

FALL RIVER REDEVELOPMENT AUTHORITY

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Michelle Dionne  
Joseph Oliveira  
Robert Smith

John Coughlin, Esq.  
Cathy Ann Viveiros  
Michael Dion

Fall River Redevelopment Authority meeting  
held pursuant to the Massachusetts Open Meeting Law,  
M.G.L.C. 30A, 18-25, on Wednesday, January 9, 2019,  
transcribed by Jeanne M. Bramanti, Registered  
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P R O C E E D I N G S

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2 CHAIRPERSON O'CONNELL: Pursuant to the open  
3 meeting law any person may make an audio or video  
4 recording of this public meeting or may transmit the  
5 meeting through any medium. Attendees are, therefore,  
6 advised that such recordings or transmissions are being  
7 made whether perceived or unperceived by those present  
8 and are deemed acknowledged and permissible.

9 I'm allergic to microphones, sorry.

10 The first item on the agenda is the approval  
11 of the minutes for December 12, 2018. Did everybody  
12 have a moment to review those?

13 MR. COUGHLIN: I have copies here. I know I  
14 emailed them to everybody. I don't know if you guys  
15 want the copy.

16 CHAIRPERSON O'CONNELL: I'll take a copy of it  
17 actually because it was really a lot to read.

18 MR. COUGHLIN: Yeah.

19 MR. SMITH: Joe.

20 MR. OLIVEIRA: I'm good. I read it  
21 electronically.

22 CHAIRPERSON O'CONNELL: Did anybody have any  
23 questions about the minutes?

24 (No response.)

1 CHAIRPERSON O'CONNELL: Motion to approve.

2 MR. OLIVEIRA: I make a motion to approve the  
3 meeting minutes as written.

4 MS. BRANCO: I'll second.

5 CHAIRPERSON O'CONNELL: All in favor.

6 THE BOARD: Aye.

7 CHAIRPERSON O'CONNELL: The next item,  
8 downtown and waterfront urban renewal plans update.

9 MS. CATHY VIVEIROS: Madam Chairperson, we do  
10 have Bill Roth. He is the Fall River planner, and he  
11 has been working on passage of the urban renewal plans,  
12 so he did attend the last city council subdivision  
13 meeting, and he is prepared to give you an update.

14 CHAIRPERSON O'CONNELL: Thank you, Cathy.

15 MR. BILL ROTH: Thank you. The committee made  
16 the -- the consultant was not able to be there, they  
17 had another public hearing, so I did the best job as I  
18 could to answer the questions.

19 There were a lot of -- several outstanding  
20 questions from several of the counselors. I've  
21 requested that they submit those in writing to me so I  
22 can give them to the consultant. I know that  
23 Miss O'Connell and Cathy I sent you kind of a brief  
24 synopsis of when I went over when I sent the message to

1 the consultant. I met with -- I saw the councilors  
2 last night and reiterated to please get me those  
3 questions that they had.

4 A lot of it revolved around some of the  
5 properties, the takings, should we move try to move the  
6 DPA line. I don't really want to -- you know, that's a  
7 whole process in itself to deal with the DPA. I thing  
8 that's outside of the scope of the urban renewal, and I  
9 told them is that.

10 So the preface of it is that we're going to  
11 look at having another committee meeting, and that has  
12 not been scheduled yet. I talked to Vice Chair Lebeau  
13 about that. She did wish me to when we did schedule  
14 the meeting to send out yet another notice to the  
15 affected property owners on the takings list, so I will  
16 look at doing that.

17 I told her in doing that that will -- that  
18 affects timing because we want to give them at least  
19 ten days, two weeks' notice. So right now I am waiting  
20 for the questions that the councilors had because they  
21 had pretty in depth questions.

22 I will get those to the consultant and then  
23 look at scheduling working with the councilors  
24 scheduled meeting, and hopefully -- it sounded like we

1 could do it within the next month or so knowing that  
2 there is about a two-week lag time that I wanted to  
3 give for sending notice out to the property owners, so  
4 that's kind of where we are.

5 And then one of the things, I have received  
6 numerous emails, some property owners wishing to be  
7 taken off the takings list that -- and I think some of  
8 their -- and I think this was a decision that the board  
9 needs to look at weighing in on.

10 Some of the properties when this process was  
11 started several years ago were vacant, underutilized,  
12 or abandoned. Some of the folks that had asked to be  
13 removed have renovated or they're at full occupancy or  
14 they've done significant upgrades, and probably it  
15 makes sense that they not be on the list.

16 So I am going to work with the consultant and  
17 kind of prepare, have them take the takings, the two  
18 maps of the identified properties, and then identify  
19 the ones that are specifically removed, and then maybe  
20 we can evaluate what has changed and transpired in the  
21 couple of year period since when we first started this  
22 process.

23 And are there any questions?

24 CHAIRPERSON O'CONNELL: No. I just wanted a

1 couple of comments on where you went with that because  
2 I did get a letter, as I am sure that you did, from  
3 Luciano DeVito a couple of times.

4 MR. BILL ROTH: Yes. That was property at the  
5 end of Columbia Street that we looked at, that the  
6 administration wanted to look at adding, and I did get  
7 that.

8 CHAIRPERSON O'CONNELL: So I do think, you  
9 know, the sooner we can have the meeting with the  
10 consultant just to start narrowing down a little bit  
11 more the process so that we can move forward with the  
12 city council and the state and keep the ball moving.

13 A month seems like a long time. I know we've  
14 been waiting a long time for this process. If there is  
15 any way that could see if we could speed that meeting  
16 with the consultants.

17 MR. BILL ROTH: Oh, we could probably meet  
18 with the consultant -- we could meet with the  
19 consultant sooner rather than later. I'm talking about  
20 the committee meeting with the consultant, lining that  
21 up. I need about a two week -- a little more than --  
22 if we're going to give the property owners a two-week  
23 notice then I need a little bit of time to send out  
24 the, I don't know, however many hundred mailings that

1 goes out, and then figuring out scheduling that  
2 meeting.

3 I am hoping that we could have the committee  
4 meeting within the next month, but if you want to meet  
5 with the consultant sooner rather than later, I mean,  
6 they are consultants, so we can meet at any time.

7 CHAIRPERSON O'CONNELL: I think it would  
8 benefit everybody if we could meet. I mean, I'm sure  
9 -- Loriann and Bob are relatively new to the board, so  
10 they might not have gotten a gist of both plans and the  
11 extent of both the plans, it's been open for review,  
12 but there is certainly -- I see, you know, you also got  
13 the letter here from the historic society, so they  
14 posed some questions.

15 MR. BILL ROTH: Yes.

16 CHAIRPERSON O'CONNELL: And I think if they  
17 can be invited as well to the meeting with the  
18 consultant so that we can have just -- let's freshen  
19 everybody up, get everybody on the same page and answer  
20 some of their questions as well.

21 MR. BILL ROTH: okay. So that's more of a  
22 consultant meeting with the RDA, correct --

23 CHAIRPERSON O'CONNELL: Yes.

24 MR. BILL ROTH: -- that you would like?

1 CHAIRPERSON O'CONNELL: Yes, that's what I  
2 would like.

3 MR. BILL ROTH: Okay. Would you like it  
4 during the day or at night?

5 CHAIRPERSON O'CONNELL: I think if we have a  
6 couple of options out there for all the board members  
7 to be available, obviously we all work so nighttime,  
8 and of the historic society, nighttime would probably  
9 be best to see if we can get some of the answers as  
10 posed in the letter that I received from them on  
11 wednesday, January 2.

12 They have some comments and questions that  
13 they would just like some answers to, so maybe we could  
14 try to get another meeting whether -- you know,  
15 obviously a special board meeting with RDA because we  
16 would be over a quorum, however would be the best way  
17 to go about that just so that we can kind of get  
18 everybody on the same page and see if we can continue  
19 to keep the ball moving forward to get these plans put  
20 in motion.

21 MR. BILL ROTH: Now, you as well, do you have  
22 copies of the latest plan?

23 CHAIRPERSON O'CONNELL: I do.

24 MS. BRANCO: I don't have it.



1 CHAIRPERSON O'CONNELL: Do all of us have  
2 copies of the latest plan?

3 MR. BILL ROTH: May is not the latest.

4 MS. TAYLOR BRANCO: No.

5 MR. BILL ROTH: Okay. Well, I will make sure.  
6 I can have those sent down to the print shop tomorrow  
7 and get those printed.

8 CHAIRPERSON O'CONNELL: That would be great,  
9 and then reach out to the consultant or if you want me  
10 to do it, Michael, you know, whoever you would like to  
11 reach out and try to set up a meeting and reach out to  
12 the historical society so that we can all be on the  
13 same page. That would be wonderful.

14 MR. COUGHLIN: You can just have a special  
15 meeting with one item agenda and just post it. If you  
16 have a quorum, you have a quorum. If up don't, you  
17 don't.

18 CHAIRPERSON O'CONNELL: Okay. That would be  
19 wonderful. I think we really need to keep the ball  
20 moving forward.

21 MR. BILL ROTH: Okay. I'll call the  
22 consultant tomorrow and look at trying to propose some  
23 dates over the next week, maybe next week sometime.

24 CHAIRPERSON O'CONNELL: Thank you.

1 MR. BILL ROTH: Okay.

2 CHAIRPERSON O'CONNELL: Does anybody else have  
3 any questions for him on those two plans?

4 MR. OLIVEIRA: The only question is can you  
5 send those files electronically?

6 MR. BILL ROTH: I can't. They are actually  
7 large files. If you go on the -- if you go on the  
8 city's website they're all posted on the web site and  
9 you can download them. They're larger than our system  
10 will stand.

11 MR. OLIVEIRA: So the most current version of  
12 the plans are on the city website?

13 MR. BILL ROTH: Are on the city website, yes,  
14 they are.

15 MR. OLIVEIRA: Okay.

16 CHAIRPERSON O'CONNELL: Thank you very much  
17 for coming.

18 MR. BILL ROTH: No problem.

19 CHAIRPERSON O'CONNELL: Have a nice evening.

20 MR. BILL ROTH: I will be here later.

21 CHAIRPERSON O'CONNELL: The next item on the  
22 agenda is the City Pier update regarding docks and  
23 moorings.

24 MR. SCOTT SKUNCIK: Good evening.

1 CHAIRPERSON O'CONNELL: Thank you for coming.

2 MR. SCOTT SKUNCIK: Thank you. My name is  
3 Scott Skuncik with Foth CLE Engineering. We were the  
4 successful bidder to your RFP to redevelop the city  
5 pier area, and we just wanted to talk about our scope  
6 and where we think we're headed with the project.

7 Our understanding is that we want to bring  
8 this site through preliminary design through what we  
9 think is permanent about this local, state, and federal  
10 level and through a design that you could move forward  
11 with as a municipality or present to a developer as a  
12 starting point and say this is a design that is  
13 permitable, here are your permits, they're good for  
14 three to ten years. Here is available water depth,  
15 here is the vessels that you can bring in here, and  
16 here is what you have for available parking.

17 And we don't intend that the final design is  
18 something that someone is going to take and carbon copy  
19 and build, but I think it's really going to enhance the  
20 site to have a place hold design that they know is  
21 feasible, constructible, and has been preapproved  
22 rather than a developer coming in and having to debate  
23 what's permitable on all three levels, local, state,  
24 and federal, and what are the limitations based on the

1 site contaminants that we know exist and the  
2 limitations based on that and what you could expect for  
3 vessels or what you could expect for fees and things  
4 like that.

5 So we've done this type of study for cities  
6 like Gloucester, New Bedford, and we are working on one  
7 now for Boston right now and overall permitability,  
8 future construction costs, and what we think is an  
9 income stream all into one report, and then you'll have  
10 different alternatives to choose from for different  
11 facets of it whether it's how many vessels, how far you  
12 would like to go out, whether you want a building,  
13 whether you want facilities, and the cost related to  
14 all of that so you can pick a path for whether you want  
15 to develop it yourself or go to a third party.

16 And that's our understanding of the scope. We  
17 are a waterfront firm, that's all we do, we have 30  
18 waterfront engineers in Marion, Massachusetts, and we  
19 have another six in Newport, Rhode Island, so you're  
20 right between the two offices. That whole staff is  
21 available, all the vessels are local. There is no out  
22 of state groups really involved with our personnel.

23 Are there questions on our scope or where  
24 we're headed or questions on our proposal?

1                   CHAIRPERSON O'CONNELL: Do any board members  
2 have any questions at this time with their scope? We  
3 did all read their presentation.

4                   MR. SMITH: I do. I have a question.

5                   The scope, you mentioned the plans you're  
6 going to get it fully planned. Does that include fully  
7 permitted, ready to go?

8                   MR. SCOTT SKUNCIK: That would be -- so we  
9 expect to come to this board with two alternative  
10 designs, and we expect to bring one of those designs  
11 through all the permits. So that's conservation here  
12 in Fall River, that's DEP for Chapter 91, and that's  
13 Army Corp of Engineers at the federal level.

14                   We need guidance from you as a group as to  
15 whether you want to get a longer term on some of these  
16 permits which we recommend, you know, try to spend a  
17 little extra effort and get a ten-year permit instead  
18 of a three-year permit so that these things are just  
19 open for a longer period of time.

20                   That's especially important at the federal  
21 level. The regulations can change. If you have a  
22 permit already that won't affect you, so we will advise  
23 you on a path forward on that.

24                   MR. SMITH: Okay. Another question I have is

1 the board was told that our former consultant signed an  
2 agreement with the EPA that they could never be any  
3 type of building on the City Pier, period, and there  
4 was no shot of that happening. Do you agree with that,  
5 or do you think that there are alternatives?

6 MR. SCOTT SKUNCIK: So we think that there are  
7 alternatives to that. We have read that document, and  
8 if you go to Dartmouth right now we have a building  
9 that's half on the water half on land. We designed  
10 that structure, it has similar site constraints, and a  
11 pile supported structure.

12 And part of the pier over the water could  
13 provide all the bathrooms, locker rooms, any sort of  
14 office space you need, and we could also at the same  
15 point negotiate and try to renegotiate some of that  
16 language. There is an alternative if that language is  
17 in stone, there is a path forward to get you there with  
18 everything you need over the water that isn't affected  
19 by that document.

20 MR. SMITH: And would that process be included  
21 in the scope of your contract, this contract going back  
22 to the EPA.

23 MR. SCOTT SKUNCIK: Yes. Well, the EPA is a  
24 state corps, Army Corps permit, so they will weigh in

1 at that time, that document will come back, again, and  
2 they will weigh in at that point. So if you get an  
3 Army Corps document for development of the site and the  
4 EPA agrees to it then that becomes the law of the land.  
5 That supersedes it.

6 MR. SMITH: So we would expect you as per the  
7 scope of the agreement to take that all the way through  
8 to the finality, if you will, to get a determination  
9 one way or the other if we could put a building on  
10 that?

11 MR. SCOTT SKUNCIK: The way we understand our  
12 scope in terms of the RFPs you could take our final  
13 deliverable and build something. You could build it  
14 yourself, someone else could build it, but we don't  
15 intend to leave you with anything to do after that  
16 other than finding a contractor.

17 CHAIRPERSON O'CONNELL: And so when you say  
18 you're going to examine every available option for us,  
19 so you would also let us know on the main property if  
20 we could build a structure on there, any type of  
21 building --

22 MR. SCOTT SKUNCIK: Yes, correct.

23 CHAIRPERSON O'CONNELL: -- whether it be  
24 supported on pilings like Scituate has or anything else

1 MR. SCOTT SKUNCIK: Correct. Yeah, we  
2 would --

3 CHAIRPERSON O'CONNELL: It would encompass  
4 everything.

5 MR. SCOTT SKUNCIK: We would explore  
6 foundation types and we would upon selection of  
7 alternative give you that cost estimate for that work.  
8 What's not included is to bring this to a hundred  
9 percent design because you would want to decide who is  
10 going to do the project whether it's the municipality  
11 or private.

12 MR. SMITH: When the Chapter 91 people, they  
13 issue the permit for the marina, are there requirements  
14 that you have facilities and services for the marina?  
15 In other words, we say we're going to build a marina,  
16 but we can't have a building and we can't do any of the  
17 facilities. Would they permit that?

18 MR. SCOTT SKUNCIK: They would -- they would  
19 want some sort of facilities. We can talk about --  
20 and, of course, they're going to want everything to be  
21 universal, have universal access, but if you develop it  
22 as a public facility they're going to want bathrooms  
23 and locker rooms probably as a minimum.

24 And you would want that, too, for a parcel



1 that's desirable.

2 MR. SMITH: So would it make sense to go  
3 forward with the possibility of the building on the  
4 property before doing the other thing, or do you do  
5 them parallel to each other?

6 MR. SCOTT SKUNCIK: So you will have an  
7 alternative that has a building over the water. You  
8 have no -- your hands aren't tied at all. And you may  
9 not have an alternative with a building on land  
10 depending on how the EPA document handles it.

11 MR. SMITH: So you seem pretty confident that  
12 one way or the other we'll be able to put a building to  
13 service this marina.

14 MR. SCOTT SKUNCIK: There is no document that  
15 currently exist that prevents you from building a  
16 building over the water, and there is numerous  
17 municipalities and redevelopment authorities that we've  
18 built buildings over the water for. And because you  
19 have no excavation in that situation, no material to  
20 dispose of, then we don't see why you couldn't do that.

21 MS. DIONNE: In terms of the three-year and  
22 ten-year permitting, what are the requirements? What  
23 differentiates from the three year to the ten year?

24 MR. SCOTT SKUNCIK: Sure. So three years

1           versus ten years is primarily at the federal level.  
2           Your local conservation can give you up to a three-year  
3           notice of intent and issue an order of conditions, and  
4           they can extend that numerous years, and that will be  
5           up to them.

6                         The Army Corps can issue a three-year permit  
7           which is a PCN which is a lower level review, or they  
8           can issue a ten-year individual permit and the only  
9           difference is it takes longer for review, and I don't  
10          feel like given the nature of this project it's worth  
11          pushing for a faster review and sacrifice seven years  
12          of her permitability.

13                        So we would recommend to you that you go for  
14          the individual permit and attempt to get ten years.  
15          They can deny it and say we approve the project for  
16          three, but we would attempt to get ten years so that  
17          you have the longest window possible.

18                        MR. SMITH: I have another question. A pretty  
19          substantial amount of that contract pertained to  
20          mooring fields, and I'm not sure what the dollar  
21          amount, what the breakdown was towards the mooring  
22          fields. I think it was ten, \$12,000, something like  
23          that.

24                        MR. SCOTT SKUNCIK: So we didn't do a

1 breakdown -- when we looked at this proposal the  
2 optional tasks that were listed was the Army Corps  
3 permit and the CZM permit, and to us those are permits  
4 that are required for the building and marina anyway,  
5 so we never separate out the mooring piece to us.

6 MR. SMITH: Okay.

7 MR. SCOTT SKUNCIK: We know we need a  
8 hydrographic, and, basically, an underwater survey  
9 anyway, so you knew how much water you had under your  
10 floats, so we never included it's day of hydro whether  
11 we do the moorings and the floats or just the floats.  
12 So we never include any extra time for that.

13 MR. SMITH: So it's not a big deal to figure  
14 out --

15 MR. SCOTT SKUNCIK: The mooring, to go forward  
16 with the mooring?

17 MR. SMITH: Yeah, the mooring aspect of it  
18 seemed to be --

19 MR. SCOTT SKUNCIK: It's not, no. Not to us.

20 MR. SMITH: It didn't seem worthwhile to me at  
21 all. I don't think we need it. There is no permitting  
22 needed for the mooring, so I don't know why we're  
23 paying for something.

24 MR. SCOTT SKUNCIK: I would recommend that if

1 you were doing a survey why not survey it because  
2 you're getting eight hours in the water, let's get a  
3 little extra data and you can use it for whatever. If  
4 you want to use it for moorings in the future or if you  
5 want to use it to justify dredging in the future so  
6 that you can prove that it's filled in because right  
7 now you don't have that data.

8 MR. SMITH: Okay. That's all the questions  
9 that I have.

10 CHAIRPERSON O'CONNELL: Any other questions  
11 from the board members?

12 Have you already -- when are you going to  
13 start?

14 MR. SCOTT SKUNCIK: We intend to start as soon  
15 as possible because we would prefer not to be on the  
16 water as it gets colder and colder and we have the  
17 chance of floating ice, so we would like to get the  
18 hydro survey done as soon as possible.

19 CHAIRPERSON O'CONNELL: And what's your normal  
20 timeframe of reporting back to the board with each step  
21 of the way on what you find?

22 MR. SCOTT SKUNCIK: So the first thing that we  
23 would do is do the underwater survey and submit the  
24 plan to the board, and we would have that plan done

1 probably three weeks after we do the survey. So we've  
2 been holding off until this meeting. Following this  
3 unless there is an objection we would like to green  
4 light the survey for you and get the crew out there.

5 CHAIRPERSON O'CONNELL: So we could almost  
6 expect, like, a monthly update from someone from your  
7 firm?

8 MR. SCOTT SKUNCIK: Sure. From myself.

9 CHAIRPERSON O'CONNELL: That would be  
10 wonderful. Thank you.

11 Any other questions from the board?

12 MS. BRANCO: I have one more question. How  
13 does the fact that the infrastructure and storm  
14 drainage hasn't been installed yet effect what you're  
15 going to do and what the potential is for us?

16 MR. SCOTT SKUNCIK: So where storm water is  
17 going to come in is at the conservation level. Chapter  
18 91 -- the DPO and the Army Corps aren't really  
19 concerned unless you're adding new storm water outlay.  
20 We would have to get the storm water at least on paper  
21 to get an approval of conditions if we're doing the  
22 parking area and we're doing the storm water that we've  
23 already agreed to in the past project.

24 so that would have to be rolled in. I think

1 we could get approval from conservation on our piece,  
2 and then you could handle your storm water later before  
3 you built it with the requirement that the order would  
4 have a condition that says the storm water application  
5 has to be approved before you can build this marina,  
6 and so we could separate the two so one is not holding  
7 up the other.

8 CHAIRPERSON O'CONNELL: So a quick question on  
9 the drainage and storm water there. So say that we did  
10 find that we could put a building on the main portion  
11 of the building albeit on stilts or anything, would  
12 that affect the design and placement of the drainage  
13 and storm water? Say that we put it in right now and  
14 then we found out, hey, we can put a building and then  
15 we have to take out what we installed.

16 MR. SCOTT SKUNCIK: Yeah. I would suggest at  
17 least letting us collaborate with whoever the storm  
18 water -- whoever is coordinating the storm water  
19 placement because there is definitely places where you  
20 wouldn't want a water building.

21 CHAIRPERSON O'CONNELL: Right.

22 MR. SCOTT SKUNCIK: And we could draw some  
23 boxes on the plan now and move places out that are  
24 safer for storm water. We may want to leave some boxes

1 open for availability for that.

2 CHAIRPERSON O'CONNELL: So we're not  
3 necessarily in a horrible position without having that  
4 in the ground right now. We could almost be to an  
5 advantage right now --

6 MR. SCOTT SKUNCIK: It's an advantage right  
7 now.

8 CHAIRPERSON O'CONNELL: -- because we don't  
9 have to take it out and move it if we can in fact put a  
10 building on the property.

11 MR. SCOTT SKUNCIK: Right.

12 CHAIRPERSON O'CONNELL: Thank you.

13 MR. SMITH: I do have another question. How  
14 long before you would actually submit plans for a  
15 Chapter 91 until the scope of your project is done and  
16 you submit the plans to the DEP.

17 MR. SCOTT SKUNCIK: So long as we could get an  
18 alternative agreed upon probably by, say, May we would  
19 have all the preliminary design done. By May we will  
20 be ready to file Chapter 91. Chapter 91 is a six to 18  
21 point process, so we'll file that permit first, see if  
22 they make any changes, and then file the other two  
23 because those windows have -- the Army Corps is  
24 probably four months, and conservation is 60 days so

1 long as we don't have any issues.

2 so we'll file as we go along, the Chapter 91  
3 has to be signed by the governor, so that process can  
4 take a little longer, and then we'll do your permits in  
5 the order in which they take the most time.

6 MR. SMITH: And your contract goes right to  
7 the completion of the project?

8 MR. SCOTT SKUNCIK: It does. Our contract  
9 ends with your permits being submitted.

10 CHAIRPERSON O'CONNELL: Any other questions  
11 from the board?

12 Great. Thank you very much.

13 MR. SCOTT SKUNCIK: Thank you for the  
14 opportunity.

15 CHAIRPERSON O'CONNELL: The next item is a  
16 financial update.

17 Michael, will you be giving that to us?

18 MR. MICHAEL DION: Sure. Your first financial  
19 update is marked 3A-1, 3A-2 and 3A-3. It is your  
20 income statement for your general operating, and I did  
21 a little tweaking on the report. As you can see it's a  
22 little different format than what it was from last  
23 month's reporting.

24 The first column is your first 11 months



1 through the year, your second column is just that month  
2 that we've just closed out, and you have your year to  
3 date in your third column. Right now the balance on  
4 that account is \$2,291,738.54.

5 So if you have any questions concerning the  
6 layout or you want any changes just, please, let me  
7 know. I thought this would work out the best to give  
8 you the full picture of the account throughout the  
9 whole year, and you will get the bank statement  
10 attached to that financial report on a monthly basis,  
11 also.

12 I don't know why your bank accounts and your  
13 statements end on the 15 of the month. It's a little  
14 bit more difficult that they don't fall at the end of  
15 the month, but we can figure it out.

16 The other report is your operating parking  
17 garage account which is 3B-1, 3B-2, and 3B-3, the same  
18 format. The balance in that account is \$166,403.49. I  
19 will have to meet with you, Kara, at some point because  
20 there is that transfer that needs to be done, so I  
21 don't have access to do transfers, so I'll need you to  
22 do that for me to get the accounts in balance.

23 CHAIRPERSON O'CONNELL: Just let me know  
24 whenever is convenient for you, and I will meet you at

1 the bank.

2 MR. MICHAEL DION: Okay. C is the warrant  
3 schedule. What you have in front of you is all of the  
4 invoices, listing of invoices. The warrant total is  
5 100,769.92. If you all remember we agreed last month  
6 to follow the type of warrant procedure that is used in  
7 the city.

8 Most of the -- a big part of the total of the  
9 warrant was Yard Works on the Old Second Street  
10 project. All of that invoice has been approved, signed  
11 by the architect, also signed by the contractor, and I  
12 believe you signed it, Kara.

13 CHAIRPERSON O'CONNELL: Yes.

14 MR. MIKE DION: There is one -- just so you  
15 know, I just want to make it apparent to you guys,  
16 there is one vendor name which is myself. Your SAM  
17 registration needed to be renewed, and the only way you  
18 can do that is through computer system, and you need to  
19 use a credit card, so I used my personal credit card  
20 because I didn't have another one.

21 So if you could look at this, and it requires  
22 your signature on it, and once you sign it, Kara, I  
23 will cut the checks and get them to you and Lori for  
24 your signature.

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Did it work out okay the last time? I had somebody from my office go to your work. I don't want to disturb you guys at work.

MS. BRANCO: No, that's fine.

MR. MIKE DION: As long as you're fine with that.

The other piece of paper that you have which is D is your accounts payable register which is the actual bills. This is called 3D in your packet. It's as the actual bills that you have that are not up yet to be paid. That total is 24,728.04.

There are some, as you can see, National Grid bill, four bills for the town of Freetown for property taxes, a couple of bills from Jobs For Fall River. There is a retirement board bill, and a group insurance, small group insurance bill that will be taken care of. So that's the accounts payable register.

Q. And then on E -- I'm not going too fast for you hopefully, on E you got the Old Second Street project. we've basically put that project on hold right now because of the plantings, and those will be done I guess in the spring coming up in March or April.

1                   The only changes that have happened to this  
2                   report from last month's report was the payment of the  
3                   Yard works bill for 77,798.70. The three change  
4                   orders, if you remember, you'll see them there, have  
5                   all been approved, have all been signed off, and I am  
6                   waiting for Invoice No. 2 from Yard works, and they're  
7                   going to include those change orders on that invoice,  
8                   and we'll cut the check for that.

9                   So, you know, hopefully you're happy with the  
10                  layouts of the reports, and like I said, if anybody has  
11                  any questions, if anybody wants to change anything it's  
12                  very simple. I am right now currently working on a  
13                  trial balance for 2017. The trial balance is needed so  
14                  that we can get a quote from Clifton, Larson, Nelson to  
15                  do your audit.

16                  I am working on that. I, basically, started  
17                  it this week. We just got the records from your last  
18                  consultant. Those records are in the Room 420 on the  
19                  fourth floor, so if you want, anybody wants to stop by  
20                  there, look at the records.

21                  So I'm hopefully to have the trial balance  
22                  done by the end of the week, over the weekend for next  
23                  week to give to the city administrator to start that  
24                  process.

1 CHAIRPERSON O'CONNELL: Thank you. Does any  
2 board member have any questions about these? I think  
3 the layout is easily explainable, Mike. I think we can  
4 actually see the bills that are coming in, what's going  
5 out, our balances. It's well presented. Thank you.

6 Any questions for Michael?

7 MS. DIONNE: Only -- well, in terms of the  
8 Yard Works, the fencing that was an issue, is that  
9 going to be addressed now, in the spring?

10 MR. MIKE DION: The only issue of the fencing  
11 that was brought to my attention was the sturdiness of  
12 the fencing. I've actually gone out myself and  
13 personally looked at it, and the architect has been out  
14 there. It's sturdy. So we wouldn't have paid the bill  
15 if there was a problem with it, so it's -- I don't know  
16 esthetically if you like it, but it's sturdy, I can  
17 tell you that.

18 CHAIRPERSON O'CONNELL: So do we need a motion  
19 to --

20 MR. COUGHLIN: I would just do a motion to  
21 approve the warrant.

22 MR. SMITH: I make a motion to approve the  
23 warrant.

24 MS. BRANCO: I'll second.

1 CHAIRPERSON O'CONNELL: All in favor.

2 MR. SMITH: Aye.

3 MS. DIONNE: Aye.

4 MR. OLIVEIRA: Aye.

5 MS. BRANCO: Aye.

6 MR. JOHN COUGHLIN: And then you sign it.

7 CHAIRPERSON O'CONNELL: The next item on the  
8 agenda was the update regarding parking garages and  
9 business for better parking. I did hear that the city  
10 is going to -- they voted last night, and they are  
11 going to take over the parking garages and have that  
12 fall underneath the city.

13 MS. CATHY ANN VIVEIROS: So I guess the next  
14 step would be, Attorney Coughlin, will just so Attorney  
15 Macy is aware --

16 MR. COUGHLIN: Do you want me just to send the  
17 draft to him?

18 MS. CATHY ANN VIVEIROS: Yeah, send the draft,  
19 and we'll have -- we also need to provide 90 days  
20 notice to the Businessmen For Better Parking a/k/a  
21 group to notify them there was a 90 day notice  
22 provision in there, and that would need to come from  
23 the Redevelopment Authority.

24 Additionally there is I guess a question about

1 existing leases and so we need --

2 MR. COUGHLIN: Right. So there was the post  
3 office lease which is expiring, and then there is the  
4 traveling building.

5 MS. CATHY ANN VIVEIROS: Yeah, the 99 Main  
6 Street.

7 MR. COUGHLIN: And there is one more. There  
8 is the BBP, Post Office, and Travelers, I think.

9 MS. CATHY ANN VIVEIROS: So I presume that the  
10 RDA would have to provide notice regarding the  
11 assignment.

12 MR. COUGHLIN: Yeah. We would do a deed and  
13 then the assignment of those leases.

14 MS. CATHY ANN VIVEIROS: And at that point, at  
15 some point I guess they would have to be notified of  
16 the change in ownership as well.

17 MR. COUGHLIN: Yeah. I can do that.

18 MS. CATHY ANN VIVEIROS: But Attorney Macy is  
19 available if you want to coordinate the efforts with  
20 him. But the city council did approve acceptance of  
21 the garages and the flat surface area.

22 Additionally, there is an account that was  
23 established for maintenance and capital repairs. The  
24 agreement with BBP does specifically say that that is

1 the property of the Redevelopment Authority, and the  
2 city is expecting that that account will transfer with  
3 the garages. They are planning on utilizing it for  
4 maintenance and capital repairs to the building, so if  
5 those steps are all approved then we're ready to  
6 proceed.

7 MR. COUGHLIN: So do you want the board to  
8 take a vote to authorize Kara to send notice to BBP?  
9 That's the only thing that we haven't done.

10 MS. CATHY ANN VIVEIROS: I would suggest that  
11 if you think that that will be appropriate.

12 MR. COUGHLIN: We took a vote to authorize her  
13 to sign the deeds, but we didn't do anything about --  
14 we just said subject to all existing agreements.

15 MS. DIONNE: Can I just ask a question and  
16 make a statement before we do that.

17 So, basically, at this point do you have all  
18 the contracts that are involved with people who still  
19 have existing contracts?

20 MS. CATHY ANN VIVEIROS: We have the one with  
21 99 Main Street LLC I think is the name.

22 MR. COUGHLIN: Yeah, Post Office, 99, and BBP.

23 MS. CATHY ANN VIVEIROS: And BBP. We have --

24 MR. COUGHLIN: So the city has been given



1           copies of all of those.

2                   MS. DIONNE:   And Travelers?

3                   MR. COUGHLIN:   Travelers and 99 is the same  
4           thing, yeah.

5                   MS. DIONNE:   All right.   Who negotiated that  
6           contract, do we know?

7                   MS. CATHY ANN VIVEIROS:   It was negotiated, it  
8           started back in 2015, so it would have been your former  
9           consultant, and I'm assuming it was signed by your  
10          former chairman of the board which was William Kenny,  
11          so they at least would have been involved with that  
12          negotiation.   I'm not sure if it came to a full vote  
13          before the RDA board.

14                   MS. DIONNE:   And that was for the 30-year  
15          contract.

16                   MS. CATHY ANN VIVEIROS:   Yes.

17                   MR. COUGHLIN:   So just my memory of the  
18          history of that it was if you go back to the early '80s  
19          when the Traveler's building was first built, there was  
20          actually a special act that gave a 30-year lease to the  
21          occupant of that building.   When that lease expired the  
22          Redevelopment Authority went out to bid, again, and  
23          that's the current one.   So there has been a lease in  
24          place for that building from day one since that parking

1 garage was built.

2 MS. DIONNE: So the only comment that I would  
3 like to make, I would just like to go on record, and  
4 this is just -- I'm not speaking for the board, I'm  
5 speaking for myself, in terms of this transfer of  
6 property I do want it to be clear that it had nothing  
7 to do with inadequacies as far as the board is  
8 concerned.

9 The board did not go to the city to ask them  
10 to take these properties, the city came to the board  
11 and asked the board if we would return the properties  
12 to the city, correct?

13 MS. CATHY ANN VIVEIROS: Yes. That was after  
14 the board had been notified I guess by BBP that they  
15 were no longer interested in providing the management  
16 services, so there was clearly going to be a void in  
17 that area.

18 MS. DIONNE: That's all. I just wanted to go  
19 on record making that statement that it wasn't a case  
20 of us wanting to just dump a property.

21 CHAIRPERSON O'CONNELL: Thank you.

22 Anybody else have any comments regarding the  
23 parking garages?

24 MR. SMITH: I do. I have one question. Is

1 this transfer, does it include Old Second Street, too?

2 MS. CATHY ANN VIVEIROS: That's an interesting  
3 question. We're going to have to look at the deeds. I  
4 don't know if Attorney Coughlin has that with him.  
5 That question has come up.

6 MR. COUGHLIN: So the way the vote read, we  
7 did this vote back in October, I think, if I remember.

8 CHAIRPERSON O'CONNELL: Yeah, a few months  
9 ago.

10 MR. COUGHLIN: It was a vote to transfer Third  
11 Street and Pearl Street parking garages and lots and  
12 associated property, so that's the way we voted, so I  
13 assume that that's what the city is expecting.

14 MR. SMITH: And I think if we're all voting we  
15 should vote them all and hopefully the city will take  
16 Old Second Street. It's of no value to the  
17 Redevelopment Authority, it's of more value to the  
18 owner, whoever the owner of the garage is because the  
19 access to the garage, a large portion of it comes from  
20 Old Second Street.

21 CHAIRPERSON O'CONNELL: I think we did do it  
22 as a complete whole.

23 MR. COUGHLIN: That's the way we voted.

24 CHAIRPERSON O'CONNELL: Yeah, that's how we

1 voted.

2 MS. CATHY ANN VIVEIROS: Is that on the same  
3 deed?

4 MR. COUGHLIN: No.

5 MS. CATHY ANN VIVEIROS: So it's a separate  
6 parcel.

7 MR. COUGHLIN: It's on the same plan, but  
8 separate parcel.

9 MS. CATHY ANN VIVEIROS: Separate parcel. So  
10 you don't have to transfer, but, again, if that's the  
11 board's intent.

12 CHAIRPERSON O'CONNELL: But we voted to  
13 transfer.

14 MR. COUGHLIN: I think our intent was so we  
15 didn't end up with these little orphan pieces of land.

16 MR. SMITH: Yeah. To me it makes no  
17 difference. I'm just wondering about this contract for  
18 old Second Street, and if we're going to dump the  
19 property on the city we don't have to finish doing the  
20 contract, they can do it, to be honest with you.

21 MS. CATHY ANN VIVEIROS: well, I would  
22 respectfully suggest that the contract is an obligation  
23 of the Redevelopment Authority.

24 MR. SMITH: Okay.

1 MS. CATHY ANN VIVEIROS: However, as far as  
2 the administrator services of that Mr. Roth our planner  
3 is here this evening, and he was just going to give you  
4 a quick update, but he is going to be assuming active  
5 oversight of that project to completion.

6 MR. SMITH: I don't think that it makes any  
7 difference. I'm just thinking for ongoing maintenance  
8 and it only makes sense for the owner of the garages to  
9 also own the access plan which is also Old Second  
10 Street.

11 MR. COUGHLIN: And, also, whoever clears the  
12 snow from the garage or the walkways also has to do Old  
13 Second Street because you have to have access.

14 CHAIRPERSON O'CONNELL: Because there is  
15 access right there. Yes. So by no means do I think  
16 the board is going to not continue with the plantings  
17 and finish off the project. I don't think that's our  
18 intent at all to leave that hanging and anybody hanging  
19 as much as, Bob, you might like that, I don't think  
20 that's the intent nor the purpose of the board.

21 MS. CATHY ANN VIVEIROS: Thank you, Madam  
22 Chairman.

23 CHAIRPERSON O'CONNELL: Next, Old Second  
24 Street update.

1 MR. COUGHLIN: So I think we need a vote --

2 CHAIRPERSON O'CONNELL: Another vote?

3 MR. COUGHLIN: To terminate the BBP contract.  
4 They're asking us to terminate that as part of the  
5 transfer and give the 90 day notice.

6 CHAIRPERSON O'CONNELL: All right. I make a  
7 motion to --

8 MR. OLIVEIRA: I make a motion to authorize  
9 the chair to terminate the contract with the BBP.

10 MR. COUGHLIN: Send a 90 day notice.

11 MR. SMITH: I'll second that.

12 CHAIRPERSON O'CONNELL: All in favor.

13 THE BOARD: Aye.

14 CHAIRPERSON O'CONNELL: The next item, Old  
15 Second Street update, and the city planner can add to  
16 what Michael has already updated us on, that would be  
17 wonderful.

18 MR. BILL ROTH: Okay. At least I don't have  
19 to do the financials. Thank you, Mike.

20 I've reviewed the contracts. I've spoke with  
21 the architect, the landscape architect briefly this  
22 afternoon. He was getting ready to go into a meeting.  
23 I requested that he send me the bid specs and plans  
24 electronically because there is no copies of those.

1           There is copies of the contracts.

2                       And then he wanted to really kind of -- I  
3           think he had a brief discussion with Mike about the way  
4           that they were going to leave it for the winter, so I'm  
5           going tp have more of a discussion on how the site is  
6           going to be buttoned up for the winter and what our  
7           expectation is for that, maintaining safety, and then  
8           we're going to discuss the remaining items. We're  
9           talking about some landscaping, it looked like -- I  
10          walked there today, it looked like there was some  
11          concrete work of some sort.

12                      CHAIRPERSON O'CONNELL: Irrigation.

13                      MR. BILL ROTH: Yeah, the irrigation. I saw a  
14          chain of emails, and I'm not quite sure if the  
15          electrical had been connected or not. That was roughly  
16          a month ago when they were looking at doing that,  
17          connecting the electrical from the electrical panel at  
18          parking garage is rather ironic due to previous the  
19          conversation.

20                      So that's kind of where we are with it, and  
21          we'll look at just going to get up to speed with the  
22          architect with Mike on where we -- the remaining items.  
23          And my main concern is getting it buttoned up more for  
24          safety for the winter, and it's pretty close right now.

1           It's still got some chain-link fencing up.

2           MR. MICHAEL DION: Yeah. Just so the board  
3 knows, too, I believe I got an email from Webster Bank,  
4 and they were a little concerned about how it looked,  
5 how it was going to be left for the winter, so I told  
6 them we would do our best to button it up to make it  
7 look halfway decent. There might be some wood there, I  
8 think there is some fencing that might be able to come  
9 down.

10           CHAIRPERSON O'CONNELL: And get those signs  
11 back up.

12           MR. MICHAEL DION: They want their signs back  
13 up. So I'll work with Bill on that.

14           MR. BILL ROTH: And one of the things everyone  
15 keeps on asking me, the wooden slats they are white  
16 cedar, they are not just pine. Everyone says that on  
17 the project it looks like it's white pine, it looks  
18 like it's pine, and it's just going to rot. No, it's  
19 white cedar, so it can withstand the weather.

20           CHAIRPERSON O'CONNELL: Great. Thank you very  
21 much.

22           MR. BILL ROTH: Okay. The next item on the  
23 agenda is proposed executive session. We have two  
24 items for that, one to discuss strategy with respect to



1 potential litigation regarding the City Pier project;  
2 and the second item is to review and approve executive  
3 session minutes for December 12, 2018.

4 Do we have those findings?

5 MR. COUGHLIN: Yeah. So we'll need a roll  
6 call vote on both of those. I guess the question is is  
7 there any old or new business because we're probably  
8 just going to adjourn from executive session.

9 MS. DIONNE: I think at this point it's  
10 probably close to two months ago that we unanimously  
11 voted to take the sign down on the pier, and it's still  
12 stands today.

13 CHAIRPERSON O'CONNELL: The cove sign? Yeah.  
14 So, Mike or Cathy, is there any way someone could help  
15 us with that? I mean, I can do it with a chain saw it  
16 would be real easy, but that's probably not how Peter  
17 wants his sign taken down.

18 MR. SMITH: He might own that sign.

19 MR. MICHAEL DION: I'll call Peter and tell  
20 him that the sign needs to be removed.

21 CHAIRPERSON O'CONNELL: Okay. Great.  
22 Anything else, Michelle?

23 MS. DIONNE: No.

24 CHAIRPERSON O'CONNELL: Joe, do you have

1 anything to add?

2 MR. OLIVEIRA: No.

3 CHAIRPERSON O'CONNELL: Cathy?

4 MS. CATHY ANN VIVEIROS: Yeah, thank you,  
5 Madam Chairperson. Under old business just to alert  
6 the committee we did in fact issue a request for  
7 qualifications for the real estate services for -- your  
8 current contract is expiring. That's going to appear  
9 in goods and services on January 14. It will be two  
10 weeks, and then once we get proposals then we'll be  
11 back to you. So we should be able to get someone on  
12 board on or about the first part of February.

13 And the second RFQ engineering services, the  
14 City Pier is also going to be posted in goods and  
15 services on that same date, January 14, and those  
16 proposals will be due -- I think those are due a month  
17 after.

18 CHAIRPERSON O'CONNELL: Thank you very much.

19 Anything else under old or new business. So  
20 we need two motions.

21 MR. COUGHLIN: Yeah, we need a motion to go  
22 into executive session for those two purposes. Under A  
23 we need a finding by the chair that an open meeting  
24 will have a detrimental effect on the litigation

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position of the public body. So we need a roll call vote to go into executive session for those two purposes, and that we will not return to open session.

CHAIRPERSON O'CONNELL: Cathy, do you want to do a roll call vote?

MS. CATHY ANN VIVEIROS: Sure.

Kara O'Connell.

CHAIRPERSON O'CONNELL: Yes.

MS. CATHY ANN VIVEIROS: Lori -- I'm sorry, your last name -- Branco, Lori Branco.

MS. BRANCO: Yes.

MS. CATHY ANN VIVEIROS: Michelle Dionne.

MS. DIONNE: Yes.

MS. CATHY ANN VIVEIROS: Joseph Oliveira.

MR. OLIVEIRA: Yes.

MS. CATHY ANN VIVEIROS: And Robert Smith.

MR. SMITH: Yes.

MS. CATHY ANN VIVEIROS: It's unanimous.

(Meeting adjourned.)