



# **Council Meeting - Agenda**

## **CITY COUNCIL CALENDAR**

Chambers of the City Council Municipal Building

**Thursday, April 25, 2013 - 7:00 p.m.**

View Consent Agenda

View Late File Agenda

View Minutes

\*\*\*\*\*

**OPENING OF SESSION BY: FIRST VICE-PRESIDENT STEVEN MARTINS**

\*\*\*\*\*

**PRAYER LED BY: RABBI RAPHAEL KANTER, TIFERETH ISRAEL CONGREGATION**

\*\*\*\*\*

**PLEDGE OF ALLEGIANCE**

\*\*\*\*\*

**HEARING**

1. HEARING, ON THE DISCONTINUANCE of a portion of EASTON STREET (Board of Survey) 50 feet wide, from Upton Street northerly 193+/- feet.

1a. AN ORDER,

### **MAYOR'S PAPERS**

M1. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$96,000.00 from POLICE, SALARIES & WAGES, to ELECTIONS, SALARIES & WAGES.

M1a. AN ORDER,

M2. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$15,000.00 from POLICE, CHARGES & SERVICES, to ELECTIONS, CHARGES & SERVICES.

M2a. AN ORDER,

M3. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$4,000.00 from POLICE, SALARIES & WAGES, to ELECTIONS, CHARGES & SERVICES.

M3a. AN ORDER,

M4. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$70,000.00 from DPI/HIGHWAY, SALARIES & WAGES, to DPI/HIGHWAY, SUPPLIES & MATERIALS.

M4a. AN ORDER,

M5. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$15,000.00 from FIRE, CHARGES & SERVICES, to FIRE, CAPITAL OUTLAY.

M5a. AN ORDER,

M6. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, for the TRANSFER of \$8,000.00 from TOURISM, SUPPLIES & MATERIALS, to TOURISM, CHARGES & SERVICES.

M6a. AN ORDER,

M7. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$5,000.00 from CITY COUNCIL, SUPPLIES & MATERIALS, to CITY COUNCIL, CHARGES & SERVICES.

M7a. AN ORDER,

M8. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$1,500.00 from LIBRARY, CHARGES & SERVICES, to LIBRARY, SALARIES & WAGES.

M8a. AN ORDER,

M9. COMMUNICATION, Mayor Mitchell, to City Council, submitting a SEWER ABATEMENT REQUEST for HENRY CONSTANT, 26 Rodney French Boulevard, New Bedford, MA, Account Number 007052A, in the amount of \$1,373.65.

M10. COMMUNICATION, Mayor Mitchell, to City Council, submitting a ONE-YEAR WAIVER OF RESIDENCY for A RESIDENT OF WESTPORT, as a Candidate for the ASSISTANT SUPERINTENDENT OF WASTEWATER position.

***NEW BUSINESS***

2. AN ORDINANCE, Amending Chapter 19, Section 19-6.1, Relative to Personnel – Criminal Offender Record Information- CORI (Passed to a Second Reading – March 27, 2013; TO BE PASSED, TO BE ORDAINED.)

3. REPORT, Committee on Finance, recommending to the City Council ADOPTION of the ORDER, for the TRANSFER of \$2,000,000.00 from FREE CASH, to SCHOOL, SALARIES & WAGES.

3a. AN ORDER,

4. REPORT, Committee on Finance, recommending to the City Council ADOPTION of the ORDER (AS AMENDED) for the TRANSFER of \$700,536.00 from FREE CASH to POLICE, CAPITAL OUTLAY.

4a. AN ORDER,

5. REPORT, Committee on Finance, recommending to the City Council ADOPTION of the ORDER, for the TRANSFER of \$250,000.00 from FREE CASH, to PUBLIC FACILITIES, CAPITAL OUTLAY.

5a. AN ORDER,

6. REPORT, Committee on Finance, recommending to the City Council ADOPTION of the ORDER, for the TRANSFER of \$175,000.00 from FREE CASH, to EMS, CAPITAL OUTLAY.

6a. AN ORDER,

7. REPORT, Committee on Finance, recommending to the City Council ADOPTION of the ORDER, for the TRANSFER of \$125,000.00 from FREE CASH, to GENERAL GOVERNMENT UNCLASSIFIED, OTHER FINANCING USES.

7a. AN ORDER,

8. REPORT, Committee on Finance, recommending to the City Council ADOPTION of the ORDER, for the TRANSFER of \$90,000.00 from FREE CASH, to GENERAL GOVERNMENT UNCLASSIFIED, JUDGMENTS/CLAIMS.

8a. AN ORDER,

9. REPORT, Committee on Finance, recommending to the City Council ADOPTION of the ORDER, for the TRANSFER of \$181,000.00 from FREE CASH, to ZOO, SUPPLIES & MATERIALS.
- 9a. AN ORDER,
10. REPORT, Committee on Finance, recommending to the City Council ADOPTION of the ORDER, for the TRANSFER of \$69,000.00 from FREE CASH, to ZOO, CHARGES & SERVICES.
- 10a. AN ORDER,
11. WRITTEN MOTION, Councillor Alves, requesting, on behalf of the Senhor Da Pedra Club and Feast Committee, that the following street(s) be CLOSED: WEBSTER COURT, from Madeira Avenue to Funchal Place (Hope Street) and TINKHAM STREET, from Madeira Avenue to Funchal Place (Hope Street), ON SATURDAY, JUNE 15, 2013, FROM 10:00 A.M. TO 11:45 P.M., AND SUNDAY, JUNE 16, 2013, FROM 10:00 A.M. TO 11:45 P.M., for the purpose of THE ANNUAL SENHOR DA PEDRA HOLY GHOST FEAST.
12. WRITTEN MOTION, Councillor Alves, requesting, on behalf of Our Lady of Perpetual Help Church, that the following street(s) be CLOSED: NORTH FRONT STREET, from Coggeshall Street to Beetle Street, ON SATURDAY, JUNE 15, 2013, FROM 8:00 A.M. TO 8:30 P.M., or shortly after, AND SUNDAY, JUNE 16, 2013, from 8:00 A.M. TO 8:30 P.M., or shortly after, for the purpose of the "POLISH FESTIVAL"; and further requesting, that "NO PARKING" signs be POSTED ON NORTH FRONT STREET, from Coggeshall Street to Beetle Street, ON FRIDAY EVENING, JUNE 14, 2013, at 6:00 P.M., THROUGH SUNDAY, JUNE 16, 2013, at 10:00 P.M. (NOTE: WOODEN BARRELS WILL ALSO BE USED.)
13. WRITTEN MOTION, Councillor Martins, requesting, that the Committee on Ordinances review the current Ordinance, Chapter 23, Section 23-25, Motorized Scooter; Prohibition, for the purpose of amending such in order to assist law enforcement to better enforce the regulations, this amendment should require sellers of motorized scooters to inform purchasers about the rules for operating them, (no riding double, cannot be driven at night, requires an approved DOT helmet, must stay to the right, like bicycles, etc.). (To be Referred to the Committee on Ordinances.)
14. WRITTEN MOTION, Councillor Alves, requesting, on behalf of parents and grandparents who visit or use the new and recently developed "Children's Playground" at Brooklawn Park, and who have expressed their concern that there is no apparatus installed to allow children with disabilities to use the facility, and that there should be consideration for the installation for at least one apparatus so that ALL CHILDREN who visit the park playground will have the opportunity to enjoy the park and new playground area; and further, that the Council request the ADA Coordinator Cynthia Wallquist report back to the City Council and confirm to the Council that this is not a violation of Federal requirements. (To be Referred to ADA Coordinator Cynthia Wallquist with a request for a response in twenty days.)
15. WRITTEN MOTION, Councillor Alves, requesting, that the Parks, Recreation and Beaches Department address the maintenance needs of the Duck Pond/Enclosure at Brooklawn Park, and remove the tree that is broken and down across the pond and eliminate the debris in the enclosed area, which is a safety issue to the animals confined to the area, and to enhance the aesthetics of the area which is visited on a daily basis by young children and their parents, this area does not currently demonstrate or speak well for the City's care of animals or maintenance of our facilities.
16. WRITTEN MOTION, Councillor Gomes, requesting, that the Committee on Public Safety and Neighborhoods meet with the Mayor and Police Chief for the purpose of discussing what policies, procedures and safety measures are being implemented throughout the City as we approach the summer season when many festivals and feasts will be held, in light of the recent events that took place at the Boston Marathon, that the City of New Bedford take every security measure in its power during all these outdoor activities, including the Whaling City Festival, Portuguese Feast and any function being held on the State Pier, just to name a few, that the City ensure resources are available, whether it be the Canine Units, or any other method in place in order to guarantee the safety of the people of New Bedford.
17. COMMUNICATION, Board of Assessors, to City Council, submitting THREE ORDERS, for the Optional Cost of Living Adjustments for Fiscal Year 2014 Exemption, the 2014 increases raises the Tax Exemption for Clause 17 to \$290.11; the asset amount under Chapter 59, Section 5 (17E) is \$59,151; under Chapter 59, Section 5 (41,41-B,41-C) the

income limit for single taxpayers is \$19,223 and married couples is \$22,183 and under Chapter 59, Section 5 (41,41-B, and 41-C) the assets limit for single taxpayers is \$41,405 and married couples \$44,363 there is no State reimbursement for any money expended in the increased exemptions which is adopted every year.

17a. AN ORDER,

17b. AN ORDER,

17c. AN ORDER,

18. COMMUNICATION, David J. Cotney, Commonwealth of Massachusetts Commissioner of Banks, to City Council, regarding our correspondence relative to interest rate for items pawned be set at a rate of 18% annual percentage rate (APR) for loan amounts greater than \$25.00, that the matter has been referred to the Division's Non Depository Institution Supervision Unit for review. (Copy all Councillors 04/12/2013.)

***TABLED BUSINESS***

***NO ITEMS ON THIS AGENDA.***