



Council Meeting - Minutes
CITY COUNCIL CALENDAR
Chambers of the City Council Municipal Building
Thursday, February 28, 2013 - 7:01 p.m.

View Agenda

PRESENT: Council President Duarte, Councillors Alves, Bousquet, Coelho, Gomes, Gonsalves, Lawrence, Lopes, Martins, Oliveira and Saunders.

LATE: No One.

ABSENT: No One.

Council President Duarte called the meeting to order and presided.

Reverend Dalton Said, St. Luke's Hospital Religious Ministries, led the Assembly in Prayer.

Newly appointed New Bedford Police Officers led the Assembly in the Pledge of Allegiance to the Flag.

CITATIONS, Councillors Gomes and Oliveira, honoring AGNIESZKA E. CIARKA, BRIAN C. REI, JUSTIN J. FRIAS, ROBERTO F. NUNES, JACOB M. OLIVEIRA and KEVIN BARBOSA, in Recognition of their Appointments as NEW BEDFORD POLICE OFFICERS.

Adopted. (#0335)

CITATION, Councillor Bousquet, honoring LEONARD C. BETTENCOURT, Greater New Bedford Regional Vocational Technical High School, in Recognition of his Retirement after a Thirty Year Career of Dedication and Commitment to his Students and in Sincere Appreciation for his Instruction and Guidance.

Adopted. (#0336)

CITATION, Councillor Lopes, honoring SOUTHEASTERN REGIONAL TRANSIT AUTHORITY, in recognition of their Dedication to the City and Commitment to Area Veterans by providing a Medical Transportation Vehicle.

Tabled – February 14, 2013.

Removed from the Table and Adopted. (#0216)

HEARING, on NSTAR ELECTRIC COMPANY, for location of one (1) 4" Conduit in HATHAWAY STREET, corner of Riverside Avenue.

Donna Rosa-Gonsalves, Right of Way Representative of NSTAR Electric was present and in favor and answered questions.

Hearing held and closed.

TABLED. (#0337)

ORDER,

TABLED. (#0338)

HEARING, on NSTAR ELECTRIC COMPANY, for location of one (1) 4” Conduit in MANOMET STREET, corner of Riverside Avenue.

Donna Rosa-Gonsalves, Right of Way Representative of NSTAR Electric was present and in favor and answered questions.

Hearing held and closed.

TABLED. (#0339)

ORDER,

TABLED. (#0340)

HEARING, on NSTAR ELECTRIC COMPANY, for location of one (1) 2” Conduit in REED STREET, North of Arnold Street.

Donna Rosa-Gonsalves, Right of Way Representative of NSTAR Electric was present and in favor and answered questions.

Hearing held and closed.

TABLED. (#0341)

ORDER,

TABLED. (#0342)

IT WAS VOTED, on a motion made and duly seconded, Yeas 11, Nays 0, to waive Rule 42 in order of business to take up the following items at this time.

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER transferring various parcels from the City of New Bedford to the New Bedford Redevelopment Authority, as part of the effort to assemble the site for the South Terminal Project, a \$100 million specialized marine terminal that will be capable of handling massive blades, foundations and other components necessary for constructing wind farms at sea.

Rule 42 Waived – Yeas 11, Nays 0.

Received and Placed on File. (#0343)

CITY OF NEW BEDFORD
IN CITY COUNCIL
FEBRUARY 28, 2013

ORDERED, that the Mayor is hereby authorized to execute a Deed, on behalf of the City of New Bedford, granting the New Bedford Redevelopment Authority a fee interest in several parcels located at the South Terminal that are necessary for the Massachusetts Clean Energy Technology Center, a body politic and corporate and a public instrumentality of the Commonwealth of Massachusetts, to develop a marine commerce terminal with approximately 1,000 linear feet of dockage at the South Terminal Site, the Deed shall be in a form approved by the City Solicitor, which shall be substantially in the form attached hereto, and shall contain a provision for reverter to the City, in the event the Grantee fails to enter into a Ground Lease with the Massachusetts Clean Energy Technology Center or terminates said Ground Lease, the Deed shall further provide that all Impact Fees received by the Grantee, pursuant to the aforementioned Ground Lease shall be passed to the City.

Rule 42 Waived – Yeas 11, Nays 0.

Adopted – Yeas 11, Nays 0.

Rule 40 Waived – Yeas 11, Nays 0.

Presented to the Mayor for approval March 01, 2013.

Approved March 01, 2013. (#0344)

ORDER, NSTAR ELECTRIC COMPANY, for location of one (1) 4” Conduit in HATHAWAY STREET, corner of Riverside Avenue.

Tabled – February 28, 2013.

Councillor Gonsalves having voted with the prevailing side made a motion to RECONSIDER.

RECONSIDERATION Adopted – Yeas 11, Nays 0.

TABLED. (#0338)

ORDER, NSTAR ELECTRIC COMPANY, for location of one (1) 4” Conduit in MANOMET STREET, corner of Riverside Avenue.

Tabled – February 28, 2013.

Councillor Gonsalves having voted with the prevailing side made a motion to RECONSIDER.

RECONSIDERATION Adopted – Yeas 11, Nays 0.

TABLED. (#0340)

HEARING, on NSTAR ELECTRIC COMPANY, for location of one (1) 2” Conduit in REED STREET, North of Arnold Street.

Donna Rosa-Gonsalves, Right of Way Representative of NSTAR Electric was present and in favor and answered questions.

Hearing held and closed.

Tabled – February 28, 2013.

Petition Placed on File.

(#0341)

ORDER,

Tabled – February 28, 2013.

Councillor Gonsalves having voted with the prevailing side made a motion to RECONSIDER.

RECONSIDERATION Adopted – Yeas 11, Nays 0.

Adopted and ordered recorded in Book of Location Order Records – Yeas 11, Nays 0.

Presented to the Mayor for approval March 04, 2013.

Approved March 14, 2013.

(#0342)

REPORT, Committee on Finance, recommending to the City Council APPROVAL of the ORDER to amend the VACANT BUILDING REVOLVING FUND, the proposed changes would permit the use of monies in the Fund to be used to hire one full-time Building Inspector, rather than two part-time inspectors and a second change would allow monies in the Fund to be used to reimburse the Department of Public Facilities when its employees are occasionally tasked with the emergency board-up of a vacant building.

Rule 42 Waived – Yeas 11, Nays 0.

Recommendation Followed.

(#0345)

CITY OF NEW BEDFORD

IN CITY COUNCIL

FEBRUARY 14, 2013

ORDER, *amending* the order adopted by the City Council on June 28, 2012 and signed by the Mayor on July 3, 2012, which in accordance with M.G.L Chapter 44, Section 53E ½, authorized the Revolving Fund under the control of the Department of Inspectional Services, known as VACANT BUILDING REVOLVING FUND, whose revenues collected and amount limited at \$200,000.00 is hereby authorized to provide salary expense for a full time building inspector and two part time clerks, purchase materials and reimburse labor costs for emergency board-up of vacant buildings, and monitor vacant buildings for FISCAL YEAR 2013.

Referred to the Committee on Finance – February 14, 2013.

Rule 42 Waived – Yeas 11, Nays 0.

Adopted – Yeas 11, Nays 0.

Presented to the Mayor for approval March 04, 2013.

Approved March 04, 2013.

(#0239)

REPORT, Committee on Finance, recommending to the City Council ADOPTION of an ORDER, (drafted by Attorney Gerwatowski) that the interest rate for items pawned be set at a rate of 18% annual percentage rate (APR) for

loan amounts greater than \$25.00, said rate shall become effective upon approval by the Division of Banks for the Commonwealth of Massachusetts.

Rule 42 Waived – Yeas 11, Nays 0.

Recommendation Followed. (#0346)

CITY OF NEW BEDFORD
IN CITY COUNCIL
FEBRUARY 28, 2013

ORDERED: that the interest rate for items pawned be set at a rate of 18% annual percentage rate (APR) for loan amounts greater than \$25.00, said rate shall become effective upon approval by the Division of Banks for the Commonwealth of Massachusetts.

Rule 42 Waived – Yeas 11, Nays 0.

Adopted – Yeas 11, Nays 0.

Presented to the Mayor for approval March 04, 2013.

Approved March 14, 2013. (#0347)

REPORT, Committee on Finance, recommending to the City Council ADOPTION of the ORDER, for the TRANSFER of \$165,000.00 from WATER STABILIZATION FUND, to WATER, SUPPLIES & MATERIALS.

Rule 42 Waived – Yeas 11, Nays 0.

Recommendation Followed. (#0348)

CITY OF NEW BEDFORD
IN CITY COUNCIL
FEBRUARY 14, 2013

ORDERED: that the sum of ONE HUNDRED AND SIXTY-FIVE THOUSAND DOLLARS (\$165,000.00) now standing to the credit of the account from WATER STABILIZATION FUND be and the same is hereby transferred and appropriated to as follows:

WATER, SUPPLIES AND MATERIALS..... \$165,000.00

To be certified and approved by the Department Head.

Referred to the Committee on Finance – February 14, 2013.

Rule 42 Waived – Yeas 11, Nays 0.

Adopted – Yeas 11, Nays 0.

Presented to the Mayor for approval March 04, 2013.

Approved March 04, 2013. (#0241)

REPORT, Committee on Finance, recommending to the City Council ADOPTION of a LOAN ORDER that authorizes and appropriates \$750,000.00 for the purpose of paying costs of a feasibility study for the potential

construction of a new John Hannigan Elementary School, to be located at 33 Emery Street and also, to pay schematic design costs associated with constructing a new John Hannigan Elementary School; and also recommended that the Ward Six City Councillor be included on the Design Selection Group and the School Building Committee.

Rule 42 Waived – Yeas 11, Nays 0.

Recommendation Followed. (#0349)

LOAN ORDER,

Referred to the Committee on Finance – February 14, 2013.

Rule 42 Waived – Yeas 11, Nays 0.

Passed to a Second Reading. (#0235)

WRITTEN MOTION, Councillor Martins, on behalf of the Fernandes and Friends Soccer Team, that the School Committee consider approving the request of an application submitted for the use of Roosevelt Middle School’s Soccer Field for the following dates: April 14, April 21, May 5, May 12, and June 2; and further, since the Fernandes’ Family are well-known in the City for giving back to the community and that their soccer team brings our community together, that all fees be waived as in the past, the School Committee has approved said request and this Councillor appreciates their support and the team appreciates their consideration. (To be Referred to the School Committee.)

Rule 42 Waived – Yeas 11, Nays 0.

Referred to the School Committee.

Presented to the Mayor for approval March 04, 2013.

RETURNED UNSIGNED March 15, 2013. (#0350)

The Council then returned to the regular order of business.

COMMUNICATION, Mayor Mitchell, to City Council, submitting two (2) ORDINANCES, one amending Chapter 16 of the Code of Ordinances to include a Stormwater Management Ordinance which is necessary for the City to comply with the National Pollution Discharge Elimination Systems (NPDES) Storm Water Phase II Permit Program and two, amending Chapter 17, Section 17-18 (j) of the Code of Ordinances to enable the City the option of utilizing non-criminal citations for the enforcement of the Stormwater Management Ordinance and regulations.

Referred to the Committee on Ordinances. (#0351)

ORDINANCE, amending Chapter 16 – Stormwater Management Ordinance.

Referred to the Committee on Ordinances. (#0352)

ORDINANCE, amending Chapter 17 – Noncriminal Citations for Stormwater Management Ordinance.

Referred to the Committee on Ordinances. (#0353)

COMMUNICATION, Mayor Mitchell, to City Council, submitting an International Sister City Agreement between the City of New Bedford and the City of Cuxhaven, Germany, the City of Cuxhaven has a marine terminal facility for cargo and offshore wind components similar to those being developed in the City of New Bedford.

Referred to the Committee on Appointments and Briefings. (#0354)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of CHRISTOPHER CLOUGH, New Bedford, MA as a SPECIAL POLICE OFFICER.

Received and Placed on File. (#0355)

APPLICATION, CHRISTOPHER CLOUGH, New Bedford, MA for REAPPOINTMENT as a SPECIAL POLICE OFFICER.

Appointment made and confirmed.
Rule 40 Waived – Yeas 11, Nays 0. (#0356)

CITY OF NEW BEDFORD
IN CITY COUNCIL
DECEMBER 20, 2012

ORDERED, that the sum of TWO MILLION, ONE HUNDRED THOUSAND DOLLARS (\$2,100,000.00) is appropriated for the purpose of financing a wastewater planning project regarding the City's wet weather compliance requirements; that to meet this appropriation the Treasurer with the approval of the Mayor and Committee on Finance is authorized to borrow \$2,100,000.00 and issue bonds or notes therefore under Chapter 44 of the General Laws, as amended ("Chapter 44") and/or Chapter 29C of the General Laws, or any other enabling authority; that such bonds or notes shall be general obligations of the City unless the Treasurer with the approval of the Mayor and the Committee on Finance determines that they should be issued as limited obligations and may be secured by local system revenues as defined in G.L. c. 29C, §1; that the Treasurer with the approval of the Mayor and the Committee on Finance is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to G.L. c.29C and in connection therewith to enter into a loan agreement and/or a security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; that the Treasurer is authorized to file an application with the Municipal Finance Oversight Board to qualify under Chapter 44A of the General Laws any or all of the bonds and to provide such information and execute such documents as the Board may require for these purposes; and that the Mayor is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary to carry out the project.

Referred to the Committee on Finance – December 20, 2012.
Passed to a Second Reading – February 14, 2013.
Adopted and Rule 40 Waived – Yeas 11, Nays 0.

Presented to the Mayor for the approval March 01, 2013.

Approved March 01, 2013.

(#2111)

REPORT, Committee on Appointments & Briefings, recommending to the City Council APPROVAL of the APPOINTMENT of PAUL R. PACHECO, New Bedford, MA 02740, to the CONSERVATION COMMISSION, replacing Bonita Cade, Esq., who has resigned; this term will expire June 2014.

Recommendation Followed and Appointment Confirmed.

Rule 40 Waived – Yeas 11, Nays 0.

(#0357)

REPORT, Committee on Appointments & Briefings, recommending to the City Council APPROVAL of the APPOINTMENT of COREY PACHECO, New Bedford, MA 02740, to the HISTORICAL COMMISSION, replacing Derek Santos, who has resigned; this term will expire February 2016.

Recommendation Followed and Appointment Confirmed.

Rule 40 Waived – Yeas 11, Nays 0.

(#0358)

REPORT, Committee on Appointments & Briefings, recommending to the City Council APPROVAL of the APPOINTMENT of JESSICA WILDMAN, New Bedford, MA 02740, to the HUMAN RELATIONS COMMISSION, replacing Whitney White, whose term has expired; this term will expire December 2013.

Recommendation Followed and Appointment Confirmed.

Rule 40 Waived – Yeas 11, Nays 0.

(#0359)

REPORT, Committee on Appointments & Briefings, recommending to the City Council APPROVAL of the APPOINTMENT of CARLOS A. DACUNHA, New Bedford, MA 02744, to the AIRPORT COMMISSION, replacing Pamela Bourgault, whose term has expired; this term will expire December 2014.

Recommendation Followed and Appointment Confirmed.

Rule 40 Waived – Yeas 11, Nays 0.

(#0360)

REPORT, Committee on Appointments & Briefings, recommending to the City Council APPROVAL of the APPOINTMENT of JAMES LOPES, New Bedford, MA02740, to the HISTORICAL COMMISSION, as an ALTERNATE MEMBER, to replace Susan Rothschild, whose term has expired; this term will expire February 2015.

Recommendation Followed and Appointment Confirmed.

Rule 40 Waived – Yeas 11, Nays 0.

(#0361)

REPORT, Committee on Appointments & Briefings, recommending to the City Council APPROVAL of the APPOINTMENT of MARY RAPOZA, New Bedford, MA, as DIRECTOR OF RECREATION AND PARKS, Step 5 of the Unit C Salary Schedule, Grade M-8 at \$52,195.00; Ms. Rapoza is a New Bedford Resident.

Recommendation Followed and Appointment Confirmed.

Rule 40 Waived – Yeas 11, Nays 0.

(#0362)

REPORT, Committee on Appointments & Briefings, recommending to the City Council APPROVAL of the APPOINTMENT of ARI J. SKY as CHIEF FINANCIAL OFFICER although not required by our City Ordinances, Mr. Sky will be a New Bedford Resident and Mr. Sky's salary will be \$120,000.00, consistent with the salary level established by the City Council earlier this year.

Recommendation Followed and Appointment Confirmed.

Rule 40 Waived – Yeas 11, Nays 0.

(#0363)

REPORT, Committee on Appointments & Briefings, recommending to the City Council APPROVAL of a ONE-YEAR WAIVER OF RESIDENCY for ANDREA LAGUE, Fairhaven, MA 02719, for the Health Department's Public Health Nurse; Ms. Lague's current waiver expired December 2012.

Recommendation Followed and One Year Waiver Granted.

Rule 40 Waived – Yeas 11, Nays 0.

Presented to the Mayor for approval March 01, 2013.

Approved March 01, 2013.

(#0364)

REPORT, Committee on Appointments & Briefings, recommending to the City Council APPROVAL of the APPOINTMENT of DAGNY ASHLEY, New Bedford, MA, as DIRECTOR OF TOURISM AND MARKETING, Step 6 of the Unit C Salary Schedule, Grade 10 at \$61,628.00.

Recommendation Followed, Appointment Confirmed and Rule 40 Waived – Yeas 10, Nays 1. (Councillor Bousquet OPPOSED.)

(#0365)

REPORT, Committee on Appointments & Briefings, recommending to the City Council APPROVAL on behalf of *Khalil B. Arsanios, 1220 Pleasant Street, New Bedford, MA 02740 d/b/a INTERNATIONAL TRANSPORTATION, 308 Mill Street, New Bedford, MA 02740, of the Application for a NEW 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.

Recommendation Followed.

(#0366)

COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of **Khalil B. Arsanios, 1220 Pleasant Street, New Bedford, MA 02740 d/b/a/ INTERNATIONAL TRANSPORTATION, 308 Mill Street, New Bedford, MA 02740**, hereby submit a copy of the Application requesting a **NEW 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.

Referred to the Committee on Appointments and Briefings – January 10, 2013.

Livery License Granted – Yeas 11, Nays 0.

Presented to the Mayor for approval March 04, 2013.

Approved March 14, 2013.

(#0049)

REPORT, Committee on Appointments & Briefings, recommending to the City Council APPROVAL on behalf of *Valerie Torres, 53 Ruth Street, New Bedford, MA 02744, d/b/a PONCE USED FURNITURE, 239 Ashley Boulevard, New Bedford, MA 02746, of the APPLICATION for a NEW LICENSE TO DEAL IN JUNK, OLD METALS OR ANY OTHER SECOND HAND ARTICLES* under the provisions of M.G.L. Chapter 140, Section 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 of at least six months in one of the towns next adjoining the limits of the City or that he or she has applied for a waiver of said residence requirement by the New Bedford City Council.

Recommendation Followed.

(#0367)

COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of **Valerie Torres, 53 Ruth Street, New Bedford, MA 02744, d/b/a PONCE USED FURNITURE, 239 Ashley Boulevard, New Bedford, MA, 02746**, 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 M.G.L., 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 next adjoining the limits of the City or that he or she has applied for a waiver of said residence requirement by the New Bedford City Council.

Referred to the Committee on Appointments and Briefings – January 10, 2013.

License Granted – Yeas 11, Nays 0.

Presented to the Mayor for approval March 04, 2013.

Approved March 14, 2013.

(#0048)

WRITTEN MOTION, Councillors Lopes, Alves, Oliveira, Gonsalves, Martins, Bousquet, Gomes, Coelho, Lawrence and Council President Duarte, requesting, that Angela Natho, Director of Personnel supply the City Council with copies of each job description / *along with the Order of Appointment* and posting on an ongoing basis that the City Council has the authority to appoint.

Adopted.

Presented to the Mayor for approval March 04, 2013.

RETURNED UNSIGNED March 15, 2013.

(#0368)

RELATED MOTION, Councillor Lopes, requesting, that a Member of the City Council sit on the hiring committee for all positions and appointments that the Council votes on.

Adopted – Yeas 8, Nays 3. (Councillors Martins, Oliveira and Saunders OPPOSED.)

Presented to the Mayor for approval March 04, 2013.

RETURNED UNSIGNED March 15, 2013. (#0369)

WRITTEN MOTION, Council President Duarte, requesting, on behalf of several constituents, that SRTA remove the “Parking for SRTA Buses Only” signs on North Sixth Street so that the parking spots can be available to the general public. (To be Referred to the Mayor’s Office, SRTA and the Traffic Commission.)

Adopted.

Presented to the Mayor for approval March 04, 2013.

RETURNED UNSIGNED March 15, 2013. (#0370)

WRITTEN MOTION, Councillors Bousquet and Martins, requesting, an explanation from Mayor Mitchell and Department of Public Infrastructure Commissioner Ronald Labelle as to why the public wasn't immediately notified of the grant funding denial for the International Marketplace, despite the Administrations continued extolling of its importance and the necessity of its virtues to the Councillors and the City at large; and further, requesting, on behalf of the taxpayers, that a full account of why the grant application has failed this round and why the City failed to plan for such an outcome be provided to the City Council.

Adopted.

Presented to the Mayor for approval March 04, 2013.

RETURNED UNSIGNED March 15, 2013. (#0371)

RELATED MOTION, Councillor Martins, requesting, that a letter be sent to the Licensing Board, City Clerk, Health Department and the Department of Inspectional Services, to see if any help can be given to those businesses along Acushnet Avenue, in regards to waiving any fees for permits, within their jurisdiction, and said departments report back to the City Council, in writing, if any help can be given to the businesses that were affected by Phase I of the Acushnet Avenue Project.

Adopted.

Presented to the Mayor for approval March 04, 2013.

RETURNED UNSIGNED March 15, 2013. (#0372)

WRITTEN MOTION, Councillor Gomes, in light of prior requests to the Administration and on behalf of the Cape Verdean Recognition Parade Committee, Inc., under the direction of Mary Ann Rogers and Betty Rivera, asking that the Committee on City Property authorize permission for the use of the old Morse Twist Drill Lot, located on Bedford Street, abutting Wing, South Sixth and Pleasant Streets, for the purpose of holding a Carnival for raising money for the July Cape Verdean Recognition Parade, this request has been made to this Administration twice, last year for the 2012

Parade, and two weeks ago for the upcoming Parade, the Administration has not taken action, and due to the limited time that the Cape Verdean Recognition Parade Committee, Inc., has to book the Carnival, and have all the proper plans put in place, it is urgent that the Council take action to allow this property to be used for the Carnival, therefore, I am requesting that the Committee on City Property be DISCHARGED and that the Council take an affirmative vote to allow the Cape Verdean Recognition Parade Committee, Inc., to use the former Morse Twist Cutting Tool site for the Carnival fundraiser for the Cape Verdean Recognition Parade Committee, Inc.

City Property Committee allowing the Cape Verdean Recognition Parade Committee use of the former Morse Cutting Tools site ADOPTED – All Ayes.

Rule 40 Waived – Yeas 11, Nays 0.

Presented to the Mayor for approval March 01, 2013.

RETURNED UNSIGNED March 15, 2013. (#0373)

RELATED MOTION, Councillor Coelho, on behalf of the Cape Verdean Recognition Day Committee, Inc., requesting that the Mayor provide this Council with a written communication within seven days, explaining why this Committee has not been given permission to use the former Morse Cutting Tools site to hold their carnival, which is a fundraiser for their Cape Verdean Recognition Day Parade, and is scheduled for the 4th of July weekend.

Adopted.

Presented to the Mayor for approval March 04, 2013.

RETURNED UNSIGNED March 15, 2013. (#0374)

RELATED MOTION, Councillor Martins, requesting, that a letter be sent to the Cape Verdean Recognition Day Committee, Inc., notifying them of our action taken at the City Council Meeting held on February 28, 2013; and also, expressing our support of using the former Morse Cutting Tools site and our advocacy that has happened at this meeting.

Adopted.

(#0375)

WRITTEN MOTION, Councillor Martins, requesting, that Fire Chief Michael Gomes be invited to the next Committee on Public Safety and Neighborhoods meeting to update the Committee members on the status of the 880 red fire alarm boxes, 809 of which need an upgrade; and further, the City owns about 100 properties, many of which connect to fire alarm boxes and the public should be informed of any new update to said fire alarm system, this Councillor would like to see this issue addressed, to see if this is a long-term capital plan.

Adopted.

(#0376)

WRITTEN MOTION, Councillors Martins and Gonsalves, requesting, that the Committee on Ordinances, amend the Residency Waiver requirement to add that prior to the City Council's approval of a Residency Waiver for a person being hired for a position subject to this section, the Director of Personnel, Angela Natho, shall make all applications and resumes submitted for a position to the Personnel Department available for the City Councillors to review; and further, that no copies of resumes or applications shall be removed from the Department of Personnel by City Councillors;

provided, however if a City Councillor is not able to go to the Personnel Department during the day to view the applications, that the Director of Personnel will bring the applications to the Committee Meeting as requested by the City Council and further, that any person reviewing resumes or applications shall not publicly reveal any names or details contained therein, other than the number of resumes or applications submitted regarding qualified individuals who reside within the City, unless information is revealed previously by the Administration or by the particular individual who submitted the resume or application; and further, this will allow the City Council the opportunity to better screen candidates who are selected for positions by the Administration and assist us in explaining their qualifications compared to other applicants to our constituents who as taxpayers deserve to be kept informed.

Referred to the Committee on Ordinances. (Councillor Oliveira OPPOSED.) (#0377)

WRITTEN MOTION, Councillors Gonsalves, Lopes, Council President Duarte, Oliveira, Martins, Saunders, Coelho, Alves, Lawrence, Gomes, Bousquet, requesting, that the Committee on Finance meet with the CFO and the Auditor to review the status of each department's budget going into the 4th Quarter of Fiscal Year 2013, to determine which departments are running surpluses and which are running deficits. (To be Referred to the Committee on Finance.)

Referred to the Committee on Finance. (#0378)

WRITTEN MOTION, Councillor Martins, requesting, that our local State Legislative Delegation sign onto a new bill that will spur business growth from "angel investors" that if approved, the legislation would allow investors to get up to 30 percent in tax credits for donations to Massachusetts start-up businesses, allowing donations up to \$125,000; and further, the bill would offer better credits to investors who put their money into businesses located in one of the Gateway Cities; and further, thanking Representatives Cabral and Schmid for signing onto the bill and asking Representatives Koczera, Markey, Straus and Senator Montigny to sign onto the bill that would help future business owners get off the ground running with the help of an "angel investor" that is literally the gasoline that gets the engine going for economic growth.

Adopted. (#0379)

COMMUNICATION, Blair S. Bailey, Tax Title Attorney, to City Council, re: Acquisition of New Tax Possession, advising that the City has acquired the following property as Tax Possession 31 Ashley Street, Plot 15/Lot 149, Area of 4,357 sq. ft. (Former Owner: John Pereira); Total Amount due on the parcel as of the date of the transfer is \$38,427.59.

Received and Placed on File. (#0380)

WRITTEN MOTION, Councillor Gonsalves, requesting, on behalf of Sharon Seifert of 641 Union Street, New Bedford, MA, that the Traffic Commission consider the installation of All Way Stop Signs at the Intersection of Court Street and Palmer Street, due to the number of serious accidents that have occurred at this Intersection with the most recent occurring on February 25, 2013. (To be Referred to the Traffic Commission.)

Referred to the Traffic Commission. (#0381)

ANNUAL REPORT, Greater New Bedford Regional Vocational Technical High School, submitting Annual Report for Calendar Year 2012.

Received and Placed on File. (#0382)

MINUTES, Council on Aging Advisory Board, submitting MINUTES of meetings held on December 13, 2012, and January 10, 2013.

Received and Placed on File. (#0383)

MINUTES, Board of Assessors, submitting MINUTES of meetings held on February 07 and 15, 2013.

Received and Placed on File. (#0384)

MINUTES, Bristol Coalition Meeting, submitting MINUTES of a meeting held on January 15, 2013.

Received and Placed on File. (#0385)

MINUTES, Conservation Commission, submitting MINUTES of meetings held on November 06 and 20, 2012.

Received and Placed on File. (#0386)

APPLICATION, **RJ Canessa Excavating**, for permission to maintain a STREET OBSTRUCTION at **S.S. Auburn Street, 185' W x Summit Street P75/L160**, provisionally granted by the City Clerk on February 28, 2013, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval March 04, 2013.

Approved March 14, 2013. (#0387)

APPLICATION, **RJ Canessa Excavating**, to DISTURB THE SURFACE, of **S.S. Auburn Street, 185' W x Summit Street P75/L160**, provisionally granted by the City Clerk on February 28, 2013, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval March 04, 2013.

Approved March 14, 2013. (#0388)

On a motion, the Council then adjourned at 8:55 p.m.

ATTEST:

RITA D. ARRUDA, CITY CLERK/
CLERK OF THE CITY COUNCIL