



# *Appointments and Briefings*

May 12, 2009 - 7:00 p.m. – **Revised 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 Committee meeting.
  - 1a. Randy Jones, 112 Grinnel Street, New Bedford, MA, speaking on City matters.
  - 1b. Andrew Deardin, 373 Bellevue Street, New Bedford, MA, speaking on the 2010 Census.

***INVITEES: Randy Jones; Andrew Deardin***

2. Communication, Mayor Lang, to City Council, submitting the APPOINTMENT of JANINE V. DASILVA, 951 Rockdale Avenue, New Bedford, MA, 02740, to the PLANNING BOARD, replacing Jennifer W. Gonsalves, who resigned November 13, 2008; this term will expire October 2010. (Ref'd 4/7/09)

***INVITEES: Janine V. DaSilva***

3. Public Hearing, on an Application of Anthony Oliveira, for a SPECIAL PERMIT FOR MOTOR VEHICLES – SALES AND RENTAL/GENERAL REPAIRS/LIGHT SERVICE, at 204 Rockdale Avenue, New Bedford, MA, Premier Auto Center. (4/22/09, duly advertised in the New Bedford Standard-Times on Tuesday April 28, 2009, and Tuesday, May 5, 2009)

***INVITEES: Anthony Oliveira; City Solicitor Irene Schall; City Planner David Kennedy; DIS Commissioner Dan Romanowicz; Licensing Board Clerk Nick Nanopoulos; DPI Commissioner Ron Labelle; City Clerk Rita Arruda; Abutters***

4. Public Hearing, on an Application of Fernando Cordeiro & Luis Aveiro, for a SPECIAL PERMIT FOR MOTOR VEHICLES – SALES AND RENTAL/GENERAL REPAIRS/LIGHT SERVICE, at 307 Bonney Street, New Bedford, MA, Next Level Auto Repair. (4/22/09, duly advertised in the New Bedford Standard-Times on Tuesday April 28, 2009, and Tuesday, May 5, 2009)

***INVITEES: Fernando Cordeiro; Luis Aveiro; City Solicitor Irene Schall; City Planner David Kennedy; DIS Commissioner Dan Romanowicz; Licensing Board Clerk Nick Nanopoulos; DPI Commissioner Ron Labelle; City Clerk Rita Arruda; Abutters***

5. AN APPLICATION of Richard Miranda, Jr. for a SPECIAL PERMIT FOR MOTOR VEHICLES – SALES AND RENTALS/GENERAL REPAIRS/BODY REPAIRS/LIGHT SERVICE, at 485 Kempton Street, New Bedford, MA, Fat Boys Tire Service & Auto Sales. (3/10/09, duly advertised in the New Bedford Standard-Times Thursday, April 2, 2009 and Thursday, April 9, 2009, tabled 4/16/09, tabled 4/16/09 DIS to check resident concern)

- 5a. Communication, Acting DIS Commissioner Dan Romanowicz, to Councillor Denis Lawrence, Jr., Chairman of the Appointments & Briefings Committee, in response to a request from the Committee to visit the properties at 483 & 485 Kempton Street, and advise the Committee of the situation. (5/12/09)

***INVITEES: Richard Miranda; Lucie Gibau; DIS Commissioner Dan Romanowicz***

6. Communication, City Clerk/Clerk of the City Council, to the City Council, on behalf of HENRY N. LEE, 54 State Street/P.O. Box 70433, Dartmouth, MA 02747, d/b/a CHECKER-STANDARD

SERVICE, 217 County Street/P.O. Box 70433, Dartmouth, MA 02747, hereby submits 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. (Previous license expired December of 1998.) (Ref'd 3/12/09)

**INVITEES: Henry N. Lee**

7. Written Motion, Councillor Gomes, requesting that, if the City accepts the plan to pave a pathway on the Hurricane Dike, that the Mayor also include a provision in the budget for the installation on this pathway, of flagpoles representing the cultures of people who have made a contribution to the City of New Bedford, along with markers giving a brief description of their contributions to this City and its history. (Ref'd 1/10/08)

**INVITEES: City Planner David Kennedy; Chief of Staff William Burns**

8. Written Motion, Councillor Gomes, requesting that the lights south of the Hayden-McFadden School, under the I-195 overpass, be repaired; there are presently four light poles that need to be checked out to see if new bulbs need to be installed, or if major repairs need to be made, in light of the area being used by the area youth for skateboarding. (Ref'd 1/10/08)

**INVITEES: DPI Commissioner Ron Labelle**

9. Written Motion, Councillor Alves, asking that the Committee on Appointments & Briefings meet with Representatives of the City Solicitors Office, New Bedford Economic Development Corporation and Office of Community Development/Housing to get an update as to the current status of the Lease with Option to Purchase Agreement with Sherwood Brands, and what is being done to recover the unpaid taxes, still in question and continuing to compound, that are currently due to the City from either the awarding agency or Sherwood Brands; and further, what we are doing to ensure that tax payments are received for the remainder of this lease. (Ref'd 8/21/08)
- 9a. Communication, City Solicitor Irene B. Schall, to Councillor Denis Lawrence, Jr., Chairman, Committee on Appointments and Briefings, in response to a Written Motion by Councillor Alves regarding the Lease to Sherwood Brands. (11/7/08)

**INVITEES: City Solicitor Irene Schall; Economic Development Director Matthew Morrissey; Office of Housing and Community Development Director Patrick Sullivan**

10. Written Motion, Councillor Lawrence, requesting that Eric Caldeira, (631) 455-8007, be invited to the Committee on Appointments and Briefings to discuss his Meters for Charity initiative. (Ref'd 9/11/08)

**INVITEES: Eric Caldeira**

11. Written Motion, Councillor Martins, requesting that the Committee on Appointments and Briefings meet with Police Chief Teachman to ask for his assistance with a vagrant long known to "reside" on the sidewalk at the intersection of Coffin Avenue and Acushnet Avenue, on the side of The Portuguese Times; this individual has been defecating and urinating on the Portuguese Times Building, to the point where clients are reluctant to enter the building, shouting obscenities and vulgarities to anyone who crosses his path, and has been seen engaged in illegal drug activities with his "friends" in full view of everyone on numerous occasions; this situation, which has been ongoing for **YEARS**, must be dealt with once and for all. (Ref'd 9/11/08)
- 11a. Communication/Fax, Councillor Martins, on behalf of Manuel A Ferreira, Publisher, Portuguese Times, submitting a faxed copy of a letter sent to Mayor Lang requesting assistance with a local vagrant who has become a serious nuisance. (Ref'd 9/11/08)

**INVITEES: Police Chief Ron Teachman; Portuguese Times Publisher Manuel A. Ferreira**

12. Written Motion, Councilor Gomes, asking that the City Council go on record in congratulating Mayor Lang and the Mayor Lang and the Administration on bringing the New Bedford Bay Sox Baseball Team to the City of New Bedford, wishing the team a successful season and stating the hope that the franchise will bring good baseball and sportsmanship to the City; and further, requesting that the Mayor inform the City Council what the total costs will be for the improvements to Walsh Field, including additional seating, rain tarp(s), upgrading the field or any other requests by the Franchise, and agreed to by the Administration, that attracted the Franchise to the City of New Bedford. (Ref'd 12/18/08)

***INVITEES: Chief of Staff William Burns***

13. Communication, City Solicitor Irene B. Schall, to City Council, Re: Camara Field Deed Acceptance, submitting a Return to Compliance/Notice of Audit Completion for Camara Field, issued March 17, 2009, by Deborah A. Marshall, Chief of the Audits Program for the Bureau of Waste Site Cleanup at the Southeast Region of the Massachusetts Department of Environmental Protection; documentation indicated that the DEP has concluded it's audit of Camara Field and further indicated that the supplemental information provided by Raymond Quinn, Licensed Site Professional (LSP) or record for the Site, supports the conclusion of "No Significant Risk at the Site," which allows the property to be used for a soccer field; also, requesting that the Council ADOPT the Substitute order that was submitted with Mayor Lang's Veto letter, dated November 26, 2008, enabling the City to accept the Deed to the property, which was dedicated as a soccer field during the Kalisz Administration, in memory of Sgt. Joseph Camara, a former New Bedford Police Officer, a former New Bedford Police Officer who was killed in 2003, while serving our Country in Iraq. (Ref'd 4/7/09)
- 13a. AN ORDER, that, the City of New Bedford accept a deed, in substantially the same form as enclosed, from Cove Road LLC, for property located on the easterly side of Orchard Street shown as Lot 2 on a plan entitled "Approval Not Required Plan of Land in New Bedford, Massachusetts Prepared for Cove Road, LLC" prepared by Sitec, Inc. dated August 2, 2004, recorded with the Bristol Southern District Registry of Deeds as Plan NO, 154-94 and containing 76,594 square feet of land, according to said plan. The acceptance of said Deed shall be subject to Cove Road LLC addressing, to the satisfaction of the Massachusetts Department of Environmental Protection, the response actions undertaken at the Camara Field site, the subsequent Class A-3 Response Action Outcome Statement (RAO) and the Activity and Use Limitation (AUL) filed on behalf of Cove Road, LLC. (Ref'd 12/18/08)

***INVITEES: City Solicitor Irene B. Schall***

***Chairman suggests "Follow the Recommended Action", on the following items:***

14. Communication, John King, to Councillor Gomes, requesting that the City adopt MGL Chapter 59, Section 5K, as amended by Chapter 184, Section 52 of the Acts of 2002, to establish property tax work-off program for taxpayers over 60 years of age to grant an abatement on property taxes of up to \$750.00; also enclosing a copy of MGL and Standard-Times article indicating Selectmen in Wareham taking steps to adopt same. (Ref'd 5/22/08) ***Receive and place on file, and refer to the Mayor.***

***Chairman suggests to "Receive and Place on File", the following items:***

15. Communication, Director of Environmental Stewardship Scott Alfonse, to Councillor Denis Lawrence, Jr., Chairman of the Appointments & Briefings Committee, in response to a request from the Committee, for an update regarding the meter readings for the air quality at the Keith Middle School. (5/12/09)
16. Communication, Acting DIS Commissioner Dan Romanowicz, to Councillor Denis Lawrence, Jr., Chairman of the Appointments & Briefings Committee, in response to a request from the Committee, for an update regarding noise complaints at Breault Roofing, Inc. (110 Madeira Avenue) (5/12/09)

***Chairman suggests taking "No Further Action", on the following items:***

17. Written Motion, Councillor Lawrence, asking that Thomas Pina, be invited to appear before the Committee on Appointments & Briefings, to discuss new findings as they relate to 11-2-4-6. (Ref'd 3/13/08)

18. Written Motion, Councillors Gomes & Gonsalves, requesting that the Mayor brief the City Council as to what the City is doing to help many of the residents across the City, through either Emergency Management, or FEMA, with Emergency Management Director, Mark Mahoney to address issues of flooded cellars, damaged burners and hot water heaters across the City, some of this affecting many of our elderly residents; and further requesting that our State Delegation be asked for their assistance in this matter, in any way possible, with some type of State Funding, including FEMA money, if available, to assist our residents with some of their losses, especially those hit with major losses that are causing hardships. (Ref'd 8/21/08)
  
19. Written Motion, Councillors Lawrence, and Martins, requesting that the Committee on Appointments and Briefings meet with the Park Department, and the Community Police Officer of the Brooklawn Park area, to discuss the parking, and other issues raised by the general public, as they relate to soccer games held at Brooklawn Park. (Ref'd 8/21/08)