



Council Meeting - Agenda

CITY COUNCIL CALENDAR

Thursday, January 28, 2010 - 7:00 p.m.

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OPENING OF SESSION BY: CITY COUNCIL PRESIDENT DENIS LAWRENCE, JR.

**PRAYER LED BY: REVEREND KEVIN HARRINGTON, PASTOR
SAINT FRANCIS OF ASSISI PARISH**

PLEDGE OF ALLEGIANCE

RESOLUTIONS

1. RESOLUTION, Councillor Coelho, honoring PAULA BRIDEN, on being named Standard-Times New Bedford Woman of the Year.
2. RESOLUTION, Councillor Coelho, honoring NELSON HOCKERT-LOTZ, on being named Standard-Times New Bedford Man of the Year.
3. RESOLUTION, Councillors Martins and Morad, honoring SOWLE THE FLORIST on the Occasion of their 120th Anniversary in business.

HEARINGS

4. HEARING, on Petition of NSTAR Electric Company for location of four (4) 4" Conduits, four (4) 6" Conduits and one (1) 8' x 14' x 8' Manhole in KEMPTON STREET, corner of Emerson Street.
 - 4a. ORDER,
5. HEARING, on Petition of NSTAR Electric Company for location of four (4) 4" Conduits, four (4) 6" Conduits and one (1) 8' x 14' x 8' Manhole in CHANCERY STREET, corners of Middle and Elm Streets.
 - 5a. ORDER,
6. HEARING, on Petition of NSTAR Electric Company for location of four (4) 4" Conduits, four (4) 6" Conduits, twelve (12) 6" Conduits, eighteen (18) 6" Conduits and one (1) 8' x 14' x 8' Manhole in ASH STREET, corners of Middle and Elm Streets.
 - 6a. ORDER,
7. HEARING, on Petition of NSTAR Electric Company for location of three (3) 4" Conduits, four (4) 6" Conduits and one (1) 8' x 14' x 8' Manhole in COURT STREET, between Emerson and Ash Streets.
 - 7a. ORDER,

8. / 8a. HEARING AND ORDER, on APPLICATION of KONARKA NB HOLDINGS, LLC, d/b/a KONARKA TECHNOLOGIES, c/o Richard Chandler, 50 Phillips Road a/k/a 50 Duchaine Boulevard, requesting a license to keep, store and/or sell products of CRUDE PETROLEUM or any of its products at 50 PHILLIPS ROAD a/k/a 50 DUCHAINE

BOULEVARD, being Plot 134, Lot 5; Application is for 255,300 gallons of gasoline and diesel fuels, light and heavy gases aboveground. (Please Note: Approval by Fire Department Captain Kruger received December 28, 2009.)

MAYOR'S PAPERS

M1. COMMUNICATION, Mayor Lang, to City Council, SUBMITTING TWO (2) ONE-YEAR WAIVERS OF RESIDENCY requests for KEVIN PORTER, 10 Homestead Court, Mattapoisett, MA 02739, as a PARAMEDIC and GREGORY HREN, 68 Ralph Talbot Street, Weymouth, MA 02190, as a PARAMEDIC; both are employed as Intermittent Paramedics since March 03, 2009, and current Waivers will expire February 12, 2010; also requesting that these Waivers expire February 12, 2011.

M2. COMMUNICATION, Mayor Lang, to City Council, submitting an APPLICATION for the APPOINTMENT OF PETER R. LARSON, 10 Ashley Lane, Acushnet, MA 02743, as a CONSTABLE.

M2a. APPLICATION,

NEW BUSINESS

9. WRITTEN MOTION, Councillor Coelho, requesting that Department of Inspectional Services Acting Commissioner Danny Romanowicz meet with the Committee on Appointments and Briefings for an informational session to apprise us of what exactly is the criteria for the issuing of tickets for trash violations throughout the City, how the Inspector is selecting what area of the City is to be inspected, and what the schedule for ticketing is; and further, whether or not DIS is issuing a warning notice, accompanied by an informational pamphlet with instructions to correct the problem, before they write a ticket with fines attached. (To be Referred to the Committee on Appointments and Briefings.)

10. WRITTEN MOTION, Councillor Gomes, requesting that the City Council send a letter to our new Senator-Elect Scott Brown, congratulating him on being elected to the Senate, and that the letter also express that the City Council is ready and willing to work with him and his Office in any way that could benefit our City and State; and further, requesting that Senator-Elect Brown, at his earliest convenience, visit the City of New Bedford to meet with City Leaders, and that he hold a "Town Meeting" at the Whaling Museum with the people of this City, giving them the opportunity to meet and discuss issues affecting his constituency in this area, and to create a working body between Federal, State and City levels in order to benefit the City of New Bedford now and into the future.

11. WRITTEN MOTION, Councillor Lopes, asking that Department of Public Facilities Commissioner Worden meet with this Councillor to address finding a new location in the South End of the City, possibly the paved parking lots across from Victory Park, for residential Christmas tree drop off, in light of the damage done to the lawn and to the area where the trees were located by person(s) dropping off the trees, as well as, the trucks picking up the trees at this park; and further, requesting that DPF repair the deep ruts and damages to the lawn and the tree drop-off area, which occurred during this year's residential Christmas tree pickup. (To be Referred to Department of Public Facilities Commissioner Worden.)

12. WRITTEN MOTION, Councillor Lopes, asking that Department of Inspectional Services Acting Commissioner Romanowicz, meet with the writer to determine the appropriate course of action regarding 12 Woodlawn Street and 25 Welcome Street, in light of the numerous and ongoing complaints received about these properties, and the delay by property owners to address the issues at those locations. (To be Referred to Department of Inspectional Services Acting Commissioner Romanowicz.)

13. WRITTEN MOTION, Councillor Lopes, asking that Department of Public Infrastructure Commissioner Labelle begin repainting the crosswalks on Brock Avenue, East and West Rodney French Boulevards, Cove, County and Dartmouth Streets, with a significance being placed on the crosswalks in School Zones, as a means to prevent having another accident such as the one that occurred on January 21st, when a nineteen year old woman was struck by a car while walking in the crosswalk on Brock Avenue. (To be Referred to Department of Public Infrastructure Commissioner Labelle.)

14. WRITTEN MOTION, Councillors Gomes and Lopes requesting, on behalf of the Clark's Point Neighborhood Association, that the City hold a meeting to discuss the possibility of the City bringing wind turbines to New Bedford, specifically to the South End, which is a concern that was discussed at a Clark's Point Neighborhood Association meeting; further, that said meeting include South End residents to discuss exactly what will be taking place and what are the effects and benefits to the South End and the City as a whole; further, that no action be taken regarding windmills until said meeting has been held; further, that meetings be held continuously throughout this project in order to inform the people of the South End of the workings and studies that may possibly come to the City for bringing wind-turbine-produced power; and further, requesting that a study be done to consider other possible sites, such as the former New Bedford dump and the hurricane dike walls, etc., where these wind turbines could be placed in order to benefit the City in not only creating energy, but saving money now, and in the future for providing City services; once again, this Councillor is expressing that it is of the utmost importance that the open meetings be held in the South End, as well as throughout the City, so that the residents can be made aware of what the City may possibly be doing, and addressing the idea of bringing alternative methods of producing energy into the City of New Bedford.

15. WRITTEN MOTION, Councillor Gomes, requesting that the City take immediate action on problems at 86 Church Street, currently owned by James Higgins, Trustee, 86 Church Street Realty Trust, 48 Morse Avenue, Brockton, MA, and that the Board of Health, Department of Inspectional Services and the Department of Public Infrastructure investigate the conditions within this house; further, that the property be boarded up and secured to deter anyone from using this building as a drug haven or place to live; and further, in this Councillors opinion, this property should be condemned due to the conditions of said property inside and outside, and that any action taken by the City of New Bedford to secure this property result in a lien being placed against the property owner, James Higgins Trustee/86 Church Street Realty Trust, for any costs the City incurs to secure this vacant property, which is affecting the quality of life in the neighborhood, and that said property owner be held accountable for all costs.

16. WRITTEN MOTION, Councillors Gomes and Duarte, requesting that the Mayor and Police Chief increase the patrols in the area of Acushnet Avenue, from Madison Street south to the Rockland Street area, and Purchase Street, from Grinnell Street to Madison Street, due to the increasing amount of criminal activity that has been seen occurring in said areas.

17. PETITION, Councillor Morad, requesting, on behalf of Phil Goyette, 765 Wildwood Road, New Bedford, MA 02745, that Plot 130G, Lots 124-134 and Lots 152-158, be REZONED from Residence A TO MIXED-USE BUSINESS in their entirety. (To be Referred to the Committee on Ordinances and the Planning Board.)

18. COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of KAREN A. MACIULEWICZ, 128 Chipaway Road, East Freetown, MA 02717, d/b/a PROJECT INDEPENDENCE, 250 Elm Street, New Bedford, MA 02740, hereby submit a copy of the Application requesting RENEWAL of a 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. (Current License expires February 12, 2010.)

19. COMMUNICATION, Massachusetts Department of Higher Education Commissioner Freeland, to City Clerk, responding to Written Motion Adopted IN CITY COUNCIL, December 17, 2009, regarding UMASS-Dartmouth offering Juris Doctor (J.D.) Degree, stating it will be discussed at the Assessment and Accountability meeting taking place on Tuesday, January 26, 2010, and voted on at the Board of Higher Education meeting on Tuesday, February 02, 2010.

TABLED BUSINESS

12/17/09 RESOLUTION, Councillor Lawrence, honoring the GREATER NEW BEDFORD REGIONAL VOCATIONAL TECHNICAL HIGH SCHOOL BOYS SOCCER TEAM, THE BEARS, on Winning the State Vocational Title.