



Council Meeting - Minutes
CITY COUNCIL CALENDAR
Chambers of the City Council Municipal Building
Thursday, May 23, 2013 - 7:10 p.m.

View Agenda

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

LATE: Councillor Oliveira (7:15 p.m.)

ABSENT: No One.

Council President Duarte called the meeting to order and presided.

Reverend Conrad Salach, Our Lady of Perpetual Help Parish, led the Assembly in Prayer.

Henry G. Bousquet, Councillor Ward Three led the Assembly in the Pledge of Allegiance to the Flag.

CITATIONS, Councillors Gonsalves and Gomes, honoring New Bedford Police Officers and Paramedics who assisted other Municipal, State and Federal Law Enforcement agencies in the aftermath of the Boston Marathon Bombing.

Adopted. (#0849)

CITATION, Councillors Gomes *and* Gonsalves, honoring LT. JEFFREY P. SILVA, New Bedford Police Department, in recognition of his twenty-two years of Dedicated and Committed service to the City of New Bedford.

Adopted. (#0850)

The following resolution honoring Team Builders Inc. / The House of Music was presented by Council President Duarte.

CITY OF NEW BEDFORD

IN CITY COUNCIL

MAY 09, 2013

**RESOLUTION HONORING TEAM BUILDERS INC. / THE HOUSE OF MUSIC
ON THE OCCASION OF THEIR 10TH ANNIVERSARY**

WHEREAS, In 2003, Social Psychologist Deborah Bastoni, along with Singer, Dancer, Song-Writer and Choreographer Brent Tavares, and New Bedford High School Teacher Nate Everett founded the original New Bedford Hip Hop Club, for the purpose of serving at-risk teens within the School System, which was based on the conclusion that relationships are improved through team-building skills; and

WHEREAS, One year later, it became clear to New Bedford families that they could benefit greatly from an all-age Performing Arts Community Program, therefore in 2004 Team Builders Inc., was Incorporated and in 2005, Team Builders Inc., had received 501 (c) 3 status, a non-profit organization designed to unite members of the community, share music, all while working together to achieve common goals; and

WHEREAS, In March of 2010, Team Builders Inc.'s Performing Arts Program moved into its current facility located at 593 Kempton Street, after much discussion and consideration they decided to name their Performing Arts Program "The House of Music", continually evaluating and modifying the program to best meet the needs of the children and families; and

WHEREAS, The House of Music is considered more than a place for music instruction, it is a community-building social project designed to unite and strengthen youths and families, which addresses topics from anti-bullying to healthy food choices, celebrating creativity along with diversity, teaching tolerance, and rewards acts of kindness; and

WHEREAS, The House of Music is best known for their Michael Jackson tribute shows at the Zeiterion Theatre by performing "The Legend Remembered" and "Michael Jackson Forever"; and

WHEREAS, The House of Music has provided many services around the City of New Bedford over the years, such as annual performances at 50's Night Downtown, Everybody's Dance Contest on AHA! Night, as well as free year round, weekly activities such as hip hop dancing, vocals, drums and all aspects of performing arts every Saturday; and

WHEREAS, With all services free to New Bedford youth and families, serving approximately 40 family members weekly, The House of Music, being focused on their mission, has sparked a sense of belonging through common interests, have reached a common ground, demonstrated tolerance, boosted self-confidence, by bringing everyone together as one big multicultural family:

NOW, THEREFORE, BE IT RESOLVED, That the New Bedford City Council hereby congratulates **TEAM BUILDERS INC. / THE HOUSE OF MUSIC, ON THE OCCASION OF THEIR 10TH ANNIVERSARY,** thanks them for changing the world with the power of music and wishes them continued success in the future.

TABLED – May 09, 2013.

Removed from the Table and Adopted.

(#0740)

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.

CITATIONS, Councillors Saunders and Martins, honoring ALEXIS ALMEIDA, AMANDA FLETCHER, THAI LE AND CODY MEDEIROS, in recognition of their 2nd Place Finish in the Open Class Deep Water Challenge & their 3rd Place Finish in the Open Class Obstacle Course at the 2013 SeaPerch National Robotics Competition in Indianapolis, Indiana.

Rule 42 Waived – Yeas 11, Nays 0.

Adopted.

(#0851)

CITATION, Councillors Saunders and Martins, honoring, CHRISTOPHER PARKER, in recognition of his Dedication and Commitment to the Robotics Team & his Successful Win at the 2013 SeaPerch National Robotics Competition in Indianapolis, Indiana.

Rule 42 Waived – Yeas 11, Nays 0.

Adopted.

(#0852)

ORDINANCE, Amending Chapter 23, by striking in its' entirety, Section 23-25, and inserting in place thereof, new Section 23-25 Motorized Scooters. (Submitted by Legal Counsel Gerwatowski.) Rule 42 Waived – Yeas 11, Nays 0.

Passed to a Second Reading.

(#0853)

WRITTEN MOTION, Councillor Gonsalves, requesting, that The Friends of Buttonwood Park brief the City Council on its Buttonwood on the Move Project and its plans to rehabilitate the basketball courts. (To be Referred to the Committee on Appointments and Briefings.)

Rule 42 Waived – Yeas 11, Nays 0.

Referred to the Committee on Appointments and Briefings.

(#0854)

WRITTEN MOTION, Councillor Gonsalves, requesting, that the Engineering Division of the Department of Public Infrastructure review the current design of County Street, between Hawthorn and Union Streets, to determine whether any changes can be made to make the roadway safer given that repeated accidents continue to occur at the curve just north of Clinton Street, most recent occurring last night on May 22.

Rule 42 Waived – Yeas 11, Nays 0.

Referred to Commissioner Labelle, Department of Public Infrastructure/Engineering and the Committee on Public Safety and Neighborhoods. Presented to the Mayor for approval May 28, 2013.

Approved June 10, 2013.

(#0855)

WRITTEN MOTION, Council President Duarte, requesting, that the following street(s) be CLOSED: PURCHASE STREET, from School Street to Spring Street, FROM: 4:00 P.M. TO 8:00 P.M., ON THURSDAY, JUNE 13, 2013, for the purpose of an event at the Zeiterion Theatre.

Rule 42 Waived – Yeas 11, Nays 0.

Permission Granted.

Presented to the Mayor for approval May 28, 2013.

Approved June 10, 2013.

(#0856)

WRITTEN MOTION, Councillor Gomes, requesting, that the Committee on Appointments and Briefings meet with a Representative from the Administration, Tax Title Attorney Blair Bailey and City Treasurer Renee Fernandes-Abbott to discuss the new Side Yard Program that was announced earlier this week, which in this Councillor's opinion is a duplication of the Abutter's Lot Program that has been in place since the 1990's with every Administration utilizing said program; and further, that Tax Title Attorney Bailey provide the City Council with a list of abutting lots that were sold

between the time of the implementation of the Abutter's Lot Program to present time, along with an explanation from the Administration as to why the City Council wasn't notified of the change of said program.

Rule 42 Waived – Yeas 11, Nays 0.

Referred to the Committee on Appointments and Briefings. (#0857)

The Council then returned to the regular order of business.

HEARING, on NSTAR ELECTRIC COMPANY, Inc., for the location of two (2) 4" Conduits and one (1) 45"x45"x36" Handhole in COTTAGE STREET, North of Court Street.

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

No One Opposed; Hearing closed.

Petition Placed on File. (#0858)

ORDER,

Adopted and ordered recorded in Book of Location Order Records – Yeas 10, Nays 1. (Councillor Gonsalves not present for vote.)

Presented to the Mayor for approval May 28, 2013.

Approved June 10, 2013. (#0859)

HEARING, on NSTAR ELECTRIC COMPANY, Inc., for the location of one (1) 45"x45"x36" Handhole in STATE STREET, South of Maxfield Street.

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

No One Opposed; Hearing closed.

Petition Placed on File. (#0860)

ORDER,

Adopted and ordered recorded in Book of Location Order Records – Yeas 10, Nays 1. (Councillor Gonsalves not present for vote.)

Presented to the Mayor for approval May 28, 2013.

Approved June 10, 2013. (#0861)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, *Amending* the Order adopted by the City Council on June 28, 2012, and signed by the Mayor on July 03, 2012, which in accordance with M.G.L. Chapter 44, Section 53E½, authorized the Revolving Fund under the control of the Department of Public Facilities, known as the

QUEST CENTER REVOLVING FUND, whose purpose is a focus for entrepreneurial training and location for business start-up activities, etc., to be limited at **\$104,507.00**, is hereby authorized at **\$120,507.00** for FISCAL YEAR 2013.

Received and Placed on File.

(#0862)

CITY OF NEW BEDFORD
IN CITY COUNCIL
MAY 23, 2013

ORDER, *amending* the Order adopted by the City Council on June 28, 2012, and signed by the Mayor on July 03, 2012, which in accordance with M.G.L. Chapter 44, Section 53E ½, authorized the Revolving Fund under the control of the Department of Public Facilities, known as the Quest Center Revolving whose purpose is to provide a focus for entrepreneurial training and location for business start up activities, etc., to be limited at **\$104,507.00**, is hereby authorized at **\$120,507.00** for FISCAL YEAR 2013.

Adopted – Yeas 11, Nays 0.

Presented to the Mayor for approval May 28, 2013.

Approved June 10, 2013.

(#0863)

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.

Tabled. (Councillors Bousquet and Oliveira OPPOSED.)

Removed from the Table – All Ayes.

Tabled – April 25, 2013.

Removed from the Table and NO FURTHER ACTION TAKEN.

(#0670)

ORDER,

Rule 42 Waived – Yeas 9, Nays 0. (Councillors Bousquet and Lopes not present for vote.)

Referred to the Committee on Finance – March 27, 2013.

Tabled. (Councillors Bousquet and Oliveira OPPOSED.)

Removed from the Table – All Ayes.

Tabled – April 25, 2013.

Removed from the Table and NO FURTHER ACTION TAKEN.

(#0453)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, for the TRANSFER of \$3,500,000.00 from FREE CASH to SCHOOL, SALARIES & WAGES. (This ORDER replaces the Order submitted on 3/27/13 in the amount of \$2,000,000.00, and addresses the School Department’s projected FY 2013 deficit in its entirety. TABLED April 25, 2013.)

TABLED – Yeas 9, Nays 2. (Councillors Gonsalves and Bousquet OPPOSED.)

(#0864)

ORDER,

TABLED – Yeas 9, Nays 2. (Councillors Gonsalves and Bousquet OPPOSED.)

(#0865)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$500.00 from COMMUNITY SERVICES, SALARIES & WAGES, to COMMUNITY SERVICES, SUPPLIES & MATERIALS.

Received and Placed on File.

(#0866)

CITY OF NEW BEDFORD

IN CITY COUNCIL

MAY 23, 2013

ORDERED: that the sum of FIVE HUNDRED DOLLARS (\$500.00) now standing to the credit of the account from COMMUNITY SERVICES, SALARIES AND WAGES be and the same is hereby transferred and appropriated to as follows:

COMMUNITY SERVICES, SUPPLIES AND MATERIALS.....\$500.00

To be certified and approved by the Department Head.

Adopted.

Presented to the Mayor for approval May 28, 2013.

Approved May 29, 2013.

(#0867)

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

Received and Placed on File.

(#0868)

CITY OF NEW BEDFORD

IN CITY COUNCIL

MAY 23, 2013

ORDERED: that the sum of FOUR THOUSAND DOLLARS (\$4,000.00) now standing to the credit of the account from COMMUNITY SERVICES, SALARIES AND WAGES be and the same is hereby transferred and appropriated to as follows:

COMMUNITY SERVICES, CHARGES AND SERVICES.....\$4,000.00

To be certified and approved by the Department Head.

Adopted.

Presented to the Mayor for approval May 28, 2013.

Approved May 29, 2013.

(#0869)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$1,200.00 from ELECTIONS, CHARGES & SERVICES, to ELECTIONS, SUPPLIES & MATERIALS.

Received and Placed on File. (#0870)

CITY OF NEW BEDFORD
IN CITY COUNCIL
MAY 23, 2013

ORDERED: that the sum of ONE THOUSAND, TWO HUNDRED DOLLARS (\$1,200.00) now standing to the credit of the account from ELECTIONS, CHARGES AND SERVICES be and the same is hereby transferred and appropriated to as follows:

ELECTIONS, SUPPLIES AND MATERIALS..... \$1,200.00

To be certified and approved by the Department Head.

Adopted.

Presented to the Mayor for approval May 28, 2013.

Approved May 29, 2013. (#0871)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$172,000.00 from GENERAL GOVERNMENT UNCLASSIFIED, CHARGES & SERVICES, to SNOW, CHARGES & SERVICES.

Received and Placed on File. (#0872)

CITY OF NEW BEDFORD
IN CITY COUNCIL
MAY 23, 2013

ORDERED: that the sum of ONE HUNDRED SEVENTY TWO THOUSAND DOLLARS (\$172,000.00) now standing to the credit of the account from GENERAL GOVERNMENT UNCLASSIFIED, CHARGES AND SERVICES be and the same is hereby transferred and appropriated to as follows:

SNOW, CHARGES AND SERVICES.....\$172,000.00

To be certified and approved by the Department Head.

Adopted – Yeas 11, Nays 0.

Presented to the Mayor for approval May 28, 2013.

Approved May 29, 2013. (#0873)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$150,000.00 from GENERAL GOVERNMENT UNCLASSIFIED, CHARGES & SERVICES, to EMS, SALARIES & WAGES.

Received and Placed on File.

(#0874)

 CITY OF NEW BEDFORD
 IN CITY COUNCIL
 MAY 23, 2013

ORDERED: that the sum of ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000.00) now standing to the credit of the account from GENERAL GOVERNMENT UNCLASSIFIED, CHARGES AND SERVICES be and the same is hereby transferred and appropriated to as follows:

EMS, SALARIES AND WAGES.....\$150,000.00

To be certified and approved by the Department Head.

Adopted – Yeas 11, Nays 0.

Presented to the Mayor for approval May 28, 2013.

Approved May 29, 2013.

(#0875)

 COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$10,000.00 from FIRE, SALARIES & WAGES, to FIRE, CHARGES & SERVICES.

Received and Placed on File.

(#0876)

 CITY OF NEW BEDFORD
 IN CITY COUNCIL
 MAY 23, 2013

ORDERED: that the sum of TEN THOUSAND DOLLARS (\$10,000.00) now standing to the credit of the account from FIRE, SALARIES AND WAGES be and the same is hereby transferred and appropriated to as follows:

FIRE, CHARGES AND SERVICES.....\$10,000.00

To be certified and approved by the Department Head.

Adopted.

Presented to the Mayor for approval May 28, 2013.

Approved May 29, 2013.

(#0877)

 COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$1,903,112.00 from FREE CASH, to STABILIZATION FUND.

Received and Placed on File.

(#0878)

 CITY OF NEW BEDFORD
 IN CITY COUNCIL
 MAY 23, 2013

ORDERED: that the sum of ONE MILLION NINE HUNDRED THREE THOUSAND, ONE HUNDRED AND TWELVE DOLLARS (\$1,903,112.00) now standing to the credit of the account from FREE CASH be and the same is hereby transferred and appropriated to as follows:

STABILIZATION FUND..... \$1,903,112.00

To be certified and approved by the Department Head.

Adopted – Yeas 9, Nays 2. (Councillors Coelho and Alves OPPOSED.)

Presented to the Mayor for approval May 28, 2013.

Approved May 29, 2013. (#0879)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$2,300.00 from FIRE CODE ENFORCEMENT, RESERVE FOR APPROPRIATION, to FIRE, SUPPLIES & MATERIALS.

Received and Placed on File. (#0880)

CITY OF NEW BEDFORD
IN CITY COUNCIL
MAY 23, 2013

ORDERED: that the sum of TWO THOUSAND THREE HUNDRED DOLLARS (\$2,300.00) now standing to the credit of the account from FIRE CODE ENFORCEMENT, RESERVE FOR APPROPRIATION be and the same is hereby transferred and appropriated to as follows:

FIRE, SUPPLIES AND MATERIALS.....\$2,300.00

To be certified and approved by the Department Head.

Adopted.

Presented to the Mayor for approval May 28, 2013.

Approved May 29, 2013. (#0881)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$700.00 from FIRE CODE ENFORCEMENT, RESERVE FOR APPROPRIATION, to FIRE, CAPITAL OUTLAY.

Received and Placed on File. (#0882)

CITY OF NEW BEDFORD
IN CITY COUNCIL
MAY 23, 2013

ORDERED: that the sum of SEVEN HUNDRED DOLLARS (\$700.00) now standing to the credit of the account from FIRE CODE ENFORCEMENT, RESERVE FOR APPROPRIATION be and the same is hereby transferred and appropriated to as follows:

FIRE, CAPITAL OUTLAY.....\$700.00

To be certified and approved by the Department Head.

Adopted.

Presented to the Mayor for approval May 28, 2013.

Approved May 29, 2013. (#0883)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$300.00 from ASSESSORS, CHARGES & SERVICES to ASSESSORS, SUPPLIES & MATERIALS.

Received and Placed on File. (#0884)

CITY OF NEW BEDFORD

IN CITY COUNCIL

MAY 23, 2013

ORDERED: that the sum of THREE HUNDRED DOLLARS (\$300.00) now standing to the credit of the account from ASSESSORS, CHARGES AND SERVICES be and the same is hereby transferred and appropriated to as follows:

ASSESSORS, SUPPLIES AND MATERIALS..... \$300.00

To be certified and approved by the Department Head.

Adopted.

Presented to the Mayor for approval May 28, 2013.

Approved May 29, 2013. (#0885)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDINANCE, Amending Chapter 20, Planning and Development, by striking said Chapter in its entirety and inserting a new Chapter 20, Department of Planning and Community Development.

Referred to the Committee on Ordinances. (#0886)

ORDINANCE, Amending Chapter 20, Planning and Development, by striking said Chapter in its entirety and inserting a new Chapter 20, Department of Planning and Community Development.

Referred to the Committee on Ordinances. (#0887)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDINANCE, Amending Chapter 2, Article XX, by striking Article XX in its entirety and inserting in place thereof, Article XX, Department of Facilities and Fleet Management.

Referred to the Committee on Ordinances. (#0888)

ORDINANCE, Amending Chapter 2, Article XX, by striking Article XX in its entirety and inserting in place thereof, Article XX, Department of Facilities and Fleet Management.

Referred to the Committee on Ordinances. (#0889)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDINANCE, Amending Chapter 2, Article XXI, Department of Public Infrastructure, by striking the Article in its entirety and inserting in place thereof, Article XXI, Public Infrastructure Department.

Referred to the Committee on Ordinances. (#0890)

ORDINANCE, Amending Chapter 2, Article XXI, Department of Public Infrastructure, by striking the Article in its entirety and inserting in place thereof, Article XXI, Public Infrastructure Department.

Referred to the Committee on Ordinances. (#0891)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDINANCE, Amending Chapter 22, Article I, Section 22, Streets, Sidewalks and Other Public Ways; Public Works, by striking “Public Facilities” from the end of the first sentence and inserting in place thereof “Public Infrastructure”.

Referred to the Committee on Ordinances. (#0892)

ORDINANCE, Amending Chapter 22, Article I, Streets, Sidewalks and Other Public Ways; Public Works, by striking “Public Facilities” from the end of the first sentence and inserting in place thereof “Public Infrastructure”.

Referred to the Committee on Ordinances. (#0893)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDINANCE, Amending Chapter 19, Section 19-7(c) PERSONNEL, by striking “Commissioner of Public Infrastructure M-14” and inserting in place thereof “Commissioner of Public Infrastructure M-17” and inserting “Deputy Commissioner Public Infrastructure M-14”, “Director of Facilities and Fleet Management M-14”, Director of Planning and Community Development M-16”, “Life Support Specialist M-C” at the end of the Section.

Referred to the Committee on Ordinances. (#0894)

ORDINANCE, Amending Chapter 19, Section 19-7(c) PERSONNEL, by striking “Commissioner of Public Infrastructure M-14” and inserting in place thereof “Commissioner of Public Infrastructure M-17” and inserting “Deputy Commissioner Public Infrastructure M-14”, “Director of Facilities and Fleet Management M-14”, Director of Planning and Community Development M-16”, “Life Support Specialist M-C” at the end of the Section.

Referred to the Committee on Ordinances. (#0895)

COMMUNICATION, Mayor Mitchell, to City Council, submitting a SEWER ABATEMENT REQUEST for JAMES BRAMWELL, 469 Sawyer Street, New Bedford, MA, Account Number 026837A, in the amount of \$298.80.

Abatement Granted.

Presented to the Mayor for approval May 28, 2013.

Approved June 10, 2013. (#0896)

COMMUNICATION, Mayor Mitchell, to City Council, submitting a ONE-YEAR WAIVER OF RESIDENCY for DR. PATRICIA L. ANDRADE, South Dartmouth, MA 02748, to the BOARD OF HEALTH; Dr. Andrade's current waiver expired March 11, 2012.

One-Year Waiver of Residency Granted – Yeas 10, Nays 1. (Councillor Bousquet OPPOSED.)

Presented to the Mayor for approval May 28, 2013.

Approved June 10, 2013. (#0897)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the RE-APPOINTMENT of JAMES MATHES, New Bedford, MA 02740, to the ZONING BOARD OF APPEALS; this term will expire in December 2017.

Rule 38 Waived and Reappointment Confirmed – Yeas 11, Nays 0. (#0898)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the RE-APPOINTMENT of MARTHA BOUCHARD, New Bedford, MA 02740, to the COMMISSION FOR CITIZENS WITH DISABILITIES; this term will expire in May 2016.

Rule 38 Waived and Reappointment Confirmed – Yeas 11, Nays 0. (#0899)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the RE-APPOINTMENT of KERI COX, New Bedford, MA 02740, to the HISTORICAL COMMISSION; this term will expire in February 2016.

Rule 38 Waived and Reappointment Confirmed – Yeas 11, Nays 0. (#0900)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the RE-APPOINTMENT of PATRICIA A. COSTA, New Bedford, MA 02745, to the COUNCIL ON AGING; this term will expire November 2015.

Rule 38 Waived and Reappointment Confirmed – Yeas 11, Nays 0. (#0901)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the RE-APPOINTMENT of CELESTE PALEOLOGOS, New Bedford, MA 02746, to the ELECTION COMMISSION; this term will expire April 2017.

Rule 38 Waived and Reappointment Confirmed – Yeas 11, Nays 0. (#0902)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the RE-APPOINTMENT of WILLIAM DO CARMO, New Bedford, MA 02740, to the ELECTION COMMISSION; this term will expire April 2017.

Rule 38 Waived and Reappointment Confirmed – Yeas 11, Nays 0. (#0903)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the RE-APPOINTMENT of INEZ MELLO, New Bedford, MA 02745, to the COUNCIL ON AGING; this term will expire November 2013.

Rule 38 Waived and Reappointment Confirmed – Yeas 11, Nays 0. (#0904)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the RE-APPOINTMENT of STANLEY OCIESA, New Bedford, MA 02740, to the COUNCIL ON AGING; this term will expire November 2015.

Rule 38 Waived and Reappointment Confirmed – Yeas 11, Nays 0. (#0905)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the RE-APPOINTMENT of DR. PATRICIA L. ANDRADE, South Dartmouth, MA 02748, to the BOARD OF HEALTH; this term will expire February 2016.

Motion made to Refer to the Committee on Appointments and Briefings FAILED – Yeas 1, Nays 10. (Councillor Bousquet IN FAVOR.)

Rule 38 Waived and Reappointment Confirmed – Yeas 10, Nays 1. (Councillor Bousquet OPPOSED.)

(#0906)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of LIONEL DUARTE, East Freetown, MA 02717, as a SPECIAL POLICE OFFICER.

Received and Placed on File. (#0907)

APPLICATION, LIONEL DUARTE, East Freetown, MA 02717, for REAPPOINTMENT as a SPECIAL POLICE OFFICER.

Appointment made and confirmed – Yeas 11, Nays 0. (#0908)

ORDINANCE, Amending Chapter 2, Section 2-61 – RELATIVE TO THE CLERK OF COMMITTEES AND THE CITY CLERK.

Passed to a Second Reading and Referred to the Committee on Ordinances in its Second Reading Stage – Yeas 10, Nays 1. (Councillor Gonsalves OPPOSED.) – December 20, 2012.

Motion was made to strike the words in (j) “shall cooperate and assist the City Clerk” and insert thereof “and City Clerk shall work in cooperation” – Yeas 9, Nays 1. (Councillor Gonsalves OPPOSED and Councillor Gomes not present for vote.)

Passed to a Second Reading as Amended – May 09, 2013.

Passed, to be Ordained – Yeas 10, Nays 1. (Councillor Gonsalves OPPOSED.)

Rule 40 Waived – Yeas 10, Nays 1. (Councillor Gonsalves OPPOSED.)

Presented to the Mayor for approval May 24, 2013.

RETURNED UNSIGNED June 07, 2013. (#2139)

REPORT, Committee on Ordinances, recommending to the City Council, that it REJECT the Mayor’s request for AN ORDINANCE, amending Chapter 9, Section 4000, by adding a new Section 4700A, Interim Regulations for Medical Marijuana Dispensaries, which will establish a moratorium to allow New Bedford time to consider whether to allow facilities associated with the medical use of marijuana.

Recommendation Followed. (#0909)

ORDINANCE, Amending Chapter 9, Zoning Relative to Interim Regulations for Medical Marijuana Dispensaries.

Referred to the Committee on Ordinances – March 14, 2013.

Rejected the Mayor’s request for a moratorium on the Medical Marijuana Dispensaries – Yeas 10, Nays 1.
(Councillor Lopes OPPOSED.)

Rule 40 Waived – Yeas 11, Nays 0. (#0399)

REPORT, Committee on Ordinances, recommending to the City Council, ADOPTION of the ORDINANCE, Relative to Pawnbrokers – Establishment. This Ordinance is subject to the Planning Board holding a Public Hearing.

Recommendation Followed. (#0910)

ORDINANCE, Relative to Pawnbroker Establishments.

Referred to the Committee on Ordinances and the Planning Board – March 27, 2013.

Passed, to a Second Reading. (#0451)

REPORT, Special Committee on the Feasibility of Creating a Dog Park, relative to recommending to the City Council the Criteria and Rules for a potential Dog Park in the City of New Bedford for approval and affirmative recommendation to the Mayor for an executive decision and action. (Suggested Criteria and Rules for a Dog Park in the City of New Bedford enclosed.)

Recommendation Followed and Referred to the Mayor.

Presented to the Mayor for approval May 28, 2013.

RETURNED UNSIGNED June 10, 2013. (#0911)

WRITTEN MOTION, Council President Duarte, requesting, that the City Council WAIVE RULE 27, IN ORDER TO HOLD BUDGET INTERVIEW SESSIONS on TUESDAY, JUNE 04, 2013, WEDNESDAY, JUNE 05, 2013 and THURSDAY, JUNE 06, 2013.

Adopted – Yeas 10, Nays 1. (Councillor Saunders OPPOSED.) (#0912)

WRITTEN MOTION, Councillor Bousquet, requesting, that the City Council place a moratorium on citing anything student centered at the Parker Street Waste site and encourage green space development in the interest of public safety. (To be Referred to the Mayor’s Office and the Committee on Ordinances.)

Referred to the Mayor and the Committee on Ordinances.

Presented to the Mayor for approval May 28, 2013.

RETURNED UNSIGNED June 10, 2013. (#0913)

WRITTEN MOTION, Councillors Lopes *and Gomes*, requesting that the State of Massachusetts Registry of Motor Vehicles update the current Moped Law, that would require all owners and operators of a Moped/Scooter registered in the Commonwealth of Massachusetts to carry liability insurance; and further, requesting that the State of Massachusetts Registry of Motor Vehicles amend the current fine for riding an unregistered moped from \$100.00 that it is currently, to \$250.00. (To be Referred to the Massachusetts Department of Transportation (MassDOT), Attention Richard A. Davey, Secretary of Transportation, and Chief Executive Officer.)

Rule 17 Waived – Yeas 11, Nays 0.

Adopted.

(#0914)

WRITTEN MOTION, Councillors Lopes, Martins, Lawrence, Bousquet, Gonsalves, Alves, Saunders, Coelho, Council President Duarte, and Councillor Gomes, requesting, that the New Bedford School Committee and/or New Bedford School Department provide the New Bedford City Council with a complete listing of each School Department account that is currently in a deficit or will be in a deficit by the end of the 2013 Fiscal Year; and further, requesting that said information be presented to the New Bedford City Council within five (5) business days.

Referred to the New Bedford School Committee / New Bedford School Department.

Presented to the Mayor for approval May 28, 2013.

RETURNED UNSIGNED June 10, 2013.

(#0915)

WRITTEN MOTION, Councillor Coelho, requesting, that in light of the two recent incidents where the theft of copper resulted in dangerous house fires, that the Committee on Ordinances revisit the existing Ordinances, Chapter 15, Licenses and Permits; Business Regulations, Sections 33-51, in order to strengthen the guidelines and the enforcement of same; and further, requesting that a representative from the Police Department attend a Committee on Appointments and Briefings meeting to inform the Council as to what is being done in other communities regarding this problem. (To be Referred to the Committee on Appointments and Briefings.)

Referred to the Committee on Appointments and Briefings and the Committee on Ordinances.

(#0916)

WRITTEN MOTION, Councillor Coelho, requesting, that after the recent vandalism to the historic century old Whaleman statue in front of the Downtown Main Public Library, that the City move to install surveillance cameras at the Downtown Bus Station, City Hall and the Main Public Library and that these cameras should be equipped with a live feed to the Police Station, in an effort to provide higher security to the Downtown area. (To be Referred to the Mayor's Office, the Police Department and the Committee on Public Safety and Neighborhoods.)

Referred to the Mayor's Office, the Police Department and the Committee on Public Safety and Neighborhoods.

Presented to the Mayor for approval May 28, 2013.

RETURNED UNSIGNED June 10, 2013.

(#0917)

RELATED MOTION, Councillor Gonsalves, requesting, yet again, that the Mayor remove the ugly, heinous, unhistorical, offensive fence around the Bela Lyon Pratt statue, "The Whaleman", outside of the Downtown Main Free Public Library, whose one-hundredth anniversary celebration is coming up on June 20, 2013, this Councillor would like the fence removed before the celebration and so would the sculptors descendant's, who will be in New Bedford for the tribute.

Referred to the Mayor.

Presented to the Mayor for approval May 28, 2013.

Approved June 10, 2013. (#0918)

WRITTEN MOTION, Council President Duarte, requesting, on behalf of Bill Lacey, that the following street(s) be CLOSED: WILLIAM STREET, from North Second Street to Bethel Street / Johnny Cake Hill, ON FRIDAY, JUNE 14, 2013, from 9:00 A.M. to 12:00 P.M. (NOON), for the purpose of a Flag Day Ceremony and a School Band Concert.

Permission Granted.

Presented to the Mayor for approval May 28, 2013.

Approved June 10, 2013. (#0919)

WRITTEN MOTION, Councillor Alves, requesting, on behalf of the Feast of the Blessed Sacrament Committee, that the following street(s) be CLOSED: BROOKLAWN STREET, from Ashley Boulevard to Acushnet Avenue; ACUSHNET AVENUE, from Wood Street to Earle Street; EARLE STREET, from Acushnet Avenue to Madeira Avenue; MADEIRA AVENUE, from Earle Street to Tinkham Street, ON SUNDAY, AUGUST 04, 2013, FROM 10:00 A.M. TO 4:00 P.M., for the purpose of THE FEAST OF THE BLESSED SACRAMENT ANNUAL PARADE.

Permission Granted.

Presented to the Mayor for approval May 28, 2013.

Approved June 10, 2013. (#0920)

WRITTEN MOTION, Councillor Alves, requesting, on behalf of the Feast of the Blessed Sacrament Committee, that the following street(s) be CLOSED: EARLE STREET, from Acushnet Avenue to Madeira Avenue, ON: THURSDAY, AUGUST 01, 2013, FROM: 5:00 P.M. TO 5:30 P.M., for the purpose of THE FEAST COMMITTEE TO MARCH FROM THE MADEIRA CLUB PARKING LOT TO THE IMMACULATE CONCEPTION CHURCH FOR BLESSING OF COMMITTEE MEMBERS PRIOR TO START OF FEAST.

Permission Granted.

Presented to the Mayor for approval May 28, 2013.

Approved June 10, 2013. (#0921)

WRITTEN MOTION, Councillor Alves, requesting, on behalf of the Feast of the Blessed Sacrament Committee, that the following street(s) be CLOSED: EARLE STREET, from Madeira Avenue to Belleville Avenue for a distance of 300 feet, ON SUNDAY, AUGUST 04, 2013, FROM 10:00 A.M. TO 4:00 P.M., for the purpose of: PARKING OF

LARGE TRAILER TRUCKS, WHICH WILL BE USED IN THE FEAST OF THE BLESSED SACRAMENT PARADE, AND WHICH ARE UNABLE TO MAKE THE TURN ONTO MADEIRA AVENUE. NOTE: REQUESTING THAT THE DPF PROVIDE STREET CLOSURE BARRELS. (NOTE: CLOSURE TO BE “USED AS NEEDED”).

Permission Granted.

Presented to the Mayor for approval May 28, 2013.

Approved June 10, 2013. (#0922)

WRITTEN MOTION, Councillor Alves, requesting, on behalf of the Feast of the Blessed Sacrament Committee, that the following street(s) be CLOSED: EARLE STREET, from North Front Street to Belleville Avenue; MADEIRA AVENUE, from Davis Street to Tinkham Street; HATHAWAY STREET, from North Front Street to Funchal Place (Hope Street); FUNCHAL PLACE (Hope Street), from Hathaway Street to Tinkham Street; TINKHAM STREET, from Madeira Avenue to Funchal Place (Hope Street); BELLEVILLE AVENUE, from mid-way point in front of Ottiwell School Playground to Hathaway Street, ON THURSDAY, AUGUST 01, 2013, 8:00 A.M. THROUGH SUNDAY, AUGUST 04, 2013, MIDNIGHT, for the Purpose of: THE ANNUAL FEAST OF THE BLESSED SACRAMENT.

Permission Granted.

Presented to the Mayor for approval May 28, 2013.

Approved June 10, 2013. (#0923)

WRITTEN MOTION, Councillor Alves, requesting, on behalf of the Feast of the Blessed Sacrament Committee, that the following street(s) be CLOSED: BELLEVILLE AVENUE (starting at Hathaway Street – near Sunshine Donuts) North to Wood Street; WOOD STREET, West from Belleville Avenue to Acushnet Avenue; ACUSHNET AVENUE, South to Brooklawn Street; BROOKLAWN STREET, West to Ashley Boulevard; ASHLEY BOULEVARD, South to Irvington Street; IRVINGTON STREET, East to Acushnet Avenue; ACUSHNET AVENUE, South to Earle Street; EARLE STREET, East to Madeira Avenue; MADEIRA AVENUE, North to Madeira Field, ON SATURDAY, AUGUST 03, 2013 – FROM 10:00 A.M. TO 1:00 P.M., NOTE: REQUESTING THAT THE DPF PROVIDE STREET CLOSURE BARRELS AND THAT THE DPI SWEEP THE STREETS NOTED ABOVE PRIOR TO THE ROAD RACE IN THE INTEREST OF THE RUNNERS’ SAFETY, for the Purpose of: FEAST OF THE BLESSED SACRAMENT ANNUAL ROAD RACE. NOTE: TO BE IMPLEMENTED WHERE, WHEN AND AS REQUIRED TO ENSURE THE PUBLIC’S SAFETY AND TO EXPEDITE THE EVENT.

Permission Granted.

Presented to the Mayor for approval May 28, 2013.

Approved June 10, 2013. (#0924)

WRITTEN MOTION, Councillor Bousquet, requesting, on behalf of SouthCoast Equality Pride, that the following street(s) be CLOSED: KENYON STREET, from Belleville Avenue to North Front Street, ON SATURDAY, JUNE 22, 2013, FROM 12:00 P.M. (NOON) TO 10:00 P.M., for the purpose of the Fifth Annual SouthCoast Equality Pride Day Block Party.

Permission Granted.

Presented to the Mayor for approval May 28, 2013.

Approved June 10, 2013. (#0925)

WRITTEN MOTION, Council President Duarte, requesting, on behalf of the Zeiterion Theatre, that the following street(s) be CLOSED: SPRING STREET, from Purchase Street to Acushnet Avenue, (Alongside the Zeiterion Theatre), FROM: 6:00 A.M. ON THURSDAY, JUNE 27, 2013, THROUGH 2:00 A.M. ON FRIDAY, JUNE 28, 2013, for the purpose of unloading equipment for the performance of "David Byrne and St. Vincent".

Permission Granted.

Presented to the Mayor for approval May 28, 2013.

Approved June 10, 2013. (#0926)

WRITTEN MOTION, Council President Duarte, requesting, on behalf of the Bisca Club, that the following street(s) be CLOSED: WING STREET, from Purchase Street to Acushnet Avenue, ON SATURDAY, JULY 06, 2013, FROM 8:00 A.M. TO 5:00 P.M., for the purpose of Cape Verdean Recognition Week Activities.

Permission Granted.

Presented to the Mayor for approval May 28, 2013.

Approved June 10, 2013. (#0927)

WRITTEN MOTION, Councillor Saunders, requesting, on behalf of Mr. John Silva, that the following street(s) be CLOSED: ACUSHNET AVENUE, from Russell Street South to Bedford Street, ON SATURDAY, JULY 06, 2013, FROM 11:00 A.M. TO 6:00 P.M.; and further, that this area be closed as soon as the Cape Verdean Recognition Parade Passes said area and remain closed until 8:00 P.M., for the purpose of the Cape Verdean Recognition Day Basketball Shoot Out "Remembering Amilcar Cabral."

Permission Granted.

Presented to the Mayor for approval May 28, 2013.

Approved June 10, 2013. (#0928)

WRITTEN MOTION, Councillor Alves, requesting, on behalf of The Cape Verdean-American Veterans, that the following street(s) be CLOSED: PURCHASE STREET, from Madison Street to School Street, ON SATURDAY, JULY 06, 2013, FROM 11:00 A.M. TO 11:00 P.M., for the purpose of A Block Party.

Permission Granted.

Presented to the Mayor for approval May 28, 2013.

Approved June 10, 2013. (#0929)

WRITTEN MOTION, Councillor Gomes and Council President Duarte, requesting, on behalf of the Cape Verdean Recognition Committee, that the following street(s) be CLOSED: PURCHASE STREET, between Madison

Street and Walnut Street (In Front of Cape Verdean-American Veterans Hall – 561 Purchase Street) ON: SATURDAY, JULY 06, 2013, FROM: 11:00 A.M. TO 7:00 P.M., for the purpose of the Cape Verdean Recognition Day Festival.

Permission Granted.

Presented to the Mayor for approval May 28, 2013.

Approved June 10, 2013. (#0930)

WRITTEN MOTION, Councillor Gomes and Council President Duarte, requesting, on behalf of the Cape Verdean Parade Committee, that the following street(s) be CLOSED: JOLI GONSALVES WAY (formerly Cherry Street), from Sixth Street to Seventh Street, ON SATURDAY, JULY 06, 2013, FROM 8:00 A.M. TO 5:00 P.M. FURTHER NOTE: THAT NO PARKING BE ALLOWED ON BOTH SIDES OF THE STREET DURING THE SAME, and ACUSHNET AVENUE, between Wing Street and Grinnell Street, and WING STREET, between Purchase Street and Acushnet Avenue, ON SATURDAY, JULY 06, 2013, FROM 10:00 A.M. TO 9:30 P.M., for the purpose of Cape Verdean Recognition Week Activities.

Permission Granted.

Presented to the Mayor for approval May 28, 2013.

Approved June 10, 2013. (#0931)

WRITTEN MOTION, Councillor Gomes and Council President Duarte, requesting, on behalf of the Cape Verdean Recognition Committee, Inc., that the following street(s) be CLOSED: PLEASANT STREET, from Wing Street to Bedford Street, and BEDFORD STREET, from Pleasant Street to South Sixth Street, ON SATURDAY, JULY 06, 2013, from 8:00 A.M. to 10:00 P.M., for the purpose of the Cape Verdean Recognition Committee, Inc.'s Carnival.

Permission Granted.

Presented to the Mayor for approval May 28, 2013.

Approved June 10, 2013. (#0932)

RELATED MOTION, Councillor Lawrence, requesting, under the Rules of Order of the New Bedford City Council, that when a Councillor makes a recommendation to waive a reading and delegate what they want done, that whatever item waived should be part of the ending credits of the City Council Meeting on Cable Access, so that viewers may be given information on what items the Council waived the reading on. (To be Referred to the Committee on Appointments and Briefings.)

Referred to the Committee on Appointments and Briefings. (#0933)

COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of **Noel P. Ciminello, 22 Shannon Way, North Dartmouth, MA 02747 d/b/a/ YES! WE VAN LLC., 167 Butler 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. (#0934)

COMMUNICATION, Jean Fox, South Coast Rail Project Manager and Victoria Maguire, State Permit Ombudsman, Executive Office of Housing and Economic Development, to City Council, regarding FY2014 Technical Assistance funding to implement the goals and objectives of the South Coast Rail Land Use and Economic Development Corridor Plan. (Copy all Councillors 05/08/2013.)

Received and Placed on File. (#0935)

COMMUNICATION, State Representative Christopher M. Markey, to City Council, submitting copy of amended House Bill 3415, "An Act Relative to Transportation Finance", regarding the South Coast Rail Project. (Copies provided to all Councillors 05/17/13 – To be Received and Placed on File.)

Received and Placed on File. (#0936)

COMMUNICATION, Joseph Grivers, Vice-President, Massachusetts Development Finance Agency, to City Council, submitting letter notifying of the preliminary approval of a revenue bond on behalf of the High Point Treatment Center, Inc., project located in New Bedford. (Copies provided to all Councillors 05/20/13.)

Received and Placed on File. (#0937)

WRITTEN MOTION, Councillor Lawrence, requesting, on behalf of the resident of 162 Plymouth Street, that a "STOP SIGN" be placed at the intersection of Plymouth Street and Whittier Street, on the Plymouth Street side.

Referred to the Traffic Commission. (#0938)

WRITTEN MOTION, Councillor Gomes, requesting, that the Department of Inspectional Services, take immediate action on the property located at the northeast corner of Apponagansett and Swan Streets, that the property owners clean up said lot which has been littered with debris such as old grass and garbage and has become a nuisance to the neighbors who live on Swan Street; and requesting, if the property is not cleaned up by the owners that the City clean up the property and place a lien on said lot. (To be Referred to the Department of Inspectional Services.)

Referred to the Department of Inspectional Services.

Presented to the Mayor for approval May 28, 2013.

Approved June 10, 2013. (#0939)

WRITTEN MOTION, Councillor Gomes, requesting, on behalf of the neighbors in the area of Cedar Street and Maxfield Street, that the Traffic Commission install a "STOP SIGN" on the northeast corner of Maxfield Street, stopping traffic in a westerly direction on Maxfield Street, creating a three-way stop to this area, which residents of this thickly settled area have complained that the traffic travels through this location at high rates of speed with no stopping, as cars approach this intersection. (To be Referred to the Traffic Commission.)

Referred to the Traffic Commission. (#0940)

WRITTEN MOTION, Councillor Gomes, requesting, that the City look into the railroad crossing located on Nash Road, just west of Church Street, to ensure that the railroad crossing lights and traffic barriers are working properly, due to the fact that this Councillor has received a complaint that the crossing lights and traffic barriers are not set in conjunction with the train as it approaches said area, which could make an unsafe and bad situation if not addressed. (To be Referred to the Department of Public Infrastructure.)

Referred to the Department of Public Infrastructure.

Presented to the Mayor for approval May 28, 2013.

Approved June 10, 2013. (#0941)

PETITION/INDEMNITY AGREEMENT, P & D MINI MART, for Permission to Erect and Maintain a Projecting, Illuminated, Double-sided sign at 114 Tallman Street, New Bedford, MA 02740. Provisionally Granted, subject to approval of the Building Commissioner and subject to Ratification by Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 28, 2013.

RETURNED UNSIGNED June 10, 2013. (#0942)

PETITION/INDEMNITY AGREEMENT, Guo Xin Chen d/b/a Sun Kitchen, Inc, for Permission to Erect and Maintain a Projecting sign at 535B Belleville Avenue, New Bedford, MA 02746. Provisionally Granted, subject to approval of the Building Commissioner and subject to Ratification by Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 28, 2013.

Approved June 10, 2013. (#0943)

CONSTABLE BOND, JAMES M. ANDRE, JR., 33 Beech Street, Acushnet, MA 02743, with Massachusetts Bay Insurance Company in the amount of \$5,000.00.

Approved.

Presented to the Mayor for approval May 28, 2013.

Approved June 10, 2013. (#0944)

MINUTES, Board of Assessors, submitting MINUTES of a meeting held on May 03, 2013.

Received and Placed on File.

(#0945)

APPLICATION, **Viola Roofing and Contracting**, for permission to maintain a STREET OBSTRUCTION at **62 County Street**, provisionally granted by the City Clerk on May 14, 2013, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 28, 2013.

Approved June 10, 2013.

(#0946)

APPLICATION, **Cardoso Contracting, Inc.**, for permission to maintain a STREET OBSTRUCTION at **30 Winterville Road**, provisionally granted by the City Clerk on May 10, 2013, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 28, 2013.

Approved June 10, 2013.

(#0947)

APPLICATION, **W.C. Smith and Son, Inc.**, for permission to maintain a STREET OBSTRUCTION at **430 W. Clinton Street**, provisionally granted by the City Clerk on May 10, 2013, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 28, 2013.

Approved June 07, 2013.

(#0948)

APPLICATION, **RJ Canessa Excavating**, for permission to maintain a STREET OBSTRUCTION at **193 Smith Street**, provisionally granted by the City Clerk on May 15, 2013, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 28, 2013.

Approved June 07, 2013.

(#0949)

APPLICATION, **Michael Andrade Excavating**, for permission to maintain a STREET OBSTRUCTION at **385 Lynn Street P127B/L143**, provisionally granted by the City Clerk on May 17, 2013, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 28, 2013.

Approved June 07, 2013.

(#0950)

APPLICATION, **JLC Construction**, for permission to maintain a STREET OBSTRUCTION at **345 Brooklawn Avenue P114/L73**, provisionally granted by the City Clerk on May 20, 2013, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 28, 2013.

Approved June 07, 2013. (#0951)

APPLICATION, **RJ Canessa Excavating**, for permission to maintain a STREET OBSTRUCTION at **183 Chancery Street**, provisionally granted by the City Clerk on May 20, 2013, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 28, 2013.

Approved June 07, 2013. (#0952)

APPLICATION, **Mirra Company Inc.**, for permission to maintain a STREET OBSTRUCTION at **39 Tarkiln Place**, provisionally granted by the City Clerk on May 21, 2013, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 28, 2013.

Approved June 07, 2013. (#0953)

APPLICATION, **Mirra Company Inc.**, for permission to maintain a STREET OBSTRUCTION at **Chaffee Street, between Church Street and Tarkiln Place**, provisionally granted by the City Clerk on May 21, 2013, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 28, 2013.

Approved June 07, 2013. (#0954)

APPLICATION, **J.M. Silva Builders Inc.**, for permission to maintain a STREET OBSTRUCTION at **114 Riverside Avenue P100/L123 (Whaler's Cove)**, provisionally granted by the City Clerk on May 21, 2013, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 28, 2013.

Approved June 07, 2013. (#0955)

APPLICATION, **Able Asphalt Inc.**, for permission to maintain a STREET OBSTRUCTION at **150 Bedford Street**, provisionally granted by the City Clerk on May 23, 2013, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 28, 2013.

Approved June 07, 2013.

(#0956)

APPLICATION, **Able Asphalt Inc.**, for permission to maintain a STREET OBSTRUCTION at **63 Ventura Lane**, provisionally granted by the City Clerk on May 23, 2013, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 28, 2013.

Approved June 07, 2013.

(#0957)

APPLICATION, **Able Asphalt Inc.**, for permission to maintain a STREET OBSTRUCTION at **1007 Monmouth Street**, provisionally granted by the City Clerk on May 23, 2013, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 28, 2013.

Approved June 07, 2013.

(#0958)

APPLICATION, **Able Asphalt Inc.**, for permission to maintain a STREET OBSTRUCTION at **1299 Rockdale Avenue**, provisionally granted by the City Clerk on May 23, 2013, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 28, 2013.

Approved June 07, 2013.

(#0959)

APPLICATION, **Cardoso Contracting Inc.**, to DISTURB THE SURFACE, of **30 Winterville Road**, provisionally granted by the City Clerk on May 10, 2013, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 28, 2013.

Approved June 07, 2013.

(#0960)

APPLICATION, **W.C. Smith and Son Inc.**, to DISTURB THE SURFACE, of **430 W. Clinton Street**, provisionally granted by the City Clerk on May 10, 2013, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 28, 2013.

Approved June 07, 2013.

(#0961)

APPLICATION, **RJ Canessa Excavating**, to DISTURB THE SURFACE, of **193 Smith Street**, provisionally granted by the City Clerk on May 15, 2013, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 28, 2013.

Approved June 07, 2013.

(#0962)

APPLICATION, **Michael Andrade Excavating**, to DISTURB THE SURFACE, of **385 Lynn Street P127B/L143**, provisionally granted by the City Clerk on May 17, 2013, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 28, 2013.

Approved June 07, 2013.

(#0963)

APPLICATION, **JLC Construction**, to DISTURB THE SURFACE, of **345 Brooklawn Avenue P114/L73**, provisionally granted by the City Clerk on May 20, 2013, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 28, 2013.

Approved June 07, 2013.

(#0964)

APPLICATION, **RJ Canessa Excavating**, to DISTURB THE SURFACE, of **183 Chancery Street**, provisionally granted by the City Clerk on May 20, 2013, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 28, 2013.

Approved June 07, 2013.

(#0965)

APPLICATION, **Mirra Company Inc.**, to DISTURB THE SURFACE, of **39 Tarkiln Place**, provisionally granted by the City Clerk on May 21, 2013, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 28, 2013.

Approved June 07, 2013.

(#0966)

APPLICATION, **Mirra Company Inc.**, to DISTURB THE SURFACE, of **Chaffee Street, between Church Street and Tarkiln Place**, provisionally granted by the City Clerk on May 21, 2013, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 28, 2013.

Approved June 07, 2013.

(#0967)

APPLICATION, **J.M. Silva Builders Inc.**, to DISTURB THE SURFACE, of **114 Riverside Avenue P100/L123 (Whaler's Cove)**, provisionally granted by the City Clerk on May 21, 2013, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 28, 2013.

Approved June 07, 2013. (#0968)

APPLICATION, **Able Asphalt Inc.**, to DISTURB THE SURFACE, of **150 Bedford Street**, provisionally granted by the City Clerk on May 23, 2013, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 28, 2013.

Approved June 07, 2013. (#0969)

APPLICATION, **Able Asphalt Inc.**, to DISTURB THE SURFACE, of **63 Ventura Lane**, provisionally granted by the City Clerk on May 23, 2013, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 28, 2013.

Approved June 07, 2013. (#0970)

APPLICATION, **Able Asphalt Inc.**, to DISTURB THE SURFACE, of **1007 Monmouth Street**, provisionally granted by the City Clerk on May 23, 2013, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 28, 2013.

Approved June 07, 2013. (#0971)

APPLICATION, **Able Asphalt Inc.**, to DISTURB THE SURFACE, of **1299 Rockdale Avenue**, provisionally granted by the City Clerk on May 23, 2013, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 28, 2013.

Approved June 07, 2013. (#0972)

APPLICATIONS, **NSTAR Gas Company**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on May 13, 2013, subject to ratification by the Mayor and City Council as follows:

168 Hemlock Street (#0973)

200 Coffin Avenue (#0974)

157 Fair Street (#0975)

88 Sidney Street (#0976)

79 Bates Street (#0977)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 28, 2013.

Approved June 07, 2013.

APPLICATIONS, **NSTAR Gas Company**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on May 14, 2013, subject to ratification by the Mayor and City Council as follows:

320 Belleville Road (#0978)

Intersection of Church Street and Belleville Road (#0979)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 28, 2013.

Approved June 07, 2013.

APPLICATION, **NSTAR Gas Company**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on May 17, 2013, subject to ratification by the Mayor and City Council as follows:

217 Cottage Street (#0980)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 28, 2013.

Approved June 07, 2013.

APPLICATIONS, **NSTAR Gas Company**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on May 21, 2013, subject to ratification by the Mayor and City Council as follows:

72 Rowe Street (#0981)

216 Summer Street (#0982)

Lot 768 June Street (#0983)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 28, 2013.

Approved June 07, 2013.

APPLICATIONS, **NSTAR Gas Company**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on May 23, 2013, subject to ratification by the Mayor and City Council as follows:

462 Loftus Street (#0984)

Duchaine Boulevard / Samuel Barnett Boulevard-Dead End (#0985)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 28, 2013.

Approved June 07, 2013.

APPLICATIONS, **ABC Disposal Service**, for permission to maintain a STREET OBSTRUCTION, provisionally granted by the City Clerk on April 11, 2013, subject to ratification by the Mayor and City Council as follows:

34 Ryan Street (#0986)

24 Margin Street	(#0987)
409 Elm Street	(#0988)
100 Bellevue Street	(#0989)
67 Howard Street	(#0990)
450 Church Street	(#0991)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 28, 2013.

Approved June 07, 2013.

On a motion, the Council then adjourned at 9:40 p.m.

ATTEST:

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