



Council Meeting - Agenda
CITY COUNCIL CALENDAR
Chambers of the City Council Municipal Building
Thursday, January 24, 2013 - 7:00 p.m.

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OPENING OF SESSION BY: CITY COUNCIL PRESIDENT BRUCE DUARTE, JR.

PRAYER LED BY: REVEREND CRAIG PREGANA, OUR LADY OF GUADALUPE AT ST. JAMES CHURCH

PLEDGE OF ALLEGIANCE

RESOLUTIONS

1. RESOLUTION, Councillor Gomes, supporting the renewal of the contract with ABC DISPOSAL SERVICE, INC.
2. RESOLUTION, Councillor Martins, honoring Roy M. Nascimento, IOM, President and CEO of the New Bedford Area Chamber of Commerce on being selected Chamber Executive of the Year.

HEARINGS

3. HEARING, NSTAR Electric Company, for location of two (2) 45" x 45" x 36" Handholes in ALLEN STREET, East of Ward Street.
 - 3a. AN ORDER,
4. HEARING, NSTAR Electric Company, for location of one (1) 45" x 45" x 36" Handhole in ROBESON STREET, West of Summer Street.
 - 4a. AN ORDER,

MAYOR'S PAPERS

- M1. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$7,000.00 from PLANNING, SALARIES & WAGES, to PLANNING, CHARGES & SERVICES.
 - M1a. AN ORDER,
- M2. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$968.00 from PARKS/RECREATION, SALARIES & WAGES, to PARKS/RECREATION, CHARGES & SERVICES.
 - M2a. AN ORDER,
- M3. COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of JAMES LOPES, New Bedford, MA 02740, to the HISTORICAL COMMISSION, as an ALTERNATE MEMBER, to replace Susan Rothschild, whose term has expired: this term will expire February 2015.

NEW BUSINESS

5. WRITTEN MOTION, Council President Duarte, Councillors Lawrence, Gonsalves, Lopes, Saunders, Alves, Martins, Bousquet, Gomes, Oliveira and Coelho, requesting, that the City Council send a letter to Governor Deval Patrick in support of former Congressman Barney Frank being named to fill the Senate seat of John F. Kerry, should Senator Kerry be confirmed as Secretary of State.
6. WRITTEN MOTION, Councillors Bousquet, Gomes, Lawrence, Gonsalves, Lopes, Alves, Saunders, Oliveira, Council President Duarte and Councillor Coelho, requesting, on behalf of the residents living in the New Bedford Housing Authority properties, that a letter be sent to Governor Deval Patrick and our State Legislative Delegation, stating that regionalization of the kind Governor Patrick proposes will eviscerate the ability of the New Bedford Housing Authority to provide direct services to the tenants in their care, effectively leaving us with thousands more units under the direction of an absentee landlord model.
7. WRITTEN MOTION, Councillor Bousquet, on behalf of CLEAN and the people who live near and work in the New Bedford High School building located on the Parker Street Waste Site, requesting that the New Bedford Health Department issue a statement regarding the information CLEAN has provided relative to their research of instances of cancer and other ailments associated with prolonged exposure to toxic chemicals. (To be Referred to Dr. Brenda Weis, Health Department.)
8. WRITTEN MOTION, Councillor Alves, requesting, that the Department of Public Infrastructure address the loose manhole cover in front of 2394-2396 Acushnet Avenue, said cover is either the wrong size or needs to have a rubber gasket installed to eliminate the noise and vibrations it produces when trucks and large vehicles go over the cover, the noise is especially disturbing at night when residents are trying to sleep; and further requesting, that an immediate response to this matter would be greatly appreciated by residents in the area. (To be Referred to the Department of Public Infrastructure.)
9. WRITTEN MOTION, Councillor Alves, requesting, on behalf of Mr. and Mrs. Ramos, 49 Whitman Street, New Bedford, MA, that the Traffic Commission install two "NO PARKING BETWEEN SIGNS" in front of said address in an effort to allow for handicap equipped transport vehicles to park close to their home to provide Mr. Ramos with the ability to get medical transportation. (To be Referred to the Traffic Commission.)
10. WRITTEN MOTION, Councillor Alves, requesting, that the Department of Public Facilities make another "sweep across the City", in an effort to pick up Christmas trees which were left out for pick-up after the scheduled date and are now blowing around neighborhoods causing problems for traffic and pedestrians and are a nuisance to the community. (To be Referred to the Mayor and the Department of Public Facilities.)
11. WRITTEN MOTION, Councillor Gonsalves, requesting, that Wire Inspector Michael Baker and Department of Inspectional Services Commissioner Danny Romanowicz meet with the Committee on Appointments and Briefings, regarding the requirement for licensed electricians to produce a signed contract in order to obtain a wiring permit if the project is valued at \$3,000.00 or higher.
12. WRITTEN MOTION, Council President Duarte, requesting, on behalf of Geoffrey Smith, The Sightings, LLC, that the following street(s) be CLOSED: UNION STREET AND MACARTHUR DRIVE, proceeding along MacArthur Drive to Conway Street/right onto Hassey Street/right at Wright Street/left back to MacArthur Drive/proceed to Front Street, take a left onto Front Street, proceed along Front Street to Cove Street/left to the Traffic Light at the intersection of John F. Kennedy Highway, take a right turn on John F. Kennedy Highway/proceed along John F. Kennedy Highway to MacArthur Drive/take a right turn at the intersection and another right turn onto MacArthur Drive, to finish at the Waterfront Park/Union Street area, ON SATURDAY, MARCH 09, 2013, FROM 8:00 A.M. TO 1:00 P.M., for the purpose of The Great Leprechaun Hat Run, A 5K Road Race.
13. COMMUNICATION, DANIEL MCCARTHY, RACE COORDINATOR - NEW BEDFORD HALF-MARATHON/FRIENDLY SONS OF SAINT PATRICK, to City Council/City Clerk Requesting THE CLOSING/OBSTRUCTION OF: WILLIAM STREET, at Sixth Street, MIDDLE STREET, at Sixth Street, MARKET STREET, at Sixth Street, PLEASANT STREET, at Union Street, ELM STREET, at Acushnet Avenue, FROM: 8:00 A. M. TO: 3:30 P. M. ON SUNDAY, MARCH 17, 2013, FOR THE PURPOSE OF: THE 2013 NEW

BEDFORD HALF-MARATHON (COMMENCING AT 11:00 A.M.) ALSO REQUESTING:- that they be allowed to place cones on the centerline of HATHAWAY ROAD from Mt. Pleasant Street West to Rockdale Avenue, creating two-way traffic on the WESTBOUND LANE; - that the Police close ROCKDALE AVENUE, from Hathaway Road South to Potter Street, for approximately 30 MINUTES, or until the runners have passed; - that two-way traffic on ROCKDALE AVENUE, South from Grape Street to Cove Road, be stopped, and cones be placed in the middle of ROCKDALE AVENUE and COVE ROAD, to create a lane for runners on the South Side; - that the WEST LANE of WEST RODNEY FRENCH BOULEVARD and the EAST LANE of EAST RODNEY FRENCH BOULEVARD, be blocked off to traffic, except at intersections where autos must cross - horses or cones will be placed at WEST RODNEY FRENCH BOULEVARD and Portland, Hudson, Seymour, Bayview Streets, Rodney French Boulevard and Brock Avenue and SOUTH-BOUND TRAFFIC at SEYMOUR STREET will be BLOCKED to prevent autos from entering the race course; - that WESTBOUND traffic on COVE ROAD be directed NORTH onto Orchard Street, then if they choose, be detoured WEST on SWIFT STREET, again detoured SOUTH onto BOLTON STREET, to eventually cross ROCKDALE AVENUE and continue SOUTH; - that COUNTY STREET be closed to two-way traffic from COVE STREET, NORTH to Kempton Street; - that KEMPTON STREET be closed to all EASTERLY traffic, from County Street EAST to Pleasant Street, and cones be placed in the South corridor of the Octopus intersection, preventing traffic entrance to SIXTH STREET, and guiding runners to Pleasant Street; - that SIXTH STREET be closed to traffic at Kempton Street; and- that DETOUR SIGNS be installed directing EASTERLY traffic on KEMPTON STREET to detour traffic NORTH on COUNTY STREET, then EAST on HILLMAN STREET, then SOUTH on PURCHASE STREET, thus allowing EASTERLY TRAFFIC access to the New Bedford/Fairhaven Bridge. (Submitted by Councillor at Large John T. Saunders.)

14. COMMUNICATION/DEMOLITION, New Bedford Historical Commission, to City Council, re: BUILDING DEMOLITION REVIEW: 523-525 PURCHASE STREET, MAP 41, PARCEL 40, advising that “a pre-1830 one and one-half story gable end Greek Revival with a rear ell, retaining splayed lintels from the preceding Federal period as well as its original six over six double-hung windows, its full height stone foundation is non typical or extant in New Bedford; in the nineteenth century, maritime manufacturing become centralized along the waterfront and the areas around the edges of the village become important residential locations for the working middle class, in 1838 this property was owned by Zacheus Cushman a sailmaker employed on Rodman Street in the heart of the maritime district; this property is located in the County Street National Register District;” and therefore, “the NBHC has determined that 523-525 Purchase Street is a historically significant structure and preferably preserved.”

15. COMMUNICATION/DEMOLITION, New Bedford Historical Commission, to City Council, re: BUILDING DEMOLITION REVIEW: 5 TALLMAN LANE, MAP 37, PARCEL 276, advising that “a circa 1882 three-story tenement style building that retains much of its Victorian style characteristics, such as its cross-gable, full height bay with patterned shingles and corner brackets; located in a dense part of the City, just south of Downtown; during the mid to late 19th Century, the village center expanded north and southward to accommodate a growing population and the demand of manufacturing employment; the structure is in poor condition due to extensive deferred maintenance, however due to the lack of a development plan or proposed re-use of the property, the NBHC determined the property to be preferably preserved;” and therefore, “the NBHC has determined that 5 Tallman Lane is a historically significant structure and preferably preserved.”

16. COMMUNICATION/DEMOLITION, New Bedford Historical Commission, to City Council, re: BUILDING DEMOLITION REVIEW: 130 TALLMAN STREET, MAP 92, PARCEL 246, advising that “a circa 1910 three-story tenement style building with a hipped roof and cross-gable, full height bay; two thirds of the City’s housing stock consists of tenement buildings built to accommodate the large immigrant population employed by the burgeoning textile industry; located in the rear of this property is a wood framed car barn with a hayloft style window above two sets of wooden cross-braced double doors, few of this style exist in the City, the car barns has been identified as endangered historic resources within the City and at risk of loss;” and therefore, the NBHC has determined that 130 Tallman Street is historically significant and preferably preserved.”

17. COMMUNICATION/DEMOLITION, New Bedford Historical Commission, to City Council, re: BUILDING DEMOLITION REVIEW: 153 ACUSHNET AVENUE, MAP 37, PARCEL 6, advising that “a circa 1882 two and one-half story Italianate style residence characterized by a two story, triple window bay, as well as a two window bay above an off center entrance; located in a dense part of the City, just south of Downtown, these were

the modest properties that housed whalers and workers employed at the nearby oil works, candle works, and Pairpoint Glass Company; the structure has vinyl siding and replacement windows, however, due to the lack of a development plan or proposed re-use of the property, the NBHC determined the property to be preferably preserved;" and therefore, "the NBHC has determined that 153 Acushnet Avenue is a historically significant structure and preferably preserved."

18. COMMUNICATION/DEMOLITION, New Bedford Historical Commission, to City Council, re: BUILDING DEMOLITION REVIEW: 147 ACUSHNET AVENUE, MAP 37, PARCEL 12, advising that "a circa 1876 two and one-half Italianate style building; located in a dense part of the City, just south of Downtown, these were the modest properties that housed whalers and workers employed at the nearby oil works, candle works, and Pairpoint Glass Company; the structure has vinyl siding and replacement windows, however, due to the lack of a development plan or proposed re-use of the property, the NBHC determined the property to be preferably preserved;" and therefore, "the NBHC has determined that 147 Acushnet Avenue is a historically significant structure and preferably preserved."

19. COMMUNICATION/DEMOLITION, New Bedford Historical Commission, to City Council, re: BUILDING DEMOLITION REVIEW: 929-937 BROCK AVENUE, MAP 15, PARCEL 176, advising that "built circa 1908, the property consists of two highly stylized tenement buildings, with prominent architecture anchoring an important corner location; constructed during the height of textile manufacturing, the building represent the architectural development of mill tenements and the small businesses which were established to accommodate the large population of mill workers; the structure is in poor condition due to extensive deferred maintenance, however due to the lack of a development plan or proposed re-use of the property, the NBHC determined the property to be preferably preserved;" and therefore, "the NBHC has determined that 929-937 Brock Avenue is a historically significant structure and preferably preserved."

20. COMMUNICATION/DEMOLITION, New Bedford Historical Commission, to City Council, re: BUILDING DEMOLITION REVIEW: 102 RUTH STREET, MAP 15, PARCEL 162, advising that "built circa 1909 as a three story tenement style building, the property has vinyl siding and replacement windows, with little or no historic fabric remaining; constructed during the height of textile manufacturing, the building represents the architectural development of mill tenements built to accommodate the large population of mill workers; the structure is in poor condition due to extensive deferred maintenance and retains no notable historic significance, either recorded or found with the existing condition of the structure;" and therefore, the NBHC has determined that the building is NOT a historically significant building or structure and not preferably preserved."

21. COMMUNICATION/DEMOLITION, New Bedford Historical Commission, to City Council, re: BUILDING DEMOLITION REVIEW: 27 ASHLEY STREET, MAP 15, PARCEL 145, advising that "built circa 1907 as a three story tenement style building, the property has vinyl siding and replacement windows, with little or no historic fabric remaining; constructed during the height of textile manufacturing, the building represents the architectural development of mill tenements built to accommodate the large population of mill workers; the structure is in poor condition due to extensive deferred maintenance and retains no notable historic significance, either recorded or found with the existing condition of the structure;" and therefore, the NBHC has determined that the building is NOT a historically significant building or structure and not preferably preserved."

22. COMMUNICATION, Joseph E. Connarton, Executive Director, Public Employee Retirement Administration Commission, submitting Required Fiscal Year 2014 Appropriation. (Copy all Councillors – 01/11/2013.)

23. COMMUNICATION, Stephen P. Crosby, Chairman of Massachusetts Gaming Commission, responding to a letter from City Clerk Arruda relative to casinos in Southeastern Massachusetts, City Council Meeting of December 20, 2012. (Copy all Councillors 01/16/2013.)

24. COMMUNICATION, Bruce J. Oliveira, submitting Disclosure by Special Municipal Employee of Financial Interest in a Municipal Contract as Required by G.L. c. 268A, § 20(d) Statement.

25. COMMUNICATION, Anthony J. Poente, Jr., submitting Disclosure by Special Municipal Employee of Financial Interest in a Municipal Contract as Required by G.L. c. 268A, § 20(d) Statement.

TABLED BUSINESS

12/20/2012 RESOLUTION, Council President Martins, honoring the Centennial Celebration of ST. ANTHONY OF PADUA CHURCH.