

**CITY COUNCIL CALENDAR  
THURSDAY, MAY 23, 2019  
7 P.M. CITY COUNCIL CHAMBERS – ROOM 214  
CITY HALL, 133 WILLIAM STREET, NEW BEDFORD, MA**

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**OPENING OF SESSION BY: CITY COUNCIL PRESIDENT LINDA M. MORAD**

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**PRAYER LED BY: REVEREND LEONA FISHER, PASTOR, IN THE NAME OF JESUS CHURCH**

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**PLEDGE OF ALLEGIANCE**

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**HEARINGS**

1. HEARING, on petition of Verizon New England, Inc & NSTAR Electric Company d/b/a Eversource Energy for joint location of one (1) Pole on the southerly side of Phillips Road (new subdivision Farland Estates).

1a. AN ORDER,

2. HEARING, on petition of NSTAR Electric Company d/b/a Eversource Energy for location of two (2) 4” Conduits and one (1) 45”x45”x36” Handhole in CHESTNUT STREET, South of Robeson Street.

2a. AN ORDER,

**MAYOR’S PAPERS**

M1. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, that the City Solicitor obtain appraisals of land located on King’s Highway from the Route 140 overpass to Oliver Street for the purpose of acquiring permanent and construction easements, through eminent domain or other legal means; said easements are necessary for widening of the roadway to accommodate turn lanes and improve traffic flow through a highly congested corridor.

M1a. AN ORDER,

M2. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, that the City of New Bedford waives the appraisal requirement and the right of any damages the City may be entitled to with respect to five permanent easements and two temporary easements to be acquired by the Massachusetts Department of Transportation for the purpose of altering and improving King’s Highway and for all other uses incidental to said municipal purposes and further authorizes the Mayor to execute on behalf of the City of New Bedford a MassDOT Land Damage Agreement and Right of Entry form.

M2a. AN ORDER,

M3. COMMUNICATION, Mayor Mitchell, to City Council, submitting TWO ORDERS, the first Order declares the former Kempton School surplus property and transfer it from the School Committee to the Committee on City Property; and the second Order authorizes the Mayor to execute a deed transferring the Kempton School to the Alma del Mar Charter School, contingent upon the State Legislature passing the Home Rule Petition.

M3a. AN ORDER, declaring the former Kempton School surplus property

M3b. AN ORDER, authorizing the Mayor to execute a deed transferring the Kempton School to the Alma del Mar Charter School

M4. COMMUNICATION, Mayor Mitchell, to City Council, submitting a ONE-YEAR Waiver of Residency for MARK D. CHAMPAGNE, Director of the Department of Facilities and Fleet Management, who will be temporarily residing in Rochester, MA.

M5. COMMUNICATION, Mayor Mitchell, to City Council, submitting a ONE-YEAR Waiver of Residency for CARL BIZARRO, Local Building Inspector for the Department of Inspectional Services, who currently lives in Acushnet, MA.

M6. COMMUNICATION, Mayor Mitchell, to City Council, submitting a WAIVER OF RESIDENCY for CONNOR ROY, Lifeguard in the Department of Parks, Recreation and Beaches, who resides in Acushnet, MA.

M7. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, for the TRANSFER of \$1,444,264.00 from FREE CASH, to STABILIZATION.

M7a. AN ORDER,

M8. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$920,000.00 from HEALTH INSURANCE, CHARGES & SERVICES, to FIRE, SALARIES & WAGES in the amount of \$525,000.00; FIRE, CHARGES & SERVICES in the amount of \$75,000.00 and GENERAL GOVERNMENT UNCLASSIFIED, CHARGES & SERVICES in the amount of \$320,000.00.

M8a. AN ORDER,

M9. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$25,000.00 from HEALTH, SALARIES & WAGES, to EMS, CHARGES & SERVICES.

M9a. AN ORDER,

M10. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$16,000.00 from INSPECTIONAL SERVICES, CHARGES & SERVICES to SOLICITOR, SALARIES & WAGES.

M10a. AN ORDER,

M11. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$15,000.00 from MAYOR, CHARGES & SERVICES in the amount of \$9,000.00; MAYOR, SUPPLIES & MATERIALS in the amount of \$1,000.00 and PLANNING, SALARIES & WAGES in the amount of \$5,000.00 to MAYOR, SALARIES & WAGES.

M11a. AN ORDER,

M12. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$4,800.00 from PURCHASING, SALARIES & WAGES, to PERSONNEL, SALARIES & WAGES, in the amount of \$1,000.00 and AUDITOR, SALARIES & WAGES in the amount of \$3,800.00.

M12a. AN ORDER,

M13. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$730,000.00 from WATER, SALARIES & WAGES in the amount of \$330,000.00 and WATER, CHARGES & SERVICES in the amount of \$400,000.00 to WATER, SUPPLIES & MATERIALS in the amount of \$100,000.00 and WATER, CAPITAL OUTLAY in the amount of \$630,000.00.

M13a. AN ORDER,

M14. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$620,000.00 from WASTEWATER, SALARIES & WAGES in the amount of \$170,000.00 and WASTEWATER, CAPITAL OUTLAY in the amount of \$450,000.00 to WASTEWATER, CHARGES & SERVICES.

M14a. AN ORDER,

M15. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$434,358.00 from WATER, FREE CASH, to WATER STABILIZATION.

M15a. AN ORDER,

M16. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$260,000.00 from PUBLIC INFRASTRUCTURE, SALARIES & WAGES, to PUBLIC INFRASTRUCTURE, SUPPLIES & MATERIALS in the amount of \$180,000.00 and PUBLIC INFRASTRUCTURE, CAPITAL OUTLAY in the amount of \$80,000.00.

M16a. AN ORDER,

M17. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$43,839.00 from ENVIRONMENTAL, SALARIES & WAGES, to ENVIRONMENTAL, CAPITAL OUTLAY in the amount of \$33,000.00 and ENVIRONMENTAL, OTHER FINANCING USES in the amount of \$10,839.00.

M17a. AN ORDER,

M18. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$40,000.00 from EMS, SALARIES & WAGES in the amount of \$25,000.00 and EMS, CAPITAL OUTLAY in the amount of \$15,000.00 to EMS, CHARGES & SERVICES in the amount of \$25,000.00 and EMS, SUPPLIES & MATERIALS in the amount of \$15,000.00.

M18a. AN ORDER,

M19. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$22,500.00 from TREASURER, SALARIES & WAGES, to TREASURER, CHARGES & SERVICES.

M19a. AN ORDER,

M20. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$8,000.00 from LIBRARY, SALARIES & WAGES, to LIBRARY, CAPITAL OUTLAY.

M20a. AN ORDER,

M21. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$7,000.00 from ZOO, SUPPLIES & MATERIALS, to ZOO, CHARGES & SERVICES.

M21a. AN ORDER,

M22. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$6,800.00 from CITY COUNCIL, SALARIES & WAGES, to CITY COUNCIL, OTHER FINANCING USES.

M22a. AN ORDER,

M23. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$2,016.00 from VETERANS, CHARGES & SERVICES, to VETERANS, SALARIES & WAGES.

M23a. AN ORDER,

M24. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$1,000.00 from CFO, SUPPLIES & MATERIALS, to CFO, CHARGES & SERVICES.

M24a. AN ORDER,

M25. COMMUNICATION, Mayor Mitchell, to City Council, submitting a request that the City appropriately honor former Mayor Rosemary S. Tierney, and re-name the Hazelwood Senior Center, as the "Rosemary S. Tierney Community Center, that in doing so, the City would establish a fitting and lasting tribute to an exemplary public servant.

M26. COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of LEE BLAKE, New Bedford, MA to the LIBRARY TRUSTEES; this term will expire April 2022.

M27. COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of FATHER KEVIN HARRINGTON, New Bedford, MA to the LIBRARY TRUSTEES; this term will expire April 2022.

M28. COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of DIANA HENRY, New Bedford, MA to the LIBRARY TRUSTEES; this term will expire April 2022.

M29. COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of LEE BENTLEY, Park Keeper, as the Department of Public Infrastructure's designee to the BOARD OF PARK COMMISSIONERS; replacing Charles Cotter who has resigned; this term will expire May 2020.

#### ***NEW BUSINESS***

3. REPORT, Committee on Appointments & Briefings, recommending to the City Council APPROVAL on behalf of **SHAHID M. BOKHARI 78 Jovette Street, New Bedford, MA 02744 d/b/a ARROW TRANSPORTATION, 78 Jovette Street, New Bedford, MA 02744**, of the Application requesting a **NEW PRIVATE LIVERY LICENSE**, to carry passengers for hire over the streets of New Bedford (Term of License April 02, 2019 – June 30, 2019.)

3a. COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of **SHAHID M. BOKHARI 78 Jovette Street, New Bedford, MA 02744 d/b/a ARROW TRANSPORTATION, 78 Jovette Street, New Bedford, MA 02744**, hereby submits a copy of the Application requesting a **NEW PRIVATE LIVERY LICENSE**, to carry passengers for hire over the streets of New Bedford. (Term of License April 02, 2019 – June 30, 2019.) (Referred to the Committee on Appointments and Briefings – April 11, 2019.)

4. REPORT, Committee on Appointments & Briefings, recommending to the City Council APPROVAL on behalf of **SHAHID M. BOKHARI 78 Jovette Street, New Bedford, MA 02744 d/b/a ARROW TRANSPORTATION, 78 Jovette Street, New Bedford, MA 02744**, of the Application requesting a **NEW PRIVATE LIVERY LICENSE**, to carry passengers for hire over the streets of New Bedford (Term of License July 01, 2019 – June 30, 2020.)

4a. COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of **SHAHID M. BOKHARI 78 Jouvette Street, New Bedford, MA 02744 d/b/a ARROW TRANSPORTATION, 78 Jouvette Street, New Bedford, MA 02744**, hereby submits a copy of the Application requesting a **NEW PRIVATE LIVERY LICENSE**, to carry passengers for hire over the streets of New Bedford. (**Term of License July 01, 2019 – June 30, 2020.**) (Referred to the Committee on Appointments and Briefings – April 11, 2019.)

5. REPORT, Committee on Appointments & Briefings, recommending to the City Council APPROVAL of the APPOINTMENT of DANIEL HIGGINS, New Bedford, MA, to the WATER BOARD, replacing the late Carl Natho; this term will expire April 2021.

5a. COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of DANIEL HIGGINS, New Bedford, MA, to the WATER BOARD, replacing the late Carl Natho; this term will expire April 2021. (Referred to the Committee on Appointments and Briefings – April 25, 2019.)

6. REPORT, Committee on Appointments & Briefings, recommending to the City Council to take “**NO FURTHER ACTION**” on the WRITTEN MOTION, Council President Morad, requesting that representatives of the New Bedford Cultural Compact be invited to a Committee on Appointments and Briefings meeting to provide a status update to the Committee regarding the Cultural Compact’s accomplishments since inception and goals for 2019.

6a. WRITTEN MOTION, Council President Morad, requesting that representatives of the New Bedford Cultural Compact be invited to a Committee on Appointments and Briefings meeting to provide a status update to the Committee regarding the Cultural Compact’s accomplishments since inception and goals for 2019. (Referred to the Committee on Appointments and Briefings – March 14, 2019.)

7. WRITTEN MOTION, Council President Morad, requesting that the City Council WAIVE RULE 27, IN ORDER TO HOLD BUDGET INTERVIEW SESSIONS on MONDAY, JUNE 3, 2019 and WEDNESDAY, JUNE 5, 2019.

8. WRITTEN MOTION, Councillors Coelho, Lima, Lopes, Council President Morad, and Councillor Giesta, requesting that the Executive Director of the New Bedford Business Park, Derek Santos, come before the Committee on Appointment and Briefings for purpose of briefing the Committee Members, on the overview of the business park’s workings and any future plans for park growth and to bring more hi-tech businesses to the area. (To be Referred to the Committee on Appointments and Briefings.)

9. WRITTEN MOTION, Councillors Coelho, Lima, and Giesta, requesting that the owner(s) of Parallel Products consider inviting the City Council and our local legislative delegation to tour their facility located in the New Business Park and to discuss their plans for this 2<sup>nd</sup> facility in New Bedford.

10. WRITTEN MOTION, Councillor Dunn, requesting, that the Committee on Ordinances explore drafting local codes that prohibit the siting of biosolids, municipal waste, and sewage sludge processing facilities, similar to the proposed Parallel Products facility, within the City of New Bedford going forward. (To be Referred to the Committee on Ordinances.)

11. COMMUNICATION, Council President Morad, submitting a communication from Superintendent Anderson, Secretary to the School Committee, notifying that on May 13, 2019, the School Committee voted that the Horatio A. Kempton School is no longer needed by the New Bedford Public School. (To be Referred to the Committee on City Property.)

12. COMMUNICATION/EMAIL, Councillor Giesta, submitting correspondence from Nicholas Nanopoulos, regarding the parking situation in the area of the Phillips Avenue School.

13. COMMUNICATION, Council President Morad, submitting a letter from the New Bedford Economic Development Council – The Regeneration Project to Representative Antonio F.D. Cabral regarding their support of bill

(HD4174) that allows the establishment of a neighborhood school for a new Alma del Mar campus in New Bedford. (Copy all Councillors May 20, 2019; To be Received and Placed on File.)

***TABLED BUSINESS***

01/10/2019 WRITTEN MOTION, Councillor Gomes, requesting that the City Council forward a letter of request to the Commonwealth of Massachusetts' Cannabis Commission as to whether the City is following State Law regarding marijuana establishments in the City; and further, enclosed in the letter, please include a copy of the 11-page "Screening Form/Application for a Marijuana Establishment Host Community Agreement", and a copy of the City's zoning map that has been put forth by the Mayor's Review Committee, comprised of the City Solicitor, the City Planner, the Chief of Police, the Chief Financial Officer, the Director of Inspectional Services, the Director of Planning, Housing and Community Development and the City's Health Director; asking that the Cannabis Control Commission review the application and the zoning map and report back to the City Council as to whether this Application process and zoning map applies to the laws of the Commonwealth of Massachusetts' Cannabis Control Commission; and further, that Steven Hoffman, Chairman of the Massachusetts Cannabis Control Commission or a representative, meet with the Special Committee on Licensing and Zoning for Cannabis to discuss whether the City has followed Massachusetts Laws and policies regarding marijuana establishments in the City of New Bedford.

***In accordance with the Americans with Disabilities Act (ADA),  
if any accommodations are needed, please contact the City Council Office at 508-979-1455.  
Requests should be made as soon as possible but at least 48 hours prior to the scheduled meeting.***