.L. Chapter 149, M.G.L. Chapter 151, the Fair Labor Standards Act or any other state or federal laws regulating the payment of wages within three years prior to the date they submit their bids or proposals, or vendor(s) awarded a Contract that receive a federal or state criminal or civil judgment, administrative citation, order or final administrative determination resulting from a violation of M.G.L. Chapter 149, M.G.L. Chapter 151, the Fair Labor Standards Act or any other state or federal laws regulating the payment of wages during the term of the contract and that are not otherwise prohibited from public contracting may be required by the City to obtain a wage bond or other form of suitable insurance in an amount equal to the aggregate of one year's gross wages for all employees, based on an average of its total labor costs for the past two years. Such bond must be maintained for the terms or extensions of any contract, and proof of such bond must be provided upon request by the City.
- (7) Vendor(s) awarded a contract that have disclosed a federal or state criminal or civil judgment, administrative citation, final administrative determination, order or debarment resulting from a violation of M.G.L. Chapter 149, M.G.L. Chapter 151, the Fair Labor Standards Act or any other state or federal laws regulating the payment of wages within three years prior to the date they submit their bids or proposals and through the contract term shall furnish their monthly certified payrolls to the purchasing agent for all employees working on such contract.

Section 2

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

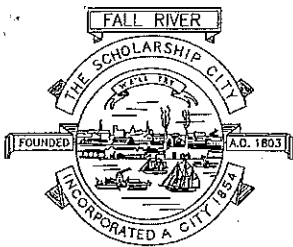
Sec. 14-45 Violations of wage laws by licensees or permittees.

- (a) Any application to the licensing board for any license issued pursuant to M.G.L. Chapter 138 or M.G.L. Chapter 140 may be denied if, during the three-year period prior to the date of the application, the applicant has been subject to a federal or state criminal or civil judgment, administrative citation, order or final administrative determination resulting from a violation of M.G.L. Chapter 149, M.G.L. Chapter 151, the Fair Labor Standards Act or any other state or federal laws regulating the payment of wages. Each applicant for a license shall certify that he has not been found guilty, liable or responsible, in the past three years, in any judicial or administrative proceeding, for any violation of any of the laws set forth above.
- (b) Any license or permit issued by the licensing board under M.G.L. Chapter 138 or M.G.L. Chapter 140 may be modified, suspended or revoked if, during the term of the license or permit, the licensee or permittee has been subject to a federal or state criminal or civil judgment, administrative citation, order or final administrative determination resulting from a violation of M.G.L. Chapter 149, M.G.L. Chapter 151, the Fair Labor Standards Act or any other state or federal laws regulating the payment of wages.

Filed 9-6-17

CITY OF FALL RIVER
IN CITY COUNCIL

SEP 14 2017
*Referred to the
Committee on Ordinances
and Legislation*



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

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2017 DEC 14 P 2:35

CITY CLERK _____
FALL RIVER, MA

JASIEL F. CORREIA II
Mayor

December 14, 2017

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

Honorable Council Members:

As part of the City's continuing efforts to effectively and efficiently coordinate services to those suffering from drug addiction, the Administration is proposing the creation of an opioid clerk position to facilitate these efforts. As this will be a part-time, grant funded position, it needs to be created in Ordinance prior to efforts to fill the position. A proposed job description is provided herein.

Volunteer Program Coordinator Beth Faunce and City Councilor Pam Laliberte-Lebeau have been working with me to put this position in place. State Representative Carole Fiola has secured a State grant to fund this position. The proposed wage is \$17/hour for a total of 19 hours per week. The anticipated State grant amount is \$50,000.

Your assistance with the creation of this position is respectfully requested.

Jasiel F. Correia, II
Mayor

Enclosure

**CITY OF FALL RIVER
IN CITY COUNCIL**

DEC 19 2017

*Referred to the Committee
on Ordinances and Legislation*

OPIOID CLERK

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GENERAL STATEMENT OF DUTIES: Performs clerical office work of average difficulty; does related work as required.

DISTINGUISHING FEATURES OF THE CLASS: Under direct supervision, an incumbent of this class performs a variety of clerical duties of average difficulty, requiring limited judgment and responsibility in the carrying out of prescribed procedures. Detailed instructions are received at the beginning of work and on new assignments, but regular routine assignments are performed more independently and some initiative and judgement is utilized as experience is gained. In the performance of tasks, the incumbent may be required to use standard office equipment. The use of automated systems equipment, when used as a tool for filing or obtaining information, is not a distinguishing factor in classification. Supervision is not an aspect of this position.

EXAMPLES OF WORK: (Illustrative Only) Posts simple and routine data to various departmental records and may compile or assist in compiling reports based on tabulations of posted data and simple arithmetical computations; Receives and screens applications, vouchers or other forms for accuracy of content and compliance with procedural and regulatory requirements; Sorts, indexes and files documents, reports, vouchers, correspondence and other material; Answers telephone, takes messages, and/or relays information;

Makes and checks arithmetical computations;

Checks report data against tape readings; Furnishes routine information to inquirers at a public counter, over the telephone or by letter; Opens, sorts and distributes mail; Maintains number index, cross-indexes, and files office correspondence and other material; Requisitions and issues stationery, forms, records, and other office supplies; Assists in taking inventories and records reconciliation of same; Assists in proofreading; May operate a variety of office equipment.

REQUIRED KNOWLEDGE, SKILLS, ABILITIES AND ATTRIBUTES: Familiarity with office procedures, including the use of simple office machines and filing systems; skill in filing, in posting to simple records, and in making simple arithmetical computations; accuracy in preparation and checking of records and forms; ability to understand and carry out oral and written directions; resourcefulness in locating information and compiling summaries of data from office records; tact; ability to get along well with others; physical condition commensurate with the demands of the position.

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MINIMUM ACCEPTABLE TRAINING AND EXPERIENCE: Graduation from high school or possession of a high school equivalency diploma, some experience persons with substance abuse disorder, and language and resources.

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2017 DEC 14 P 3:45

CITY CLERK
FALL RIVER, MA

City of Fall River
Mayor Jasiel F. Correia II
One Government Center
Fall River, Massachusetts

Honorable Mayor Correia II:

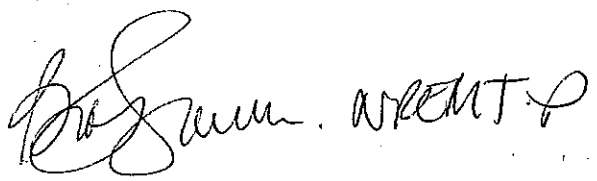
I am respectfully requesting to create a part time clerk's position for the Fall River Opioid Task Force, under the City of Fall River Health Department. The position will be a 19 hours a week at a rate of \$17.00 per hour. The Opioid Clerk's position is imperative for all the statistical information which is so important to our mission of helping people with substance abuse disorder. The input of information for our outreach program, contacts made, requested follow ups, who received treatment, what type of treatment received. This clerk's position would make our program more effective, outlining our strengths and weaknesses. In addition to this, the correspondence for scheduled meetings, and minutes of the meetings would be generated through this position for continuity. The logistical information for areas to target for prevention and education.

All of this statistical information is imperative to the collaboration and their efforts to continue providing a multitude of services. The collaboration consists of representative from the school department, district attorney's office, police department, ems and various recovery and treatment agencies. The information exchanged between agencies is important to our efforts to effectively service all areas of this issue.

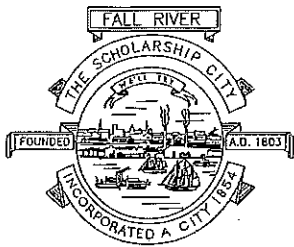
This position would afford us a person on the other end of the phone, for people in immediate need of help. Citizens of Fall River would have access to the who's, what's and where's, they can get the information needed for their person in time of need.

This position is imperative to the continued success of our outreach program, and all the collective information needed to combat the opioid issue. The need for information is ever increasing, your support in the matter is greatly appreciated.

Respectfully submitted,



Beth Faunce, NREMT-P
Fall River Opioid Task Force, Chairperson



City of Fall River
Massachusetts
Office of the Mayor

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2018 FEB -1 P 4:01

CITY CLERK _____
FALL RIVER, MA

JASIEL F. CORREIA II
Mayor

February 1, 2018

Honorable City Council
One Government Center
Fall River, MA 02722

Councilors:

As part of our ongoing efforts to automate our Code Enforcement activities, we have begun implementation of a MUNIS based E-Permitting Software. This new software will allow for on-line permit applications and will fully integrate with our MUNIS financial reporting. We are also proceeding to automate our vacant building registration and fee collection systems using MUNIS General Billing.

Implementing these new systems efficiently requires a staff re-alignment within the Code Enforcement Division. We are submitting for your review and approval, the creation of a new position within Code Enforcement. The establishment of an Administrative Assistant, non-union position, will facilitate the training and monitoring of these new programs. The enclosed job description also addresses additional responsibilities designed to assist the Inspector of Buildings in managing a rapidly growing volume of work within this Department.

This new position will be an upgrade to an existing, clerical position and will not result in a new hiring. We look forward to discussing the proposed salary and job description once the matter is before the Ordinance Committee.

Mayor Jasiel F. Correia II
Mayor

CITY OF FALL RIVER
IN CITY COUNCIL

FEB 06 2018

*Referred to the
Committee on Ordinances
and Legislation*

One Government Center • Fall River, MA 02722

TEL (508) 324-2600 • FAX (508) 324-2626 • EMAIL mayor@fallriverma.org

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Administrative Assistant/Code Enforcement

JOB DESCRIPTION:

Under the general supervision of the Director for Inspectional Services as delegated by the Mayor to the City Administrator, to the Director of Community Services, to perform a variety of responsible and highly complex clerical functions.

ESSENTIAL FUNCTIONS:

Work involves providing timely and efficient service to the people of the City for a variety of responsible and highly complex clerical functions and department operational functions of Inspectional Services, including supervising clerks of a lesser grade; to be responsible for conformance to city and state codes and standards of all work performed under his/her direction and to conform to policies and directives promulgated by the Director of Inspectional Services; to coordinate the work for which she/he is responsible with the work of other coworkers; this work is subject to periodic review by the Director of Inspectional Services; this work is performed with considerable latitude in independent judgement and decision-making; performs related work as assigned by the Director of Inspectional Services. These job responsibilities include the Building, Electrical, Plumbing/Gas, Weights/Measures, Food/Milk, Environmental, Sanitation and Minimum Housing departments.

PRIMARY DUTIES:

E-Permitting

- E-Permitting: gather all information for initial set up of new E-Permitting system; work with IT department and Munis (in person and conference calls) to set up pertinent permitting information, attend all training sessions for permitting system, developed use groups, billing codes, zoning, payments, inspections/re-inspections; gain a clear understanding of how the system works to be able to train and troubleshoot department staff, identify potential problems with the program in order to prevent future issues.

Budget

- Budget Preparation: review all inspector needs, conferences, memberships and supplies to project expenses for new fiscal year budget; project revenues/expenses; prepare all necessary budget documents; complete budget packet given by the Administration; revise budget revenues/expenses as necessary; review proposed budget with the Director of Inspectional Services for final approval.

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Munis

- Munis: billing vacant properties along with board ups and clean ups; create requisitions for bills, office needs, and inspector memberships; employee reimbursements for conferences, seminars, mileage; liquidate all purchase orders; create bill schedules, adjust invoices as needed; reconcile all billing questions; analyze year to date budget reports for all Inspectional Services Accounts.
- Assumes full range of responsibility for inputting the invoices and liens into Munis (general billing) for the demolition/board up revolving account and the vacant lot revolving account along with inquiries (payoff totals) pertaining to these invoices.

Office Management

- Train new employees in Geo and Assesspro
- Public Information Requests: receive public inquiries either directly or through the City Clerk, answer the request or assign to proper inspector, track request to be sure 10 day deadline is met, follow up with City Clerk.
- Communicate with fire/police for Inspector response to accidents, fires, or unhealthy conditions; locate owners name and phone number for Inspectors.
- ordering supplies; complete and record all necessary paperwork for new employees, create and mail clean up letters to homeowners, track the 10 day allowable response time, gather contractor quotes for each job; assign as needed;

ADDITIONAL DUTIES:

- Prepares forms/letters pertaining to abandoned building (board up/demolition) and vacant lot (clean up) accounts/programs including the following: Certified notice to owners, Constable Services, Emergency Waiver (State requiring (board up/demolition) and vacant lot (clean up) accounts/programs including the following: Certified notice to owners, Constable Services, Emergency Waiver (State required), preparation of advertisement for bids/contracts, recording/release of liens with the Registry of Deeds, billing owners for clean ups and/or board ups. Keep track of board ups/ clean ups to assure timely payment to contractor for the work performed
- Payroll: Keep accurate records of attendance; review and record all overtime; initiate invoices requesting reimbursements from contractors requesting after hours inspections; prepare budget transfers for overtime used in snow removal; verify leave request forms and confirm that the department has adequate personnel coverage; calculate payroll and complete payroll report; complete monthly worksheets for each employee of leave used/unused; create and maintain leave files for each employee.
- Responsible for the vacant properties: registration, invoicing, file creation, verifying proof of residence, monitor payments from owners/ banks, check assesspro frequently for property sales/transfers, maintain up to date spreadsheet

- Responsible for the preparation of state mandated certificates, zoning letters, denial forms permitted use, certificates of occupancy, cease & desist, etc.
- Assign/cancel/change Certificate of Inspection numbers – keep spreadsheet up to date, works closely with the fire department to be sure inspections are complete and approved for issue.
- Assist in the entering and printing of building, electrical and plumbing/gas permits in GEOTMS permitting program.
- Assists in filing and the upkeep of folders
- Other general clerical duties: create letter head for each department; answer phones, attend to counter, answer inquiries from other departments; respond to public complaints, problem resolution.
- All other duties as assigned by supervisor

MINIMUM QUALIFICATIONS

Ability to establish and maintain effective and harmonious working relationships with other city employees; a positive “can-do” attitude; ability to observe safety precautions and to direct subordinates to do the same; willingness to work overtime hours when required; ability to perform responsible highly complex clerical work with considerable latitude for independent judgement and under general supervision; computer literacy; highly developed interpersonal skills; general knowledge of licensing procedures under Commonwealth statutes and city ordinances.

EDUCATION AND EXPERIENCE

Bachelor’s Degree in an area with leadership or interpersonal relationships would be a plus. Three years experience in related work with one year experience in a supervisory capacity other combination of experience and training that provide the required knowledge, abilities and skills will be considered.