

**FALL RIVER REDEVELOPMENT AUTHORITY
MINUTES OF MEETING JUNE 25, 2019**

Date: June 25, 2019 (posted June 21, 2019)
Time: 6:00 P.M.
Location: Fall River City Council Chambers, 2nd Floor, One Government Center, Fall River, MA 02722

MEETING AGENDA

1. Call to Order
 - a. Open Meeting Law Statement- Chairman O’Connell called the meeting to order at approximately 6 pm and read aloud the Open Law Meeting statement to the Board and viewing public.
 - b. Attendance – All RDA Board members were present: Kara O’Connell, Chair; Bob Smith Vice Chair, Joseph Oliveira, member; Lorian Taylor Branco, member; and Michelle Dion, member. Attorney John Coughlin and Economic Development Director Maria Marasco were also present.

2. Approval of Minutes-
 - a. Tabling of minutes: The chair tabled the approval of the following minutes as Attorney Coughlin indicated that the stenographer had not yet completed the transcription(s):
 - i. Board Meeting May 8, 2019
 - ii. Board Meeting May 22, 2019
 - b. May 30, 2019 Executive Session Meeting- See Executive Session 6.26.19.

3. Financial Updates
 - a. Operating Budget and Financial Reports-
 - i. Upon a motion and second, the Board unanimously approved the Proposed Budget dated July 1, 2019 through June 30, 2020 in the amount of \$534,858 with the understanding that the Director will proposed amendments as needed.
 - ii. The Economic Development Director reported on the RDA’s current cash balances as of 6.14.19:
 1. Bay Coast Bank Business Analysis Account- \$2,342,891.77
 2. Bay Coast Bank -\$183,889.62
 - b. Warrant Schedule – Chair O’Connell inquired about payment of Biszko invoices. The Economic Development Director reported that the warrant was prepared 6.13 and authorized 6.19 before the invoices had been received and recorded.
 - i. The Economic Development Director reported that the warrant was approved by the Vice Chair, in the absence of the Chair on, for a total amount of \$250,227.86, of which \$205,227.86 represented payment to

Pare for outstanding invoices required to be paid as part of the settlement agreement between the parties dated May 15, 2019.

- ii. Upon motion and second, the Board approved the warrant plus the addition of the Biszko payment of approximately \$147,000 which represents the current invoice due.
- c. Audit 2017- The Economic Director reported on the audit of the RDA's financial records conducted at the Board's request by Clifton Larson Allen, CPA Firm. She indicated that the accounted indicated that the audit was not yet completed, and that the company was looking for data regarding sales prices and date of either current or disposed of RDA property. She indicated that Attorney Coughlin was able to provide some of the information not in the possession of the current Redevelopment office.

4. Project Updates

- a. Old Second Street Project- William Roth, City Planner reported that there is a minor punch list, that the City would be meeting with the irrigation contractor, and that the landscape architect would make a review before final payment. In response to the Board, the City Planner indicated that there are no further changes to be made. The Board raised the lightings concerns of Councilor Camarra.
 - i. Chair O'Connell indicated that the Board had received a letter from Councilor Camara regarding lighting issues at the project. The City Planner responded that there are multiple options, including LED lighting that the City will be addressing as a safety issue.
- b. Millstone Medical, LLC, Lot 5 Expansion– William Roth, City Planner.
 - i. The Board unanimously approved the following motion made by Joseph Oliveira and seconded by Bob Smith.:
 - 1. To approve the Millstone project as submitted and grant a waiver to the minimum Building Coverage requirement of 20% and allow a 7.3% building coverage at 580 and 630 Currant Rd.
- c. Status of Urban Renewal Plans- William Roth, City Planner
 - i. Bill Roth indicated that Emily, the consultant from Harriman, had raised an issue about a previous 1979 Urban Renewal Plan which the new plan, once approved, will supersede. Mr. Roth indicated it will take about 2 weeks to wrap up final issues and send out two mailings (MEPA List, e.g.).

5. City Pier Project

- a. The Chair indicated that she had spoken with the state DEP representative who indicated that the DEP would be sending a Letter of Non-Compliance. She gave the DEP representative the new Director's contact information.
- b. City Administrator Cathy Vivieros informed the Board that PARE has a Licensed Site Professional and will be sending the FRRA a proposal to conduct the work needed to review the existing reports and make a determination regarding the determination for marine-related use. She stated that PARE's LSP would review

the existing reports, make a determination regarding the suitability of the remediation for the intended marine-related use, and that if the Board wanted a determination about alternate uses, that they would include that additional work in their proposal.

- c. There was discussion among the Board members regarding PARE's LSP, APEX and input from Foth. The Board members expressed concern regarding continuity, trying to work with the previous contractor unless a significant reason not to, review of the data, the levels of contamination being greater on the North versus South side, and the safety of the public depending on the use. After lengthy discussion the Board agreed that it wanted to: 1- Get in compliance at the site, and 2-an LSP would be needed to get the data to the DEP and EPA to address compliance.
- d. Upon motion and second, the Board unanimously voted for the Director to obtain a scope of services from PARE regarding utilizing their LSP for the purpose of evaluating marine-related use and evaluating public use on the South side.

6. Economic Development Director's Reports

- a. Administrative Report
 - i. The Director indicated that because of the lack of records available, other than those maintained over the past year by the Office of Community Development, that she anticipated it would take at least the summer to properly organize the office.
- b. Contract Updates
 - i. Upon motion and second, the Board authorized the Economic Development Director to mutually terminate the real estate contract for Southcoast Life Science and Technology Park with Hunneman.
- c. Economic Development Updates
 - i. The Director reported that she had received and responded to a number of inquiries.

7. Proposed Inter-municipal Agreement between Redevelopment Authority and City of Fall River. After hearing from the City Administrator regarding that the Agreement was similar to the agreement between the Board and the Community Development Office for services, that the agreement could be terminated or extended with 30 days notice, that the City Council approved the agreement, and that it would provide a mechanism for the City to pay the Authority's employee's through an Agency Fund, and to provide administrative services to the Authority, the Board approved the agreement.

- a. Upon Motion and second, the Board unanimously approved entering into an Agreement, which can be renewed or terminated at any time, with the City, under MGL c. 121B, section 23(g), for the City to provide certain administrative services and financial support, such as payroll and IT, to the Authority to ensure a clear separation between the City's and Redevelopment Authority's activities.

8. Executive Session- The chair read aloud the 4 items proposed for Executive Session, listed below. There was finding by the Chair that the discussion of Item c in open session may have a detrimental effect on the litigating position of the Board. There was also a finding by the Chair that the discussion of Item d in open session could have a detrimental effect on the litigating position of the Board.

The Chair called a roll-call vote, conducted by the Director:

Kara O'Connell- Yes

Lorian Taylor Branco- Yes

Michelle Dionne – Yes

Joe Oliveira – Yes

Robert Smith- Board member Smith was not in the room for a vote, recorded as abstained

The Board unanimously voted to go into Executive Session and not to return to open session for the purposes of the following:

- a. To approve and/or review executive session minutes for May 30, 2019 pursuant to M.G.L. c. 30A, § 21(a)(7) and § 22(g)
 - b. To review and respond to Open Meeting Law Complaint pursuant to M.G.L. c. 30A, § 21(a)(1) (filed by Patrick Higgins)
 - c. To discuss strategy with respect to litigation pursuant to M.G.L. c. 30A, § 21(a)(3) (Bristol County Superior Court Docket No. 1873-CV-01132)
 - d. To discuss potential real estate transactions for parcel(s) related to offshore wind project pursuant to M.G.L. c 30A, § 21 (a)(6)
9. Adjournment
- a. After a vote to resume the open meeting after Executive Session and upon motion by the Chair and second, the Board unanimously voted to adjourn.

Approved: _____date