



Appointments and Briefings

March 10, 2009 - 7:00 p.m. – **Agenda**
City Council Chamber, Room 214, Municipal Building

View Minutes

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1. Citizens Input Time – Not to exceed the first thirty (30) minutes of the meeting.
 - 1a. Maurice Costa, 22 Abalone Street, New Bedford, MA, speaking on Portrait Painting Commissions in oils.
 - 1b. Alan Duarte, 2120 Phillips Road, New Bedford, MA, speaking on “Clips of Reality”, and the change in our Country.
 - 1c. Andrew Deardin, 373 Bellevue Street, New Bedford, MA, speaking on the 2010 Census.

INVITEES: Maurice Costa; Alan Duarte; Andrew Deardin

2. Communication, City Clerk/Clerk of the City Council, to City Council, on behalf of **DANIEL XAVIER, d/b/a DMB BUS COMPANY, 68 Dean Street, New Bedford, MA 02746**, hereby submit a copy of the Application requesting a **NEW** Private livery License, under the provisions of M.G.L, Chapter 159A, Section 1 and amendments thereto, and M.G.L, Chapter 270, Section 22 (Smoke Free Workplace Law) and all other laws applicable to such operation, to carry passengers for hire over the streets of New Bedford. (Ref'd 9/25/08, tabled 11/18/08, 2/10/09 - Tabled, invited did not come to meeting)

INVITEES: Daniel Xavier

3. Communication, City Clerk/Clerk of the City Council, on behalf of **ELVIN BAEZ, d/b/a KISS TRANSPORTATION, 1549A Acushnet Avenue, New Bedford, MA 02745**, hereby submits a copy of the Application requesting a **NEW** Livery License, under the provisions of M.G.L, Chapter 159A, Section 1 and amendments thereto, and M.G.L, Chapter 270, Section 22 (Smoke-Free Workplace Law) and all other laws applicable to such operation, to carry passengers for hire over the streets of New Bedford. (Ref'd 9/25/08, tabled 11/18/08, 2/10/09 – Tabled, invited did not come to meeting)

INVITEES: Elvin Baez

4. Written Motion, City Council President Gonsalves, requesting that DPI Commissioner Ronald Labelle, meet with the Council and concerned residents to discuss the recent letter sent to property owners notifying them that their deduct meters require upgrading at a substantial cost to comply with the new City-wide meter system. (Ref'd 11/25/08, 2/10/09 – tabled)

INVITEES: DPI Commissioner Ron Labelle; Property Owners

5. Written Motion, Councillors Gonsalves, Saunders, Morad, Gomes, Alves, Pimental, Martins, Lawrence, and Duarte, requesting that the State Legislative Delegation be invited to the Committee on Appointments and Briefings to discuss a Bill pending in the State Legislature to amortize local aid cuts over three years. (Ref'd 2/12/09)

INVITEES: Senator Mark Montigny; State Representatives: Cabral, Koczera, Canessa, and Quinn

6. Written Motion, Councillor Alves, requesting from the Park and Recreations Departments and/or Boards, appear before the Committee on Appointments & Briefings to respond to a previous request by this Councillor, “on behalf of the residents in the vicinity of Ashley Park, that the Recreation Department and/or Park Department advise the City Council as to the potential plans and proposed schedule as to when we can expect to see the replacement of the Children’s Playground equipment that was removed from Ashley Park, as well as providing information describing the replacement equipment.” (WRITTEN MOTION, IN CITY COUNCIL, August 21, 2008, referred to the Park Department and Recreation Departments, requesting response in 30 days and Approved by Mayor Lang on 9/4/08)(Ref’d 10/23/08) **NO RESPONSE**

INVITEES: Park Commissioner Edward Correia; Recreation Commission Chairman John R. Lopes; DPF Superintendent of Park Maintenance Kevin Amaral

Chairman suggests “Taking Recommended Action”, on the following item:

7. Written Motion, City Council President, Jane L. Gonsalves, requesting that the City Council consider adding a fuel surcharge to certain vehicle-related Ordinances as is being done in other cities. (Ref’d 6/26/08) ***Refer to the Committee on Ordinances***

***Chairman suggests taking “No Further Action”, on the following items:
(MEMO SENT TO ALL COUNCILLORS NOTIFYING THEM OF THE INTENT TO TAKE
NFA ON ITEMS FROM THE PENDING LIST DATED PRIOR TO 12/31/07, UNLESS A
RESPONSE WAS RECEIVED TO SEVER SUCH ITEMS)***

8. Related Motion, City Council President/Councillor Ward Five, Jane L. Gonsalves, asking that the City Council meet with Representative Antonio Cabral in the Committee on Appointments and Briefings, to discuss with him where he intends to place these On Premise Wine and Malt Beverage Licenses and why the need for three (3) more. (Ref’d 6/26/08)
9. Written Motion, Council President Gonsalves and Councillors Morad, Gomes, and Saunders, asking that the City Council go on record expressing its disappointment to Mayor Lang, that the Mayor has chosen to eliminate the First Night Celebration in New Bedford, which has occurred for so many years; and further, that the City Council also express its dismay that the new celebration, which will be run by AHA!, will begin an hour earlier, making it impossible for working people to attend. (Ref’d 11/25/08)
10. Written Motion, Councillor Gonsalves, requesting that the Committee on Appointments and Briefings and the Planning Board meet with the new owners of the former Frates Funeral Home on County Street to discuss plans for the site. (Ref’d 11/21/06, tabled 4/25/07 – ask Mr. Durgin not to make any more continuances, or allowances to Mr. Da Silveira, but to take further action by enforcement including bringing this homeowner to housing court)
11. Written Motion, Councillor Gonsalves, requesting, that the Director of the Buttonwood Park Zoo, meet with the Committee on Appointments & Briefings, to update us on the re-accreditation process currently pending, as well as any planned improvements at the Zoo. (Ref’d 3/22/07, tabled 5/9/07)
12. Written Motion, Councillor Alves, requesting that the Committee on Appointments and Briefings, meet with the principal land owners and designated developer, Dickinson Development Company, and representatives from the Administration, to determine the current status and potential development of the Fairhaven Mills property; and further, due to the fact that the developers time has elapsed, that the Council be informed of the future potential for the site’s development. (Ref’d 9/11/07)
13. Written Motion, Councillor Alves, requesting, on behalf and at the request of local City residents, that the Committee on Appointments and Briefings meet with Representatives of COMCAST CABLE to discuss their proposed Cable Channel adjustments, to include the elimination of some of the Channels most often viewed by Seniors, and to discuss the effect of removal of the option for Channel 3 that has

been proposed to be moved to Channel 188, which could present a problem to residents who are required to use that Channel for taping, and the use of VCR machines for viewing. (Ref'd 7/17/08)

14. Written Motion, Councillor Gomes, requesting that the City Council Committee on Appointments & Briefings meet with Officials of the Sovereign Bank, bank of America and all of the Banks with offices in the City of New Bedford, to discuss the possibility of constructing an ice skating rink somewhere in the City of New Bedford, similar to the ice rink installed in Newport, RI, that was established with the assistance of the Sovereign Bank. (Ref'd 1/12/06, 5/16/06 – Related Motion Councillor Gomes)
- 14a. Related Motion, Councillor Gomes, requesting that the Committee on Appointments & Briefings meet with the Economic Development Commission for discussion of possible support of bringing a multi-purpose stadium to the City of New Bedford or an Ice Skating Rink. (5/16/06)
15. Written Motion, Councillor Gomes, asking that the New Bedford City Council go on record in support of requesting our State Delegation to file a Bill, along with the Senate President and Speaker of the House, banning the sale of pellet guns/BB guns and replicas of such handguns as Glocks, 9 mm's and sawed-off shotguns; further, that the ban request that no replica gun/pellet gun/BB gun be sold in the Commonwealth of Massachusetts, unless of a florescent color such as blue, green, yellow or orange, with no sale of these guns replicating the black, brown or silver of real guns; further asking, that our neighboring New England States - Connecticut, Rhode Island, New Hampshire, Vermont and Maine - be sent a letter requesting them to follow suit in filing this Legislation, thereby making New England an area free of pellet guns/BB guns that look and replicate real handguns or shotguns; further, that a grace period be given to the people of the Commonwealth, once the law is passed, to turn in all guns that are replicas of real handguns or shotguns, as well as a grace period that also gives an opportunity to those that have those guns to paint them a florescent color; further, that the Legislation also include licensing for all pellet guns/BB guns in the Commonwealth; and further, that a grace period be given for a "buy-back" type of approach to those that have pellet guns/BB guns, requesting and encouraging parents to take immediate action to remove these guns from their homes through this "buy-back" program. (Ref'd 11/9/06)
16. Written Motion, Councillor Gomes, requesting that the Administration review the City Hall Basement /Vaults/and any other document and/or record storage areas to address the issue of having the City of New Bedford's vast historic documents placed in an area with climate control and suitable for their preservation; and further, that these valuable papers be documented and scanned into a secure system to ensure that the information contained within is not lost to history and the future Citizens of New Bedford. (Ref'd 12/21/06)
17. Written Motion, Councillors Gomes, and Pinheiro, that the Committee on Appointments and Briefings meet with representatives of Allegheny Rodney Metals to discuss several environmental problems that are affecting the neighborhood and have for years, and the Company's failure to implement the necessary improvements to address numerous outstanding and long overdue quality of life issues such as noise and various safety issues; further, that this meeting be held at Hazelwood Park Warming House for the benefit of residents, and that the following people be invited: the City's Health Director, the Massachusetts Commissioner of Public Health, our Environmental Planner, State Environmental Officials and State Representative Antonio Cabral. (Ref'd 5/24/01, 2/27/02 tabled, 4/11/05 remain on the table, 7/18/06 tabled, remain in committee 2/12/07)
18. An Ordinance, Bias Crime to be reviewed and updated. (Ref'd from A & B - 7/18/07, 11/27/07 – Referred back to A & B)