



Appointments and Briefings

June 22, 2010 - 7:00 p.m. – **Agenda**

City Council Chamber, Room 214, Municipal Building

View Minutes

* * *

1. Citizens Input Time – Not to exceed the first thirty (30) minutes of the meeting.
- 1a. Juraci Capataz, 111 Duke Street, New Bedford, MA, 02740, speaking on the Senior Whole Health Care Option Plans for seniors.
- 1b. Fredrick Crane, 201 Cedar Street, New Bedford, MA, 02740, speaking on Public Safety at Whaling City Festival.

INVITEES: Juraci Capataz; Fredrick Crane

2. Public Hearing on a **COMMUNICATION/BUILDING DEMOLITION REVIEW**, New Bedford Historical Commission, to City Council, re: **BUILDING DEMOLITION REVIEW: 340 SUMMER STREET; A BRICK GARAGE STRUCTURE**; advising that, the structure IS LOCATED IN ACUSHNET HEIGHTS NATIONAL REGISTER HISTORIC DISTRICT; the structure IS HISTORICALLY SIGNIFICANT as it is listed as a contributing resource to the district; IS ARCHITECTURALLY SIGNIFICANT as an unusual type of outbuilding currently not well represented in the district because of its unique features and roof structure and retention of original materials; and the Commission recommends that the structure be fully and thoroughly documented with architectural drawings and photographs PRIOR TO the issuance of a Demolition Permit because of the uniqueness of the structure; therefore, “the NBHC has determined that the garage structure at 340 Summer Street IS an historically significant building or structure AND PREFERABLY PRESERVED.” (Ref’d 4/22/10, Public Hearing advertised in the Standard-Times on Tuesday, June 8, 2010)

INVITEES: New Bedford Historical Commission Chairman Derek Santos; City Planner David Kennedy; Preservation Planner Anne Louro; DIS Commissioner Dan Romanowicz; Abutters

3. Written Motion, Councillor Gomes, requesting that the Police Chief and the Mayor immediately implement the Taser and the beanbag shotgun concept within the Police Department; and further, that immediate training for Sergeants/Supervisors within the Department take place, certifying them as Training Officers for the purpose of training the entire Department on the use of Taser and beanbag shotguns; and further, that the training of these Commanding Officers begin within the next sixty (60) days, and the training for the entire Department occur within six (6) months, for the purpose of implementing 21st Century Police equipment in the City’s Police Department; and to be referred to the Committee on Appointments and Briefings as well. (Ref’d 5/22/08, 11/10/09 – severed from NFA)

INVITEES: Police Chief Ron Teachman; Chief of Staff William Burns

4. Written Motion, Councillor Alves, asking the City Council Committee on Appointments and Briefings meet with Representatives of “SEA GAS” Company of Mattapoissett, to include the General Manager James Neville, to discuss the benefits and savings to the City of New Bedford of converting a limited number of City vehicles to propane gas operation, and the potential for a Federal Grant to assist with the conversion, giving New Bedford the opportunity to lead in the area in the Nation’s effort to become a more “GREEN Community”, and to set the standard for other communities in the region. (Ref’ 8/20/09)

INVITEES: SEA GAS Company General Manager James Neville

5. Written Motion, Councillors Gonsalves, Dehner, Martins, Saunders, Gomes, Lawrence, Coelho, Morad, Duarte, Pimental, and Alves requesting, that the Committee on Appointments and Briefings meet with Representatives from the Greater New Bedford Regional Refuse Management District, including our City Representative, to discuss the future of the landfill. (Ref'd 11/25/09)

INVITEES: Greater New Bedford Regional Refuse Management District Executive Director Virginia Valiela; Director of Operations Hank Van Laarhoven; Recycling/Refuse Coordinator Marissa Perez-Dormitzer

6. Written Motion, Councillor Coelho, requesting that the Traffic Commission be invited to the Committee on Appointments and Briefings to discuss what the rates are at the two Downtown parking garages, the Elm Street Garage and the "Z", to decide how we can make the rates comparable to the meter rates. (Ref'd 12/17/09)

INVITEES: Traffic Commission Executive Secretary Scott Downing

7. Related Motion, Councillor Gonsalves, asking that the City Council, in its Committee on Appointments and Briefings, meet in Executive Session with the Solicitor's Office to go over pending Workman Compensation and Retirement cases or Disability cases to see what the status of those cases are and how they are impacting overtime costs in various departments. (Ref'd 1/14/10)

INVITEES: City Solicitor Irene Schall

8. Communication, APEX COMPANIES LLC, 184 High Street, Suite 502, Boston, MA 02110 (Chet Meyers, Project Manager), to City Council, RE: Waterways Application NO. W10-2995, informing that a Waterways Application is pending before the Massachusetts Department of Environmental Protection, Wetland and Waterways Program to make existing floating docks permanent by the New Bedford Harbor Development Commission. (Ref'd 4/8/10)

INVITEES: APEX Companies LLC Project Manager Chet Meyers

9. Written Motion, Councillor Lawrence, requesting a meeting with a representative from the Mayor's Office, the City Solicitor and/or the City Planner to discuss the progression of the development on the Route 18 project. (Ref'd 1/27/05, tabled 11/15/06, tabled for 6 months 2/12/07, table for 6 months on 9/10/07, remain tabled – 11/18/08, 6/16/09 – removed from the table, received and placed on file info from CS, table for 6 months, 12/8/09 – table for another six months (June 2010)

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

10. Written Motion, Councillor Gomes, requesting that the City Council send a letter to our State Delegation, along with the Massachusetts School Building Authority, for the purposes of requesting if the SBA is considering additional assistance funding to address the older schools that are in the City of New Bedford, and across the Commonwealth, for the purposes of bringing them up to date; whether that be electrical repair, windows, or whatever needs to be done, in place of building new schools, seeing that the State, at this time, is in financial difficulties, and we have some older that are deteriorating due to lack of repairs and/or improvements to the buildings, that could be more efficient for the teachers and students and would create an improved educational atmosphere. (Ref'd 4/22/10)

INVITEES: Congressman Barney Frank; Senator Mark Montigny; State Representatives Cabral, Canessa; Koczera, and Quinn; MA School Building Authority Executive Director Katherine Craven

11. Communication, City Clerk/Clerk of the City Council, to City Council, on behalf of **Jose Dishmeyer-Kelly & Elvido Figaro, 554 North Front Street, New Bedford, MA 02745 d/b/a E & J APPLIANCES, 140 Purchase Street, New Bedford, MA 02740**, hereby submit a copy of the

Application requesting a **NEW LICENSE TO DEAL IN JUNK, OLD METALS OR ANY OTHER SECOND HAND ARTICLES** under the provisions of MGL, Chapter 140, Sections 202-205 as amended, and as provided in the Code of the City of New Bedford, Chapter 15 and all Ordinances amending the same or in addition thereto, and further avers that he or she has been a resident of the City of New Bedford for at least six months next preceding the date of the application for such license; or that he or she has been a resident for at least six months in one of the towns adjoining the limits of the City he or she has applied for a waiver of said residence requirement by the New Bedford City Council. (Ref'd 6/10/10)

INVITEES: Jose Dishmeyer-Kelly; Elvido Figaro

Chairman suggests "Taking Recommended Action", on the following item:

12. Written Motion, City Council President David Alves, requesting that the Committee on Appointments and Briefings meet with the representatives of the Administration and Park Department to discuss the development of one adult and one youth soccer field on the land under Route 195, West of Route 18, with access from the Cedar Grove Street Railroad underpass; in the light of the increasing demand and limited access to soccer fields, this land area, once planned and developed, would provide a valuable resource to the community and take advantage of an area that is available and will not present a noise problem to neighborhood residents. (Ref'd 11/8/07, 11/10/09 – severed from NFA) ***Refer to the Special Committee on Soccer Fields***

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

13. 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, 5/12/09 – Referred to the Mayor, and remain in committee, 6/16/09 – tabled, 11/10/09 – severed from NFA)
14. Written Motion, City Council President Pimental, asking that a member of the Administration meet with the Committee on Appointments and Briefings to inform the Councillors as to who and/or what department/account is being charged for the Parking Spaces in the SRTA Parking Garage that were newly allotted for the private vehicles of Police Officers assigned to the Downtown Police Substation. (Ref'd 9/11/07, tabled 3/11/08, remain tabled 6/24/08, 11/18/08 - tabled to next meeting, 11/10/09 – severed from NFA, 12/8/09 – tabled until next meeting)
15. Written Motion, Councillor Alves, requesting that the City Council consider authorizing a limited number of Park Department personnel as "Special Police" to monitor and ensure the safety of those who use the park facilities, and the older and younger individuals who use the park for enjoyment; and further, that we authorize them in the same manner and with the same authority and power similar to what we do with/for St. Luke's Hospital personnel Store Guards / Security and local Church Staff who are hired to protect the properties. (Ref'd 8/20/09, tabled 4/27/10)
- 15a. Communication, Councillor Alves, to Department of Public Facilities Commissioner Lawrence Worden, and Superintendent of Park Maintenance Kevin Amaral, DATED JULY 22, 2009, CITY COUNCIL MEETING. (Ref'd 8/20/09, rpf 4/27/10)
16. Communication, Department of Environmental Protection Waterways Regulation Program, giving Notice of License Application Pursuant to M.G.L. Chapter 91, Waterways License Application Number W10-3003, City of New Bedford, Office of Fishing and Boating Access, for boat ramp, prop wash pad, and stone revetment and remove and relocate floats at Gifford Street; stating that the Department will consider all written comments on this Waterways Application received within 30 days subsequent to the "Notification Date". (April 12, 2010) (Ref'd 4/22/10, 5/19/10 - tabled)

17. Written Motion, Councillor Gomes, requesting that the Executive Director of the Economic Development Council Matthew A. Morrissey meet with the City Council's Committee on Appointments and Briefings and provide an update as to what is being done at this time through that Office to stimulate the City's economy, and to bring jobs to the City; if the City Council has any prospective owners or business people looking at the City, this would be of assistance so that their efforts will not be duplicated by the Economic Development Council, and the City Council will not approach any company that may already be in talks with Mr. Morrissey and the Economic Development Council. (Ref'd 11/12/09, tabled 5/19/10)
18. Written Motion, Councillors Gomes and Lopes, requesting that a copy of the Comcast contract that has recently been signed and negotiated by City Solicitor Irene Schall be provided to the City Council; also requesting that the Council be informed of what advantages were implemented into this contract that were beneficial to the people of this City besides offering lower rates to Senior Citizens on basic cable only; further, if anything this contract states that Comcast will not increase their prices within the next five years, since this is a ten-year contract, which is a long time, and, with only one cable television provider in this City, it holds the people of New Bedford hostage; and further, requesting that the Administration inform the City Council of what was done to bring back the local cable news that was supposed to be a big part of the negotiations of this new contract as it came along, and what was done, if anything, to have local news re-implemented within the Comcast system, and whether or not that issue was even discussed during contract negotiations; once again, requesting that a copy of this contract be made available to each Councillor to read, and in addition, that it be placed on the City's website so that every Citizen of this City can read what the City and Comcast have committed to for the next ten years, which is the length of this new contract. (Ref'd 1/14/10, tabled 5/19/10)
19. 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, 5/12/09 – tabled, 12/8/09 – removed from the table, and received and placed on file, 5/19/10 - tabled)