



***Council Meeting*** - Minutes  
**CITY COUNCIL CALENDAR**  
Chambers of the City Council Municipal Building  
**Thursday, June 27, 2013 - 7:13 p.m.**

View Agenda

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

LATE: No One.

ABSENT: No One.

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Council President Duarte called the meeting to order and presided.

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Reverend Kevin Harrington, St. Francis of Assisi Parish, led the Assembly in Prayer.

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David Alves, Councillor At Large led the Assembly in the Pledge of Allegiance to the Flag.

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CITATIONS, Councillors Martins and Lopes, honoring ADAM FINN, CHRISTIAN MCLEOD AND NATHAN ANDRADE, in recognition of their participation in the Saturday Academy Program and their emcee duties at the graduation ceremony.

Adopted.

(#1121)

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The following resolution honoring Paul D. Fay was presented by Council President Duarte.

CITY OF NEW BEDFORD

IN CITY COUNCIL

JUNE 27, 2013

**RESOLUTION HONORING PAUL D. FAY ON THE OCCASION OF  
HIS RETIREMENT AS PRINCIPAL OF THE JOHN A. PARKER ELEMENTARY SCHOOL**

**WHEREAS**, From 2003-2007, Paul D. Fay served as Middle School Principal and School Leader for the Global Learning Charter School, four of those five years at the Horace Mann Charter School; and

**WHEREAS**, During that period, the school grew to four hundred students, including a start-up High School component; and

**WHEREAS**, Paul D. Fay left New Bedford to take over the Falmouth Junior High School turnaround efforts under a new superintendent; and

**WHEREAS,** Paul D. Fay was hired as the Turnaround Principal for the John D. Parker Elementary School in September 2010 and began to work on an initial evaluation of the school and eventually a turnaround plan that was approved by the Department of Elementary and Secondary Education the following year; and

**WHEREAS,** Since that effort by Principal Fay, the Parker School has met all of its non-MCAS annual goals and received two favorable reports from visiting State teams on meeting the Essential Conditions for School Effectiveness as prescribed by the Department of Elementary and Secondary Education; and

**WHEREAS,** In the 2012 MCAS, the John A. Parker Elementary School moved to tenth place out of nineteen elementary schools for proficiency in Mathematics, and fourteenth place in ELA (English Language Arts); and

**WHEREAS,** The John A. Parker Elementary School had the highest student achievement growth rates in the district for Mathematics and the third highest in the English Language Arts category; and

**WHEREAS,** The Parker School was the first school to participate in the Saturday Academy Program, with Principal Fay supporting the program, welcoming staff to the school and attending the Saturday Academy Open Houses and Graduations; and

**WHEREAS,** During his tenure as Principal, Mr. Fay opened the school to the community and welcomed programs from ArtWorks!, the Art Museum, and Bristol Community College; and

**WHEREAS,** Principal Paul D. Fay's dedication and commitment to his students has been noted and admired by all of the other educators who have worked with him:

**NOW, THEREFORE, BE IT RESOLVED,** That the New Bedford City Council hereby honors **PAUL D. FAY ON THE OCCASION OF HIS RETIREMENT AS PRINCIPAL OF THE JOHN A. PARKER ELEMENTARY SCHOOL,** thanks him for his dedication to his profession, for the education and guidance he has provided to the children of the City of New Bedford, and wishes him a healthy and happy retirement.

Adopted.

(#1122)

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The following resolution honoring Eugene F. Sladewski was presented by Councillor Martins.

CITY OF NEW BEDFORD

IN CITY COUNCIL

JUNE 27, 2013

**RESOLUTION HONORING EUGENE F. SLADEWSKI ON THE OCCASION OF HIS RETIREMENT AS PRINCIPAL OF THE ABRAHAM LINCOLN ELEMENTARY SCHOOL**

**WHEREAS,** Eugene F. Sladewski is a graduate of New Bedford High School, Class of 1972, the last graduating class of the old New Bedford High School located on County Street; and

**WHEREAS,** Eugene F. Sladewski obtained a degree in Elementary Education from Bridgewater State College (now Bridgewater State University) in 1976, and earned a Master's Degree in Education from Cambridge College; and

**WHEREAS,** Eugene F. Sladewski's entire teaching and educational career has been spent working for the New Bedford Public Schools, beginning in September of 1976; and

**WHEREAS,** Eugene F. Sladewski has taught grades one, four, five and six, he also worked as a Title I Reading teacher, serving students in grades one through six; and

**WHEREAS,** In 1998, after many years in the classroom, Eugene F. Sladewski was appointed Principal of the Sarah D. Ottiwell School; and

**WHEREAS,** When the Sarah D. Ottiwell School closed in June 2010, Eugene F. Sladewski was appointed Principal of the new Abraham Lincoln Elementary School, the first elementary school built in New Bedford in over thirty-five years; and

**WHEREAS,** Two of Principal Sladewski's former students, Mrs. Lisa Andrade and Mrs. Lina DeJesus are now Principals themselves in the New Bedford School System and Mrs. DeJesus has been appointed as Mr. Sladewski's successor at the Abraham Lincoln Elementary School:

**WHEREAS,** As Principal of both the Ottiwell and Lincoln Schools, Eugene F. Sladewski has been a staunch supporter of the Saturday Academy; and

**WHEREAS,** After a thirty-seven year career in education, teaching at different schools and different grade levels, Principal Sladewski has garnered an understanding of how children learn:

**NOW, THEREFORE, BE IT RESOLVED,** That the New Bedford City Council hereby honors **EUGENE F. SLADEWSKI ON THE OCCASION OF HIS RETIREMENT AS PRINCIPAL OF THE ABRAHAM LINCOLN ELEMENTARY SCHOOL,** commends him for his excellent work in the New Bedford School system, and for his many accomplishments, thanks him for his many years of dedication to the students of our great City, and wishes him many years of happiness with his family and friends.

Adopted. ( #1123)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting a HOME RULE PETITION, relating to the Harbormaster in the City of New Bedford, the proposed Act authorizes the Mayor with the approval of the City Council to appoint a Harbormaster, who may, but need not, be a resident or registered voter of the City for a term of not more than five years, the Act also authorizes the Mayor with the approval of the City Council to reappoint an existing Harbormaster for a term of not more than five years.

TABLED. ( #1124)

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AN ACT,  
TABLED. ( #1125)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, authorizing the Mayor to execute a Lease on behalf of the City, the proposed Lease between the City of New Bedford through its Airport Commission (NBAC) and Claremont Aviation, LLC for the purpose of construction and operating an aircraft storage and maintenance hangar for an initial term of twenty years (renewal option) this lease will expire August 01, 2033.

Received and Placed on File. ( #1126)

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CITY OF NEW BEDFORD  
IN CITY COUNCIL  
JUNE 27, 2013

ORDERED, that the City Council and Mayor hereby approve a lease between the City of New Bedford through its Airport Commission (NBAC) and Claremont Aviation, LLC for a parcel of property located on the Airport containing

45,600 square feet for the purpose of construction and operating an aircraft storage and maintenance hangar; a copy of said Lease is attached hereto and made a part hereof, this lease shall expire August 01, 2033 (renewal option).

Adopted – Yeas 11, Nays 0.

Presented to the Mayor for approval July 01, 2013.

Approved July 01, 2013. ( #1127)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDINANCE, amending Chapter 9, Section 1200 to insert of definition for “alternative motor vehicle fuels” and a revised Appendix A Table of Principal Use Regulations to insert “alternative motor vehicle fuels” in D. Industrial #10.

Referred to the Committee on Ordinances and the Planning Board. ( #1128)

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ORDINANCE, Amending Chapter 9, Section 1200 to insert a definition for “Alternative Motor Vehicle Fuels” and revise Appendix A Table of Principal Use Regulations to insert “Alternative Motor Vehicle Fuels” in D. Industrial #10.

Referred to the Committee on Ordinances and the Planning Board. ( #1129)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, that in accordance with M.G.L Chapter 44, Section 53E ½, the revolving fund under the control of the Recreation and Parks Department known as the **SUPPORTIVE RECREATION REVOLVING FUND**, whose purpose is to cover program instructors and supplies for programs, whose revenue and amount limited to be spent for FY14 is restricted to revenue deposited into the fund, is hereby authorized for **FISCAL YEAR 2014**.

Received and Placed on File. ( #1130)

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CITY OF NEW BEDFORD

IN CITY COUNCIL

JUNE 27, 2013

ORDERED: that in accordance with M.G.L Chapter 44, Section 53E ½, the revolving fund under the control of the Recreation and Parks Department known as the **SUPPORTIVE RECREATION REVOLVING FUND**, whose purpose is to cover program instructors and supplies for programs, whose revenues and amount limited to be spent for FY14 is restricted to revenue deposited into the fund, is hereby authorized for **FISCAL YEAR 2014**.

Adopted and Rule 40 Waived – Yeas 10, Nays 1. (Councillor Saunders OPPOSED.)

Presented to the Mayor for approval June 28, 2013.

Approved June 28, 2013. ( #1131)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER that in accordance with M.G.L Chapter 44, Section 53E ½, the revolving fund under the control of the Department of Public Infrastructure known as the **NEW BEDFORD ENERGY NOW REVOLVING FUND** whose purpose is to fund incidental costs of the NBEN

Program as well as program development, whose revenues and amount limited to be spent for FY14 is restricted to revenue deposited into the fund, is hereby authorized for **FISCAL YEAR 2014**.

Received and Placed on File. (#1132)

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CITY OF NEW BEDFORD  
IN CITY COUNCIL  
JUNE 27, 2013

ORDERED: that in accordance with M.G.L Chapter 44, Section 53E ½, the revolving fund under the control of the Department of Public Infrastructure known as the **NEW BEDFORD ENERGY NOW REVOLVING FUND** whose purpose is to fund incidental costs of the NBEN Program as well as program development, whose revenues and amount limited to be spent for FY14 is restricted to revenue deposited into the fund, is hereby authorized for **FISCAL YEAR 2014**.

Adopted and Rule 40 Waived – Yeas 10, Nays 1. (Councillor Saunders OPPOSED.)

Presented to the Mayor for approval June 28, 2013.

Approved June 28, 2013. (#1133)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER that in accordance with M.G.L Chapter 44, Section 53E ½, the revolving fund under the control of the Purchasing Department known as the **PURCHASING REVOLVING FUND**, whose purpose is to provide office supplies, photocopy supplies, copier leases, etc., for City Departments, whose revenues and amount limited to be spent estimated at \$225,000.00 is hereby authorized for **FISCAL YEAR 2014**.

Received and Placed on File. (#1134)

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CITY OF NEW BEDFORD  
IN CITY COUNCIL  
JUNE 27, 2013

ORDERED: that in accordance with M.G.L Chapter 44, Section 53E ½, the revolving fund under the control of the Purchasing Department known as the **PURCHASING REVOLVING FUND**, whose purpose is to provide office supplies, photocopy supplies, copier leases, etc., for City Departments, whose revenues and amount limited to be spent estimated at \$225,000.00 is hereby authorized for **FISCAL YEAR 2014**.

Adopted and Rule 40 Waived – Yeas 10, Nays 1. (Councillor Saunders OPPOSED.)

Presented to the Mayor for approval June 28, 2013.

Approved June 28, 2013. (#1135)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER that in accordance with M.G.L Chapter 44, Section 53E ½, the revolving fund under the control of the Inspectional Services Department known as the **VACANT BUILDING REVOLVING FUND** whose purpose is to provide salary expense for one full-time Building

Inspector and two part-time clerks, office supplies, survey expenses, tipping fees, purchase materials and reimburse labor costs for emergency board-up of vacant buildings and monitor vacant buildings, whose revenues and amount limited to be spent estimated at \$200,000.00 is hereby authorized for **FISCAL YEAR 2014**.

Received and Placed on File.

(#1136)

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CITY OF NEW BEDFORD  
IN CITY COUNCIL  
JUNE 27, 2013

ORDERED: that in accordance with M.G.L Chapter 44, Section 53E ½, the revolving fund under the control of the Inspectional Services Department known as the **VACANT BUILDING REVOLVING FUND** whose purpose is to provide salary expense for one full-time Building Inspector and two part-time clerks, office supplies, survey expenses, tipping fees, purchase materials and reimburse labor costs for emergency board-up of vacant buildings and monitor vacant buildings, whose revenues and amount limited to be spent estimated at \$200,000.00 is hereby authorized for **FISCAL YEAR 2014**.

Adopted and Rule 40 Waived – Yeas 10, Nays 1. (Councillor Saunders OPPOSED.)

Presented to the Mayor for approval June 28, 2013.

Approved June 28, 2013.

(#1137)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER that in accordance with M.G.L Chapter 44, Section 53E ½, the revolving fund under the control of the Department of Facilities and Fleet Management, known as **QUEST CENTER REVOLVING FUND** whose purpose is to provide a focus on entrepreneurial training and location for business start-up activities focusing on marine/maritime technologies, life sciences and software development is hereby authorized at \$103,000.00 for **FISCAL YEAR 2014**.

Received and Placed on File.

(#1138)

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CITY OF NEW BEDFORD  
IN CITY COUNCIL  
JUNE 27, 2013

ORDERED: that in accordance with M.G.L Chapter 44, Section 53E ½, the revolving fund under the control of the Department of Facilities and Fleet Management, known as **QUEST CENTER REVOLVING FUND** whose purpose is to provide a focus on entrepreneurial training and location for business start-up activities focusing on marine/maritime technologies, life sciences and software development is hereby authorized at \$103,000.00 for **FISCAL YEAR 2014**.

Adopted and Rule 40 Waived – Yeas 10, Nays 1. (Councillor Saunders OPPOSED.)

Presented to the Mayor for approval June 28, 2013.

Approved June 28, 2013.

(#1139)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER that in accordance with M.G.L Chapter 44, Section 53E ½, the revolving fund under the control of the Community Services Department, known as **SENIOR TRAVEL AGENCY REVOLVING FUND**, whose purpose is to support day trips for seniors, including reservations/tickets/meals, Recreation Leader’s salary, clerical support and program supplies, whose revenues collected and amount limited to be spent estimated at \$120,000.00 is hereby authorized for **FISCAL YEAR 2014**.

Received and Placed on File. (#1140)

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CITY OF NEW BEDFORD  
IN CITY COUNCIL  
JUNE 27, 2013

ORDERED: that in accordance with M.G.L Chapter 44, Section 53E ½, the revolving fund under the control of the Community Services Department, known as **SENIOR TRAVEL AGENCY REVOLVING FUND**, whose purpose is to support day trips for seniors, including reservations/tickets/meals, Recreation Leader’s salary, clerical support and program supplies, whose revenues collected and amount limited to be spent estimated at \$120,000.00 is hereby authorized for **FISCAL YEAR 2014**.

Adopted and Rule 40 Waived – Yeas 10, Nays 1. (Councillor Saunders OPPOSED.)

Presented to the Mayor for approval June 28, 2013.

Approved June 28, 2013. (#1141)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER that in accordance with M.G.L Chapter 44, Section 53E ½, the revolving fund under the control of the Community Services Department, known as **SENIOR TRANSPORTATION FUND**, whose purpose is to provide transportation for seniors to grocery and other shopping, general trips and medical appointments, whose revenues collected and amount limited to be spent estimated at \$14,000.00 is hereby authorized for **FISCAL YEAR 2014**.

Received and Placed on File. (#1142)

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CITY OF NEW BEDFORD  
IN CITY COUNCIL  
JUNE 27, 2013

ORDERED: that in accordance with M.G.L Chapter 44, Section 53E ½, the revolving fund under the control of the Community Services Department, known as **SENIOR TRANSPORTATION FUND**, whose purpose is to provide transportation for seniors to grocery and other shopping, general trips and medical appointments, whose revenues collected and amount limited to be spent estimated at \$14,000.00 is hereby authorized for **FISCAL YEAR 2014**.

Adopted and Rule 40 Waived – Yeas 10, Nays 1. (Councillor Saunders OPPOSED.)

Presented to the Mayor for approval June 28, 2013.

Approved June 28, 2013. (#1143)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER that in accordance with M.G.L Chapter 44, Section 53E ½, the revolving fund under the control of the Community Services Department, known as **SENIOR ACTIVITIES FUND**, whose purpose is to support social activities and entertainment at all Senior Centers, etc., whose revenues and amount limited to be spent estimated at \$6,200.00 is hereby authorized for **FISCAL YEAR 2014**.

Received and Placed on File.

(#1144)

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CITY OF NEW BEDFORD  
IN CITY COUNCIL  
JUNE 27, 2013

ORDERED: that in accordance with M.G.L Chapter 44, Section 53E ½, the revolving fund under the control of the Community Services Department, known as **SENIOR ACTIVITIES FUND**, whose purpose is to support social activities and entertainment at all Senior Centers, etc., whose revenues and amount limited to be spent estimated at \$6,200.00 is hereby authorized for **FISCAL YEAR 2014**.

Adopted and Rule 40 Waived – Yeas 10, Nays 1. (Councillor Saunders OPPOSED.)

Presented to the Mayor for approval June 28, 2013.

Approved June 28, 2013.

(#1145)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER that in accordance with M.G.L Chapter 44, Section 53E ½, the revolving fund under the control of the Department of Public Infrastructure, known as **NEW BEDFORD RAILYARD AND RAIL CROSSING REVOLVING FUND**, whose purpose is maintenance and operation of the New Bedford Railyard and Rail Crossing Gates, whose revenue and amount limited to be spent are estimated at \$94,152.00 is hereby authorized for **FISCAL YEAR 2014**.

Received and Placed on File.

(#1146)

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CITY OF NEW BEDFORD  
IN CITY COUNCIL  
JUNE 27, 2013

ORDERED: that in accordance with M.G.L Chapter 44, Section 53E ½, the revolving fund under the control of the Department of Public Infrastructure, known as **NEW BEDFORD RAILYARD AND RAIL CROSSING REVOLVING FUND**, whose purpose is maintenance and operation of the New Bedford Railyard and Rail Crossing Gates, whose revenue and amount limited to be spent are estimated at \$94,152.00 is hereby authorized for **FISCAL YEAR 2014**.

Adopted and Rule 40 Waived – Yeas 10, Nays 1. (Councillor Saunders OPPOSED.)

Presented to the Mayor for approval June 28, 2013.

Approved June 28, 2013.

(#1147)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER that in accordance with M.G.L Chapter 44, Section 53E ½, the revolving fund under the control of the Purchasing Department known as the **SOUTHEASTERN REGIONAL POLICE REVOLVING FUND**, whose purpose is to support police communications networking for surrounding cities and towns, whose revenues and amount limited to be spent estimated at \$30,500.00 is hereby authorized for **FISCAL YEAR 2014**.

Received and Placed on File. (#1148)

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CITY OF NEW BEDFORD  
IN CITY COUNCIL  
JUNE 27, 2013

ORDERED: that in accordance with M.G.L Chapter 44, Section 53E ½, the revolving fund under the control of the Purchasing Department known as the **SOUTHEASTERN REGIONAL POLICE REVOLVING FUND**, whose purpose is to support police communications networking for surrounding cities and towns, whose revenues and amount limited to be spent estimated at \$30,500.00 is hereby authorized for **FISCAL YEAR 2014**.

Adopted and Rule 40 Waived – Yeas 10, Nays 1. (Councillor Saunders OPPOSED.)

Presented to the Mayor for approval June 28, 2013.

Approved June 28, 2013. (#1149)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER that in accordance with M.G.L Chapter 44, Section 53E ½, the revolving fund under the control of the Planning and Community Development Department known as the **ZONING BOARD OF APPEALS REVOLVING FUND**, whose purpose is to provide supplies, postage and advertising costs, contract for technical and administrative support for ZBA and stipends for ZBA members, whose revenues and amount limited to be spent estimated at \$20,000.00 is hereby authorized for **FISCAL YEAR 2014**.

Received and Placed on File. (#1150)

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CITY OF NEW BEDFORD  
IN CITY COUNCIL  
JUNE 27, 2013

ORDERED: that in accordance with M.G.L Chapter 44, Section 53E ½, the revolving fund under the control of the Planning and Community Development Department known as the **ZONING BOARD OF APPEALS REVOLVING FUND**, whose purpose is to provide supplies, postage and advertising costs, contract for technical and administrative support for ZBA and stipends for ZBA members, whose revenues and amount limited to be spent estimated at \$20,000.00 is hereby authorized for **FISCAL YEAR 2014**.

Adopted and Rule 40 Waived – Yeas 10, Nays 1. (Councillor Saunders OPPOSED.)

Presented to the Mayor for approval June 28, 2013.

Approved June 28, 2013. (#1151)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER that in accordance with M.G.L Chapter 44, Section 53E ½, the revolving fund under the control of the Library Department, known as **LIBRARY EQUIPMENT REVOLVING FUND**, whose purpose is to provide and maintain photocopying and printing equipment at the Main Library and the four branches, whose revenues and amount limited to be spent are estimated at \$9,000.00 is hereby authorized for **FISCAL YEAR 2014**.

Received and Placed on File. (#1152)

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CITY OF NEW BEDFORD  
IN CITY COUNCIL  
JUNE 27, 2013

ORDERED: that in accordance with M.G.L Chapter 44, Section 53E ½, the revolving fund under the control of the Library Department, known as **LIBRARY EQUIPMENT REVOLVING FUND**, whose purpose is to provide and maintain photocopying and printing equipment at the Main Library and the four branches, whose revenues and amount limited to be spent are estimated at \$9,000.00 is hereby authorized for **FISCAL YEAR 2014**.

Adopted and Rule 40 Waived – Yeas 10, Nays 1. (Councillor Saunders OPPOSED.)

Presented to the Mayor for approval June 28, 2013.

Approved June 28, 2013. (#1153)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER that in accordance with M.G.L Chapter 44, Section 53E ½, the revolving fund under the control of the School Department, known as the **FOOD SERVICE CONCESSION**, whose purpose is to provide concession services during football games at the Paul Walsh field, whose revenues and amount limited to be spent estimated at \$5,000.00 is hereby authorized for **FISCAL YEAR 2014**.

Received and Placed on File. (#1154)

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CITY OF NEW BEDFORD  
IN CITY COUNCIL  
JUNE 27, 2013

ORDERED: that in accordance with M.G.L Chapter 44, Section 53E ½, the revolving fund under the control of the School Department, known as the **FOOD SERVICE CONCESSION**, whose purpose is to provide concession services during football games at the Paul Walsh field, whose revenues and amount limited to be spent estimated at \$5,000.00 is hereby authorized for **FISCAL YEAR 2014**.

Adopted and Rule 40 Waived – Yeas 10, Nays 1. (Councillor Saunders OPPOSED.)

Presented to the Mayor for approval June 28, 2013.

Approved June 28, 2013. (#1155)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER that in accordance with M.G.L Chapter 44, Section 53E ½, the revolving fund under the control of the Clerk of Committees Department, known as the **COUNCIL SPECIAL PERMIT REVOLVING FUND**, whose purpose is to cover the cost associated with processing/reviewing and granting applications for Special Permit hearings, whose revenues and amount limited to be spent estimated at \$5,000.00 is hereby authorized for **FISCAL YEAR 2014**.

Received and Placed on File.

(#1156)

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CITY OF NEW BEDFORD  
IN CITY COUNCIL  
JUNE 27, 2013

ORDERED: that in accordance with M.G.L Chapter 44, Section 53E ½, the revolving fund under the control of the Clerk of Committees Department, known as the **COUNCIL SPECIAL PERMIT REVOLVING FUND**, whose purpose is to cover the cost associated with processing/reviewing and granting applications for Special Permit hearings, whose revenues and amount limited to be spent estimated at \$5,000.00 is hereby authorized for **FISCAL YEAR 2014**.

Adopted and Rule 40 Waived – Yeas 10, Nays 1. (Councillor Saunders OPPOSED.)

Presented to the Mayor for approval June 28, 2013.

Approved June 28, 2013.

(#1157)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER that in accordance with M.G.L Chapter 44, Section 53E ½, the revolving fund under the control of the Health Department, known as **FINES/FORFEITURES REVOLVING FUND – HEALTH**, whose purpose is for the collection of health-related fines originally paid to the State but now paid to the City due to the establishment of this fund, whose revenues and amount limited to be spent are estimated at \$700.00 is hereby authorized for **FISCAL YEAR 2014**.

Received and Placed on File.

(#1158)

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CITY OF NEW BEDFORD  
IN CITY COUNCIL  
JUNE 27, 2013

ORDERED: that in accordance with M.G.L Chapter 44, Section 53E ½, the revolving fund under the control of the Health Department, known as **FINES/FORFEITURES REVOLVING FUND – HEALTH**, whose purpose is for the collection of health-related fines originally paid to the State but now paid to the City due to the establishment of this fund, whose revenues and amount limited to be spent are estimated at \$700.00 is hereby authorized for **FISCAL YEAR 2014**.

Adopted and Rule 40 Waived – Yeas 10, Nays 1. (Councillor Saunders OPPOSED.)

Presented to the Mayor for approval June 28, 2013.

Approved June 28, 2013.

(#1159)

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RELATED MOTION, Councillor Lopes, requesting that the Director of the Quest Center attend a Committee on Finance meeting to discuss the collection of rents and revenues as it relates to the operation of the Quest Center.

Referred to the Committee on Finance. (#1160)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$216,400.00 from PUBLIC FACILITIES, CAPITAL OUTLAY, to PUBLIC FACILITIES, OTHER CHARGES.

Received and Placed on File. (#1161)

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CITY OF NEW BEDFORD  
IN CITY COUNCIL  
JUNE 27, 2013

ORDERED: that the sum of TWO HUNDRED SIXTEEN THOUSAND, FOUR HUNDRED DOLLARS (\$216,400.00) now standing to the credit of the account from PUBLIC FACILITIES, CAPITAL OUTLAY be and the same is hereby transferred and appropriated to as follows:

PUBLIC FACILITIES, OTHER CHARGES.....\$216,400.00

To be certified and approved by the Department Head.

Adopted and Rule 40 Waived – Yeas 11, Nays 0.

Presented to the Mayor for approval June 28, 2013.

Approved June 28, 2013. (#1162)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$130,000.00 from ZOO, SUPPLIES & MATERIALS, to ZOO, OTHER CHARGES.

Received and Placed on File. (#1163)

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CITY OF NEW BEDFORD  
IN CITY COUNCIL  
JUNE 27, 2013

ORDERED: that the sum of ONE HUNDRED ~~THIRTY~~ TWENTY THOUSAND DOLLARS (~~\$130,000.00~~) (\$120,000.00) now standing to the credit of the account from ZOO, SUPPLIES AND MATERIALS be and the same is hereby transferred and appropriated to as follows:

ZOO, OTHER CHARGES..... ~~\$130,000.00~~ \$120,000.00

To be certified and approved by the Department Head.

Adopted.

Councillor Gonsalves having voted on the prevailing side made a Motion to RECONSIDER – All Ayes.

Motion made to Amend amount of \$130,000.00 to \$120,000.00 – All Ayes.

Adopted as Amended – All Ayes and Rule 40 Waived – Yeas 11, Nays 0.

Presented to the Mayor for approval June 28, 2013.

Approved June 28, 2013.

(#1164)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$34,000.00 from ZOO, CHARGES & SERVICES, to ZOO, OTHER CHARGES.

Received and Placed on File.

(#1165)

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CITY OF NEW BEDFORD

IN CITY COUNCIL

JUNE 27, 2013

ORDERED: that the sum of ~~THIRTY FOUR~~ TWENTY THOUSAND DOLLARS (~~\$34,000.00~~) (\$20,000.00) now standing to the credit of the account from ZOO, CHARGES AND SERVICES be and the same is hereby transferred and appropriated to as follows:

ZOO, OTHER CHARGES.....\$34,000.00 \$20,000.00

To be certified and approved by the Department Head.

Adopted.

Councillor Gonsalves having voted on the Prevailing side made a Motion to RECONSIDER – All Ayes.

Motion made to Amend amount of \$34,000.00 to \$20,000.00 – All Ayes.

Adopted as Amended – All Ayes and Rule 40 Waived – Yeas 11, Nays 0.

Presented to the Mayor for approval June 28, 2013.

Approved June 28, 2013.

(#1166)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$33,000.00 from FIRE, SALARIES & WAGES, to FIRE, OTHER CHARGES.

Received and Placed on File.

(#1167)

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CITY OF NEW BEDFORD

IN CITY COUNCIL

JUNE 27, 2013

ORDERED: that the sum of THIRTY THREE THOUSAND DOLLARS (\$33,000.00) 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, OTHER CHARGES..... \$33,000.00

To be certified and approved by the Department Head.

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

Rule 40 Waived – Yeas 11, Nays 0.

Presented to the Mayor for approval June 28, 2013.

Approved June 28, 2013.

(#1168)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$3,000.00 from RECREATION/PARKS, SALARIES & WAGES, to RECREATION/PARKS, SUPPLIES & MATERIALS.

Received and Placed on File. ( #1169)

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CITY OF NEW BEDFORD  
IN CITY COUNCIL  
JUNE 27, 2013

ORDERED: that the sum of THREE THOUSAND DOLLARS (\$3,000.00) now standing to the credit of the account from RECREATION/PARKS, SALARIES AND WAGES be and the same is hereby transferred and appropriated to as follows:

RECREATION/PARKS, SUPPLIES AND MATERIALS..... \$3,000.00

To be certified and approved by the Department Head.

Adopted and Rule 40 Waived – Yeas 11, Nays 0.

Presented to the Mayor for approval June 28, 2013.

Approved June 28, 2013. ( #1170)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$1,750.00 from MAYOR, SALARIES & WAGES, to MAYOR, CHARGES & SERVICES.

Received and Placed on File. ( #1171)

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CITY OF NEW BEDFORD  
IN CITY COUNCIL  
JUNE 27, 2013

ORDERED: that the sum of ONE THOUSAND, SEVEN HUNDRED FIFTY DOLLARS (\$1,750.00) now standing to the credit of the account from MAYOR, SALARIES AND WAGES be and the same is hereby transferred and appropriated to as follows:

MAYOR, CHARGES AND SERVICES..... \$1,750.00

To be certified and approved by the Department Head.

Adopted and Rule 40 Waived – Yeas 11, Nays 0.

Presented to the Mayor for approval June 28, 2013.

Approved June 28, 2013. ( #1172)

-----  
COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$1,100.00 from CITY COUNCIL, CHARGES & SERVICES, to CITY CLERK, SALARIES & WAGES.

Received and Placed on File. ( #1173)

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CITY OF NEW BEDFORD  
IN CITY COUNCIL  
JUNE 27, 2013

ORDERED: that the sum of ONE THOUSAND, ONE HUNDRED DOLLARS (\$1,100.00) now standing to the credit of the account from CITY COUNCIL, CHARGES AND SERVICES be and the same is hereby transferred and appropriated to as follows:

CITY CLERK, SALARIES AND WAGES..... \$1,100.00

To be certified and approved by the Department Head.

Adopted – Yeas 11, Nays 0.

Rule 40 Waived – Yeas 11, Nays 0.

Presented to the Mayor for approval June 28, 2013.

Approved June 28, 2013. ( #1174)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of DAVID DETERRA, New Bedford, MA 02740, as a SHELLFISH CONSTABLE; this term will expire in June 2016.

Rule 38 Waived and Reappointment Confirmed.

Rule 40 Waived – Yeas 11, Nays 0. ( #1175)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of JANICE BAPTIST, New Bedford, MA 02740, to the HUMAN RELATIONS COMMISSION; this term will expire April 2016.

Rule 38 Waived and Reappointment Confirmed.

Rule 40 Waived – Yeas 11, Nays 0. ( #1176)

-----  
COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of JAMES SYLVIA, New Bedford, MA 02745, to the COUNCIL ON AGING; this term will expire November 2015.

Rule 38 Waived and Reappointment Confirmed.

Rule 40 Waived – Yeas 11, Nays 0. ( #1177)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of ELAINE SAFIOLEAS, New Bedford, MA, to the PARK COMMISSION, replacing Randy Debrosse, whose has resigned; this term will expire May 2014.

Rule 38 Waived and Appointment Confirmed – Yeas 11, Nays 0.

Rule 40 Waived – Yeas 11, Nays 0. ( #1178)

-----  
COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of

JOSEPH EUGENIO, New Bedford, MA 02744, to the TRAFFIC COMMISSION; this term will expire December 2014.

Rule 38 Waived and Reappointment CONFIRMED – Yeas 9, Nays 2. (Councillors Gonsalves and Oliveira OPPOSED.)

Rule 40 Waived – Yeas 11, Nays 0. ( #1179)

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IT WAS VOTED, on a motion made and duly seconded, Yeas 10, Nays 1, to waive Rule 42 in order of business to take up the following items at this time. (Councillor Alves OPPOSED.)

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WRITTEN MOTION, Councillor Gomes, Council President Duarte *and Councillor Oliveira*, requesting, that the Committee on Ordinances and Legal Counsel Gerwatowski take immediate action and draft an Ordinance that would create curfew zones throughout the City of New Bedford targeting hot spots and areas where criminal activity has affected the quality of life within the neighborhoods, these curfew zones would be from dusk to dawn and be implemented as needed throughout the City; and further, this would give the Police Department and the City a tool in eliminating the criminal activity occurring in neighborhoods across the City which is affecting the quality of life of the residents of those neighborhoods. (To be Referred to the Committee on Ordinances and Legal Counsel Gerwatowski.)

Rule 42 Waived – Yeas 10, Nays 1. (Councillor Alves OPPOSED.)  
Referred to the Committee on Ordinances and Legal Counsel Gerwatowski. ( #1180)

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WRITTEN MOTION, Councillor Martins, requesting that Police Chief Provencher and Captain Flood, increase patrols in the north end from Nash Road to Coggeshall Street, due to an increase of possible prostitution going on, this Councillor has been receiving more calls than usual about the activity in the area; and further, that the Police Chief look into doing more undercover operation in said area to curb some of this illegal activity. (To be Referred to Chief Provencher and North End Police Station.)

Rule 42 Waived – Yeas 10, Nays 1. (Councillor Alves OPPOSED.)  
Referred to the Police Chief and the North End Police Station.  
Presented to the Mayor for approval July 01, 2013.  
RETURNED UNSIGNED July 15, 2013. ( #1181)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, for the APPROPRIATION of \$400,000.00 from ORDINARY REVENUE AND MUNICIPAL RECEIPTS OF FISCAL YEAR 2014, to SCHOOL DEPARTMENT, SALARIES & WAGES.

Rule 42 Waived – Yeas 10, Nays 1. (Councillor Alves OPPOSED.)  
Received and Placed on File. ( #1182)

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CITY OF NEW BEDFORD  
IN CITY COUNCIL  
JUNE 27, 2013

ORDERED: that the sum of FOUR HUNDRED THOUSAND DOLLARS (\$400,000.00) now standing to the credit of the account from ORDINARY REVENUE AND MUNICIPAL RECEIPTS OF FISCAL YEAR 14 be and the same is hereby transferred and appropriated to as follows:

SCHOOL DEPARTMENT, SALARIES AND WAGES..... \$400,000.00

To be certified and approved by the Department Head.

Rule 42 Waived – Yeas 10, Nays 1. (Councillor Alves OPPOSED.)

Adopted and Rule 40 Waived – Yeas 11, Nays 0.

Presented to the Mayor for approval June 28, 2013.

Approved June 28, 2013. ( #1183)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, for the APPROPRIATION of \$4,000,000.00 from ORDINARY REVENUE AND MUNICIPAL RECEIPTS OF FISCAL YEAR 2014, to SCHOOL DEPARTMENT, SALARIES & WAGES.

Rule 42 Waived – Yeas 10, Nays 1. (Councillor Alves OPPOSED.)

Received and Placed on File. ( #1184)

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CITY OF NEW BEDFORD

IN CITY COUNCIL

JUNE 27, 2013

ORDERED: that the sum of FOUR MILLION DOLLARS (\$4,000,000.00) now standing to the credit of the account from ORDINARY REVENUE AND MUNICIPAL RECEIPTS OF FISCAL YEAR 14 be and the same is hereby transferred and appropriated to as follows:

SCHOOL DEPARTMENT, SALARIES AND WAGES ..... \$4,000,000.00

To be certified and approved by the Department Head.

Rule 42 Waived – Yeas 10, Nays 1. (Councillor Alves OPPOSED.)

Adopted and Rule 40 Waived – Yeas 11, Nays 0.

Presented to the Mayor for approval June 28, 2013.

Approved June 28, 2013. ( #1185)

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COMMUNICATION/DEMOLITION, New Bedford Historical Commission, to City Council, re: BUILDING DEMOLITION REVIEW OF 243 STATE STREET – A CIRCA 1884 THREE-STORY WOOD FRAMED TENEMENT STYLE RESIDENCE, advising that “the structure is not located in a National Register Historic District and the structure is of no notable historical significance, either recorded or found with the existing condition of the structure and the structure is in poor condition due to extensive deferred maintenance, and that restoration or preservation efforts would be impractical due to the existing condition of the structure, “the NBHC has determined that the building is NOT a historically significant building or structure and not preferably preserved”.

Rule 42 Waived – Yeas 10, Nays 1. (Councillor Alves OPPOSED.)

Demolition Granted.

Presented to the Mayor for approval July 01, 2013.

Approved July 11, 2013. (#1186)

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COMMUNICATION/DEMOLITION, New Bedford Historical Commission, to City Council, re: BUILDING DEMOLITION REVIEW OF 11 NYE STREET – A CIRCA 1890 THREE-STORY WOOD FRAMED TENEMENT STYLE RESIDENCE, advising that “the structure is not located in a National Register Historic District and the structure is of no notable historical significance, either recorded or found with the existing condition of the structure and the structure is in poor condition due to extensive deferred maintenance, and that restoration or preservation efforts would be impractical due to the existing condition of the structure, “the NBHC has determined that the building is NOT a historically significant building or structure and not preferably preserved”.

Rule 42 Waived – Yeas 10, Nays 1. (Councillor Alves OPPOSED.)

Demolition Granted.

Presented to the Mayor for approval July 01, 2013.

Approved July 11, 2013. (#1187)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$100,000.00 from FIRE, SALARIES & WAGES, to FIRE, OTHER CHARGES.

CHARTER RULED – June 13, 2013.

Received and Placed on File. (#1027)

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CITY OF NEW BEDFORD  
IN CITY COUNCIL  
JUNE 13, 2013

ORDERED: that the sum of ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) 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, OTHER CHARGES..... \$100,000.00

To be certified and approved by the Department Head.

Motion made by Councillor Lawrence to amend the amount to \$0.00 FAILED – Yeas 2, Nays 8. (Councillors Lawrence and Saunders IN FAVOR; and Councillor Gomes not present for vote.)

CHARTER RULED – June 13, 2013.

Adopted and Rule 40 Waived – FAILS – Yeas 7, Nays 2. (Councillors Alves and Lawrence OPPOSED.) (Councillors Gomes and Oliveira not present for vote.)

Councillor Alves having voted on the Prevailing side made a Motion to RECONSIDER – All Ayes.

Adopted – Yeas 9, Nays 2. (Councillors Lawrence and Oliveira OPPOSED.)

Presented to the Mayor for approval July 01, 2013.

Approved July 01, 2013.

(#1028)

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CITY OF NEW BEDFORD  
IN CITY COUNCIL  
JUNE 13, 2013

ORDERED: that the City appropriate Two Million Four Hundred Thousand Dollars (\$2,400,000.00) to pay costs of furnishing and installing all materials, equipment, software and appurtenances to make the new Supervisory Control and Data Acquisition (“SCADA”) system fully operational in its entirety, including, among other improvements, a new SCADA rack with servers, client operator workstations, new MCP panels and new concrete housekeeping pads, to meet this appropriation , the Treasurer, with the approval of the Mayor, is authorized to borrow said sum of money, pursuant to M.G.L. Chapter 44, Section 7 (1), or pursuant to any other enabling authority.

FURTHER ORDERED: that the Treasurer is authorized to file an application with the appropriate officials of The Commonwealth of Massachusetts (“the “Commonwealth”) to qualify under Chapter44A of the General Laws any and all bonds of the City authorized by this Order, and to provide such information and execute such documents as such officials of the Commonwealth may require in connection therewith.

Passed to a Second Reading – June 13, 2013.

TABLED.

Removed from the Table and Adopted – Yeas 10, Nays 1. (Councillor Saunders OPPOSED.)

Presented to the Mayor for approval July 01, 2013.

Approved July 01, 2013.

(#0997)

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WRITTEN MOTION, Councillor Alves, requesting, on behalf of residents, that the following street(s) be CLOSED: LAFAYETTE STREET, from Wood Street to Brooklawn Avenue, ON SATURDAY, JULY 06, 2013, FROM 10:00 A.M. TO 10:00 P.M. for the purpose of A BLOCK PARTY.

Permission Granted and Rule 40 Waived – Yeas 10, Nays 0. (Councillor Gomes not present for vote.)

Presented to the Mayor for approval June 28, 2013.

Approved June 28, 2013.

(#1188)

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WRITTEN MOTION, Councillor Bousquet, requesting, on behalf of the Howland National Guard Veterans Chapter, that the following street(s) be CLOSED: MT. PLEASANT STREET, from Sawyer Street to ~~Buchanan~~ Garfield Street, ON SATURDAY, SEPTEMBER 14, 2013, FROM 11:30 A.M. TO 3:00 P.M., for the purpose of A Memorial Service at Howland Square.

Permission Granted and Rule 40 Waived – Yeas 10, Nays 0. (Councillor Gomes not present for vote.)

Presented to the Mayor for approval June 28, 2013.

Approved June 28, 2013.

(#1189)

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WRITTEN MOTION, Councillor Martins, requesting, on behalf of Ms. Crystal Nadeau, that the following street(s) be CLOSED: ERIC'S WAY, from Nash Road to Tinkham Street, ON SATURDAY, SEPTEMBER 14, 2013, FROM 12:00 P.M. (NOON) TO 5:00 P.M., for the purpose of A Block Party.

Permission Granted and Rule 40 Waived – Yeas 10, Nays 0. (Councillor Gomes not present for vote.)

Presented to the Mayor for approval June 28, 2013.

Approved June 28, 2013. (#1190)

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WRITTEN MOTION, Council President Duarte, requesting, on behalf of Ms. Mary Ann Rogers, President, Cape Verdean Recognition Committee, Inc., that the following street(s) be CLOSED: WILLIAM STREET, from Pleasant Street to North Sixth Street, ON MONDAY, JULY 01, 2013, FROM 11:30 A.M. TO 1:30 P.M., for the purpose of the Cape Verdean Flag Raising on City Hall Steps.

Permission Granted and Rule 40 Waived – Yeas 10, Nays 0. (Councillor Gomes not present for vote.)

Presented to the Mayor for approval June 28, 2013.

Approved June 28, 2013. (#1191)

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WRITTEN MOTION, Council President Duarte, requesting, on behalf of AHA!, that the following street(s) be CLOSED: MARKET STREET, between Pleasant Street and North Sixth Street; PURCHASE STREET, between Union Street and Spring Street and NORTH SECOND STREET, between Barker's Lane and William Street, ON THURSDAY, JULY 11, 2013, FROM 5:00 A. M. THROUGH 9:00 P.M., for the purpose of: AHA! NIGHT/KIDS RULE.

Permission Granted and Rule 40 Waived – Yeas 10, Nays 0. (Councillor Gomes not present for vote.)

Presented to the Mayor for approval June 28, 2013.

Approved June 28, 2013. (#1192)

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WRITTEN MOTION, Councillors Coelho and Bousquet, requesting, that MassDOT Highway Division immediately address the condition of the Exit 15 sign on I-95 east bound, (Route 18 South/Downtown New Bedford), due to its disrepair, said signage needs to be removed and repaired due to the poor image that it brings to the people who are visiting the City of New Bedford; and further, requesting that the Highway Division include clean up and repairs to the off ramp due to the area being filled with litter and debris, *and that a letter be sent to MassDOT Highway Division with said request.*

Adopted as Amended. (#1193)

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WRITTEN MOTION, Councillor Gomes, requesting, that the Department of Public Infrastructure take immediate action and seal crack and re-paint the parking space lines on all three parking lots at East Beach on Rodney French Boulevard, this action will preserve these lots for an additional ten years and prevent any further deterioration.

Referred to the Department of Public Infrastructure.

Presented to the Mayor for approval July 01, 2013.

RETURNED UNSIGNED July 15, 2013. (#1194)

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WRITTEN MOTION, Councillor Bousquet, requesting, that a letter be sent to our State Legislative Delegation urging them to vote NO on “Massachusetts Bill to Impose 45% Tax on E-cigarettes and Smokeless Tobacco”, House Bill 2593, which would allow the law to include vapor cigarettes, these electronic cigarettes are used to aid in kicking the cigarette smoking habit, taxing the electronic cigarette will not encourage a change in behavior, but rather double tax an item already subject to general merchandise sales tax. (To be Referred to our State Legislative Delegation and that Rule 40 be Waived.)

Rule 17 Waived, Adopted and Rule 40 Waived – Yeas 11, Nays 0. (#1195)

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COMMUNICATION, Acting City Planner Jill Maclean, to City Council, providing a copy of the grant application for the Hurricane Barrier, which was requested by Councillors Martins, Saunders, Gomes and Alves at the City Council Meeting of April 11, 2013. (Copy all Councillor 06/24/2013.)

Received and Placed on File. (#1196)

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The following resolution honoring Franco-Americans was presented at a later date by Councillor Bousquet.

CITY OF NEW BEDFORD

IN CITY COUNCIL

JUNE 27, 2013

**RESOLUTION HONORING FRANCO-AMERICANS AND THEIR  
CONTRIBUTIONS TO THE CITY OF NEW BEDFORD**

**WHEREAS**, June 23, 2013, is the Feast Day of Saint Jean-Baptiste, the Patron Saint of Franco-Americans and July 14, 2013, is Bastille Day, the French National Day, which commemorates that Country’s Independence; and

**WHEREAS**, France and French-speaking Canadians and their peoples have historically had ties with Old Dartmouth and New Bedford, both during Colonial times and from the American Revolution until today; and

**WHEREAS**, New Bedford provided a haven for French whalers seeking refuge from wars during the 1790’s and again during the 1820’s; French and French Canadians served as crewmen on whale ships through the nineteenth and into the twentieth century; and

**WHEREAS**, French Canadians in large numbers and smaller numbers of French migrated to New Bedford after the mid 19<sup>th</sup> Century becoming a mainstay of the textile industry and creating vibrant communities of their own, our Citizens of French and French Canadian descent, beneficiaries of great religious, social and literary heritage based on freedom such as our Nation cherishes, are an important segment of the culturally diverse citizenry of New Bedford; and

**WHEREAS**, The celebration of “La Fete de Saint Jean-Baptiste” can be traced back to King Clovis, the first Catholic French King, a tradition later brought to Quebec and made a holiday; and

**WHEREAS**, In 1908, Pope Pius X officially proclaimed Saint Jean-Baptiste, the Patron Saint of the French-Canadians; and

**WHEREAS**, At special ceremonies on this day, Franco-American Veterans of all wars will be honored at the Franco-American Veterans Square, where the thirty-five ton Pershing Tank has been installed, in the presence of “Le Regiment Bourbonnais”, that portrays one of the French Infantry regiments that were sent to America in 1780, to assist General George Washington’s Continental Army during the War for American Independence; and

**WHEREAS**, The many contributions of the Franco-American people to the general welfare of the City of New Bedford are greatly appreciated and deserve to be; and

**WHEREAS**, On June 23, 2013, two students of Franco-American descent will receive College Scholarships; The Roland G. Vanasse Scholarship will be awarded to Violet Foulk, and Melissa Hebert will be presented with the La Ligue des Franco-Americain Scholarship honor of Le Fete de Saint Jean-Baptiste; and

**WHEREAS**, On Sunday, June 23, 2013, Franco-Americans will be recognized for their contributions to the community: Normand O. Chartier, Franco-American of the Year; Nelson N. Ostiguy, Franco-American Veteran of the Year and Maurice A. Ouellette, Franco-American Educator of the Year:

**NOW, THEREFORE, BE IT RESOLVED**, That the New Bedford City Council, in recognition of the esteem in which these Citizens are held and the many contributions they have made to the religious, social and cultural life of the City, hereby thanks the **FRANCO-AMERICANS** for enriching the life of this community:

**AND BE IT FURTHER RESOLVED**, That on June 23, 2013, in recognition of their great religious holiday in honor of their Patron Saint, Jean-Baptiste, the Maple Leaf Flag of Canada be flown at City Hall, and on July 14, 2013, the day commemorating the independence of French people, Bastille Day, the French Flag be similarly displayed.

Adopted, to be presented at a later date. (1197)

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The following resolution honoring Dolores Caton was presented at a later date by Councillor Gonsalves.

CITY OF NEW BEDFORD

IN CITY COUNCIL

JUNE 27, 2013

**RESOLUTION HONORING DOLORES CATON FOR THIRTY-FIVE YEARS IN BUSINESS IN THE CITY OF NEW BEDFORD AS THE OWNER OF DOWN TO EARTH NATURAL FOODS**

**WHEREAS**, Dolores Caton was born in 1933, and has previously worked at Southeastern Bank for several years as Supply Officer; and

**WHEREAS**, In December 1977, Dolores Caton opened Down to Earth Natural Foods on Kempton Street in the City of New Bedford; and

**WHEREAS**, During her years as the owner of Down to Earth Natural Foods, Dolores Caton was also on the Board of Health in Fairhaven from 2000 to 2012; and

**WHEREAS**, Dolores Caton was instrumental in helping obtain a new animal shelter in Fairhaven, Massachusetts; and

**WHEREAS**, Dolores Caton was the Vice-President of the Coalition for Animals of Greater New Bedford from 1999 to 2009; and

**WHEREAS**, Having rescued several dogs herself, Dolores Caton is known as “DOGNUT” in the animal world, Dolores continues to this day to help all animals whether it be to improve their health or to help lost and abandoned animals find new homes; and

**WHEREAS**, As the owner of Down to Earth Natural Foods, Dolores Caton has brought health awareness to the community by holding the Future of Health Expo for People and Pets for the last three years; and

**WHEREAS**, Dolores Caton continues to work with the City of New Bedford Parks, Recreation and Beaches, the Friends of Buttonwood Park and Buttonwood on the Move to create Free Fitness in the Park this summer:

**NOW, THEREFORE, BE IT RESOLVED,** That the New Bedford City Council hereby honors **DOLORES CATON FOR THIRTY-FIVE YEARS IN BUSINESS IN THE CITY OF NEW BEDFORD AS THE OWNER OF DOWN TO EARTH NATURAL FOODS**, thanks her for her rescue work of all animals and wishes her much continued success.

**AND BE IT FURTHER RESOLVED,** The New Bedford City Council hereby congratulates **DOLORES CATON** on the occasion her 80<sup>th</sup> Birthday, May 27, 2013.

Adopted, to be presented at a later date. ( #1198)

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WRITTEN MOTION, Councillor Gomes, requesting, on behalf of Mr. David Arruda, 99 Bedford Street, New Bedford, that the Department of Public Facilities/Forestry Division trim the tree located in front of said address which is now growing into the house; and further, that the tree be cut back on the Orchard Street side of said property due to the same factors of the tree growing into the house. (To be Referred to the Department of Public Facilities/Forestry Division.)

Referred to the Department of Public Facilities/Forestry Division.

Presented to the Mayor for approval July 01, 2013.

RETURNED UNSIGNED July 15, 2013. ( #1199)

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CONSTABLE BOND, JESSICA LYNN RODERICK, New Bedford, MA 02746, with Western Surety Company in the amount of 5,000.00.

Approved.

Presented to the Mayor for approval July 01, 2013.

Approved July 11, 2013. ( #1200)

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CONSTABLE BOND, PAMELA A. BOURGAULT, New Bedford, MA 02745, with Western Surety Company in the amount of 5,000.00.

Approved.

Presented to the Mayor for approval July 01, 2013.

Approved July 11, 2013. ( #1201)

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CONSTABLE BOND, PETER M. SULLIVAN, New Bedford, MA 02740, with Western Surety Company in the amount of 5,000.00.

Approved.

Presented to the Mayor for approval July 01, 2013.

Approved July 11, 2013. ( #1202)

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MINUTES, Council on Aging Advisory Board, submitting MINUTES of a meeting held on May 09, 2013.

Received and Placed on File. ( #1203)

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MINUTES, Zoning Board of Appeals, submitting MINUTES of a meeting held on March 28, 2013.

Received and Placed on File. (#1204)

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MINUTES, Airport Commission, submitting MINUTES of a meeting held on May 15, 2013.

Received and Placed on File. (#1205)

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MINUTES, Board of Assessors, submitting MINUTES of a meeting held on June 12, 2013.

Received and Placed on File. (#1206)

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MINUTES, Bristol Coalition Meeting, submitting MINUTES of a meeting held on June 18, 2013.

Received and Placed on File. (#1207)

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MINUTES, Bristol County Executive Board Meeting, submitting MINUTES of a meeting held on June 18, 2013.

Received and Placed on File. (#1208)

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MINUTES, Conservation Commission, submitting MINUTES of a meeting held on May 28, 2013.

Received and Placed on File. (#1209)

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APPLICATION, **Joseph E. Dupre, Inc.**, for permission to maintain a STREET OBSTRUCTION at **37 Sixth Street**, provisionally granted by the City Clerk on June 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 July 01, 2013.

Approved July 11, 2013. (#1210)

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APPLICATION, **Christopher Mendoza**, for permission to maintain a STREET OBSTRUCTION at **June Street P136A/L768**, provisionally granted by the City Clerk on June 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 July 01, 2013.

Approved July 11, 2013. (#1211)

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APPLICATION, **A-1 Asphalt Company Inc.**, for permission to maintain a STREET OBSTRUCTION at **225 Pine Grove Street P127E/L302**, provisionally granted by the City Clerk on June 19, 2013, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval July 01, 2013.

Approved July 11, 2013. (#1212)

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APPLICATION, **Reis Asphalt Inc.**, for permission to maintain a STREET OBSTRUCTION at **18 Stephen Street P22/L82**, provisionally granted by the City Clerk on June 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 July 01, 2013.

Approved July 11, 2013. (#1213)

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APPLICATION, **Reis Asphalt Inc.**, for permission to maintain a STREET OBSTRUCTION at **203 Cornell Street P62/L193**, provisionally granted by the City Clerk on June 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 July 01, 2013.

Approved July 11, 2013. (#1214)

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APPLICATION, **Farland Corp. Inc.**, for permission to maintain a STREET OBSTRUCTION at **90 Front Street**, provisionally granted by the City Clerk on June 25, 2013, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval July 01, 2013.

Approved July 11, 2013. (#1215)

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APPLICATION, **R.J. Canessa Excavating**, for permission to maintain a STREET OBSTRUCTION at **1270 Rockdale Avenue**, provisionally granted by the City Clerk on June 27, 2013, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval July 01, 2013.

Approved July 11, 2013. (#1216)

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APPLICATION, **Christopher Mendoza**, to DISTURB THE SURFACE, of **June Street P136A/L768**, provisionally granted by the City Clerk on June 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 July 01, 2013.

Approved July 11, 2013. (#1217)

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APPLICATION, **A-1 Asphalt Company Inc.**, to DISTURB THE SURFACE, of **225 Pine Grove Street P127E/L302**, provisionally granted by the City Clerk on June 19, 2013, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval July 01, 2013.

Approved July 11, 2013. (#1218)

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APPLICATION, **Reis Asphalt Inc.** to DISTURB THE SURFACE, of **18 Stephen Street P22/L82**, provisionally granted by the City Clerk on June 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 July 01, 2013.

Approved July 11, 2013. (#1219)

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APPLICATION, **Reis Asphalt Inc.,** to DISTURB THE SURFACE, of **203 Cornell Street P62/L193**, provisionally granted by the City Clerk on June 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 July 01, 2013.

Approved July 11, 2013. (#1220)

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APPLICATION, **Farland Corp. Inc.,** to DISTURB THE SURFACE, of **90 Front Street**, provisionally granted by the City Clerk on June 25, 2013, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval July 01, 2013.

Approved July 11, 2013. (#1221)

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APPLICATION, **R.J. Canessa Excavating,** to DISTURB THE SURFACE, of **1270 Rockdale Avenue**, provisionally granted by the City Clerk on June 27, 2013, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval July 01, 2013.

Approved July 11, 2013. (#1222)

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APPLICATIONS, **NSTAR Gas Company,** to DISTURB THE SURFACE, provisionally granted by the City Clerk on June 18, 2013, subject to ratification by the Mayor and City Council as follows:

67 Maywood Street (#1223)

109 Swift Street (#1224)

429 Shaw Street (#1225)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval July 01, 2013.

Approved July 11, 2013.

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APPLICATIONS, **NSTAR Gas Company**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on June 20, 2013, subject to ratification by the Mayor and City Council as follows:

- |                             |         |
|-----------------------------|---------|
| 209-211 Hersom Street       | (#1226) |
| 987 Osgood Street           | (#1227) |
| 963 Brantwood Street        | (#1228) |
| 45 Lombard Street           | (#1229) |
| 64 Nelson Street            | (#1230) |
| 314 Summer Street           | (#1231) |
| 22 and 28 Highland Street   | (#1232) |
| 926 County Street           | (#1233) |
| 1262 Acushnet Avenue        | (#1234) |
| 242 Rockdale Avenue         | (#1235) |
| 337-339 Hawthorn Street     | (#1236) |
| 42 Stephen Street           | (#1237) |
| 235-237 Clifford Street     | (#1238) |
| 180 Palmer Street           | (#1239) |
| 11 Avon Street              | (#1240) |
| 27 Meriam Street            | (#1241) |
| 76 Bedford Street           | (#1242) |
| 62 and 67 Mt. Vernon Street | (#1243) |
| 14 Alden Street             | (#1244) |
| 38 Bullock Street           | (#1245) |
| 633 Cottage Street          | (#1246) |
| 73 Hathaway Street          | (#1247) |

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval July 01, 2013.

Approved July 11, 2013.

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APPLICATION, **NSTAR Gas Company**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on June 26, 2013, subject to ratification by the Mayor and City Council as follows:

- |                      |         |
|----------------------|---------|
| 220 Worcester Street | (#1248) |
|----------------------|---------|

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval July 01, 2013.

Approved July 11, 2013.

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APPLICATION, **NSTAR Electric Company**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on June 24, 2013, subject to ratification by the Mayor and City Council as follows:

County Street, north of Maxfield Street

(#1249)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval July 01, 2013.

Approved July 11, 2013.

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On a motion, the Council then adjourned at 9:35 p.m.  
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ATTEST:

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