



Council Meeting - Minutes

CITY COUNCIL CALENDAR

Chambers of the City Council Municipal Building

Thursday, September 26, 2013 - 7:15 p.m.

View Agenda

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

LATE: No One.

ABSENT: No One.

Council President Duarte called the meeting to order and presided.

Reverend David Lima, Pastor New Seasons Worship Center, led the Assembly in Prayer.

Steven Martins, Councillor Ward Two led the Assembly in the Pledge of Allegiance to the Flag.

The following resolution honoring Peter Sylvanus Barney, was presented by Councillor Lawrence.

CITY OF NEW BEDFORD

IN CITY COUNCIL

SEPTEMBER 26, 2013

RESOLUTION HONORING PETER SYLVANUS BARNEY, ADMINISTRATIVE ASSISTANT TO THE BOARD OF ASSESSORS ON THE OCCASION OF HIS RETIREMENT AFTER MANY YEARS OF SERVICE TO THE CITY OF NEW BEDFORD

WHEREAS, Peter S. Barney received his Bachelor of Arts Degree in English, with a Secondary Minor in Education in 1971, from Bridgewater State College, a Paralegal Degree from Newbury Junior College in 1975, and held a Real Estate Broker's License for twenty-four years in the Commonwealth of Massachusetts; and

WHEREAS, Peter S. Barney began his career with the City of New Bedford in 1971, as the Reference and Audio-Visual Librarian, operating the one-man department catering to library systems audio/visual needs and created the numerical catalog system for use in the Library system for certain audio and visual materials, he also was a member of the Board of Library Trustees for four years; and

WHEREAS, From 1983 to 1986, Peter S. Barney was the Tax Collector and Treasurer for the City of New Bedford; he supervised the City's Tax Collection and Treasury Department, invested all funds, negotiated all City borrowing and managed the City's cash flow and general budget; and

WHEREAS, From 1990 to 2005, Peter S. Barney was the Senior Assessor for the City of New Bedford, routinely assisted in setting values for the City as well as defending values through legal technicalities and evidentiary proceedings at the Appellate Tax Board, of which he was Chairman, from 1991 to 2005; and

WHEREAS, Since 2005, Peter S. Barney has been the Administrative Assistant to the New Bedford Board of Assessors, responsible for the management of the City Assessor's Office and its employees, setting of property values,

Appellate Tax Board Case Files and Court Presentations, negotiating all office contracts and real estate valuation disputes; and

WHEREAS, Peter S. Barney is currently the President of the Wamsutta Club and over the years has served as the former Vice-President of the Opportunity Center of the Greater New Bedford Advisory Board (Work, Inc.), former Treasurer of the New Bedford Symphony Orchestra, has been a member of the Massachusetts Association of Assessing Officers, the Bristol County Association of Assessing Officers, Past Executive Board and President in 2003 and 2004; and

WHEREAS, Peter S. Barney was Chairman of the twenty-second National Narrow Gauge Railroad Convention, LLC, chief organizer and promoter of the 2002 National Narrow Gauge Railroad Convention held in Warwick, Rhode Island, the first convention of this group to be held in New England; and

WHEREAS, Peter S. Barney was Vice-President of the Edaville Entertainment Corporation, handling all types of on-site duties required to operate a tourist railroad, from basic bookkeeping to employee management and strategic planning, in addition, he was President of the Cranberry Belt Corporation, buying and leasing railroad equipment to tourist facilities and was qualified to do railroad equipment appraisals; and

WHEREAS, Peter S. Barney was the Managing Editor of Prototype Modeler Magazine, preparing, proof-reading, editing and supervising the creation of the bi-monthly model railroad magazine; and

WHEREAS, During his career, Peter S. Barney has authored twenty-six books on two-foot gauge railroads, authored over two-hundred magazine articles in various railroad magazines in the United States and Australia and has been recognized internationally as a professional model maker and historian on the subject of railroads; and

WHEREAS, In 2011, Peter S. Barney was nominated to the National Narrow Gauge Railroad Hall of Fame; and

WHEREAS, Peter S. Barney is known as someone who has the ability to interact and work well with other City Officials, business owners and the general public, and he leaves with the knowledge that after many years as a dedicated public servant, he can look back with pride at his many successes, the many people he has mentored and the great number of friends he has made throughout the City of New Bedford during his career:

NOW, THEREFORE, BE IT RESOLVED, That the New Bedford City Council hereby honors **PETER SYLVANUS BARNEY, ADMINISTRATIVE ASSISTANT TO THE BOARD OF ASSESSORS ON THE OCCASION OF HIS RETIREMENT AFTER MANY YEARS OF SERVICE TO THE CITY OF NEW BEDFORD**, commends him for his excellent work and for his many accomplishments, thanks him for his many years of dedicated hard work on behalf of our great City, congratulates him on his Retirement and wishes him many years of happiness with his family and friends.

Adopted. (#1614)

HEARING, on petition of NSTAR ELECTRIC COMPANY for location of one (1) 2” Conduit in RUSSELL STREET, East of County Street.

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

No One Opposed; Hearing closed.

Petition Placed on File. (#1615)

ORDER,

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

Presented to the Mayor for approval September 30, 2013.

Approved October 08, 2013. (#1616)

HEARING, on petition of NSTAR ELECTRIC COMPANY for location of one (1) 4" Conduit and one (1) 22"Wx32"Lx15"D Handhole in COTTAGE STREET, North of Kempton Street.

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

No One Opposed; Hearing closed.

Petition Placed on File. (#1617)

ORDER,

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

Presented to the Mayor for approval September 30, 2013.

Approved October 08, 2013. (#1618)

HEARING, on petition of NSTAR ELECTRIC COMPANY for location of one (1) 4" Conduit in KEMPTON STREET, Corner of County Street.

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

No One Opposed; Hearing closed.

Petition Placed on File. (#1619)

ORDER,

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

Presented to the Mayor for approval September 30, 2013.

Approved October 08, 2013. (#1620)

HEARING, on petition of NSTAR ELECTRIC COMPANY for six (6) 5" Conduits in SAWYER STREET, West of Veteran's Memorial Way.

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

No One Opposed; Hearing closed.

Petition Placed on File. (#1621)

ORDER,

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

Presented to the Mayor for approval September 30, 2013.

Approved October 08, 2013. (#1622)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$120,000.00 from CEMETERY, SALE OF LOTS, to DPI/HIGHWAYS, CHARGES & SERVICES.

Received and Placed on File. (#1623)

IN CITY COUNCIL
SEPTEMBER 26, 2013

ORDERED: that the sum of ONE HUNDRED AND TWENTY THOUSAND DOLLARS (\$120,000.00) now standing to the credit of the account from CEMETERY SALE OF LOTS be and the same is hereby transferred and appropriated to as follows:

DPI/HIGHWAYS, CHARGES AND SERVICES.....\$120,000.00

To be certified and approved by the Department Head.

Adopted – Yeas 10, Nays 1. (Councillor Alves OPPOSED.)

Presented to the Mayor for approval September 30, 2013.

Approved October 08, 2013. (#1624)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$110,000.00 from WATER STABILIZATION FUND, to WATER, CHARGES & SERVICES.

Received and Placed on File. (#1625)

CITY OF NEW BEDFORD
IN CITY COUNCIL
SEPTEMBER 26, 2013

ORDERED: that the sum of ONE HUNDRED AND TEN THOUSAND DOLLARS (\$110,000.00) now standing to the credit of the account from WATER STABILIZATION FUND be and the same is hereby transferred and appropriated to as follows:

WATER, CHARGES AND SERVICES.....\$110,000.00

To be certified and approved by the Department Head.

Adopted.

Presented to the Mayor for approval September 30, 2013.

Approved October 08, 2013. (#1626)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$1,500.00 from RECREATION AND PARKS, OTHER CHARGES, to RECREATION AND PARKS, CHARGES & SERVICES.

Received and Placed on File. (#1627)

CITY OF NEW BEDFORD
IN CITY COUNCIL
SEPTEMBER 26, 2013

ORDERED: that the sum of ONE THOUSAND FIVE HUNDRED DOLLARS (\$1,500.00) now standing to the credit of the account from RECREATION AND PARKS, OTHER CHARGES be and the same is hereby transferred and appropriated to as follows:

RECREATION AND PARKS, CHARGES AND SERVICES..... \$1,500.00

To be certified and approved by the Department Head.

Adopted.

Presented to the Mayor for approval September 30, 2013.

Approved October 08, 2013. (#1628)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, that the City Council and Mayor hereby approve the policy entitled "Debt Issuance and Management" for the purpose of establishing a policy for management of the City's debt.

Referred to the Committee on Finance. (#1629)

ORDER,

Referred to the Committee on Finance. (#1630)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, that the City Council and Mayor hereby approve the policy entitled "Fund Balance Management" for the purpose of establishing a policy for management of the City's fund balances.

Referred to the Committee on Finance. (#1631)

ORDER,

Referred to the Committee on Finance. (#1632)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, that in accordance with Massachusetts General Law Chapter 44, Section 53E ½, the Revolving Fund, known as the TANGIBLE SUPPLY DISPOSITION REVOLVING FUND, whose purpose is to fund replacement fund and vehicles utilizing proceeds from the disposition of tangible supply in accordance with Massachusetts General Law Chapter 30B, Section 15, and whose revenue and amount limited to be spent in FY14 is restricted to revenue deposited into the fund, is hereby authorized for FISCAL YEAR 2014.

Referred to the Committee on Finance. (#1633)

ORDER,

Referred to the Committee on Finance. (#1634)

COMMUNICATION, Mayor Mitchell, to City Council, requesting that the attached list of locations be designated as polling precincts for the upcoming Preliminary Election being held on Tuesday, October 08, 2013 and the Municipal Election on Tuesday, November 05, 2013; the polls will open at 7:00 a.m. and close at 8:00 p.m.

Received and Placed on File. (#1635)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of JILL MACLEAN, New Bedford, MA, to the position of CITY PLANNER.

Rule 38 Waived, Appointment Confirmed and Rule 40 Waived – Yeas 10, Nays 0. (Councillor Lopes not present for vote.) (#1636)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of ESTELLA RIBEIRO, Fairhaven, MA 02719, to the HUMAN RELATIONS COMMISSION; the term will expire April 2016.

Rule 38 Waived and Appointment Confirmed. (#1637)

IT WAS VOTED, on a motion made and duly seconded, Yeas 10, Nays 0, to waive Rule 42 in order of business to take up the following items at this time. (Councillor Lopes not present for vote.)

REPORT, Committee on Appointments and Briefings, recommending to the City Council APPROVAL of the APPOINTMENT of LEO SCHICK, New Bedford, MA 02740, to the ZONING BOARD OF APPEALS, as an ASSOCIATE (ALTERNATE) MEMBER, replacing Arthur Glassman who has resigned; this term will expire December 2017.

Rule 42 Waived – Yeas 10, Nays 0. (Councillor Lopes not present for vote.)

Appointment Confirmed and Rule 40 Waived – Yeas 10, Nays 0. (Councillor Lopes not present for vote.)

(#1638)

REPORT, Committee on Appointments and Briefings, recommending to the City Council APPROVAL of the APPOINTMENT of GARY A. CORREIA, New Bedford, MA 02745, to the AIRPORT COMMISSION, replacing Michael Knabbe whose term has expired; this term will expire December 2014.

Rule 42 Waived – Yeas 10, Nays 0. (Councillor Lopes not present for vote.)

Appointment Confirmed and Rule 40 Waived – Yeas 10, Nays 0. (Councillor Lopes not present for vote.)

(#1639)

REPORT, Committee on Appointments and Briefings, recommending to the City Council on behalf of **Lisa F. DeFrias, 875 Old Plainville Road, Unit C, New Bedford, MA 02745 d/b/a/ BLUE MOON LIMOUSINE, 875 Old Plainville Road, Unit C, New Bedford, MA 02745**, APPROVAL 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. (License previously granted in 12/2011.)

Rule 42 Waived – Yeas 10, Nays 0. (Councillor Lopes not present for vote.)

Recommendation Followed.

(#1640)

COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of **Lisa F. DeFrias, 875 Old Plainville Road, Unit C, New Bedford, MA 02745 d/b/a/ BLUE MOON LIMOUSINE, 875 Old Plainville Road,**

Unit C, New Bedford, MA 02745, 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; license previously granted in 12/2011.

Referred to the Committee on Appointments and Briefings – August 13, 2013.

Rule 42 Waived – Yeas 10, Nays 0. (Councillor Lopes not present for vote.)

License Granted.

Presented to the Mayor for approval September 30, 2013.

Approved October 08, 2013. (#1401)

REPORT, Committee on Ordinances, recommending to the City Council ADOPTION of the ORDINANCE AS AMENDED, Amending Chapter 15-72 Food Trucks.

Rule 42 Waived – Yeas 10, Nays 0. (Councillor Lopes not present for vote.)

Recommendation Followed. (#1641)

ORDINANCE, Amending Chapter 15, Section 15-72 – Relative to Food Trucks.

Rule 42 Waived – Yeas 10, Nays 0. (Councillor Lopes not present for vote.)

Passed to a Second Reading. (#1642)

REPORT, Committee on Ordinances, recommending to the City Council, ADOPTION of the ORDINANCE, Waterfront Economic Development and Revitalization Overlay District (WEDROD).

Rule 42 Waived – Yeas 10, Nays 0. (Councillor Lopes not present for vote.)

Recommendation Followed. (#1643)

ORDINANCE, Amending Chapter 9, ZONING – Relative to Waterfront Economic Development and Revitalization Overlay District (WEDROD).

Rule 42 Waived – Yeas 10, Nays 0. (Councillor Lopes not present for vote.)

Passed to a Second Reading – Yeas 10, Nays 1. (Councillor Coelho OPPOSED.) (#1644)

REPORT, Committee on Ordinances, recommending to the City Council, ADOPTION of the ORDINANCE, Relative to Committees of the City Council, Amending Chapter 2, Section 2-70, Duties of the Committee on Veterans' Affairs, Elderly, Youth, Health and Housing and Disability Issues.

Rule 42 Waived – Yeas 10, Nays 0. (Councillor Lopes not present for vote.)

Recommendation Followed. (#1645)

ORDINANCE, Amending Chapter 2, Section 2-70, Relative to Committee of the City Council, Duties of the Committee on Veterans' Affairs, Elderly, Youth, Health and Housing and Disability Issues.

Rule 42 Waived – Yeas 10, Nays 0. (Councillor Lopes not present for vote.)

Passed to a Second Reading. (#1646)

The Council then returned to the regular order of business.

ORDINANCE, Amending Chapter 9, Section 1200 to insert a 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 - June 27, 2013.

Passed to a Second Reading – September 12, 2013.

Passed to be Ordained – Yeas 11, Nays 0.

Presented to the Mayor for approval September 30, 2013.

Approved October 08, 2013. (#1129)

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”, “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 – May 23, 2013.

Passed to a Second Reading – September 12, 2013.

Passed to be Ordained – Yeas 11, Nays 0.

Presented to the Mayor for approval September 30, 2013.

Approved October 08, 2013. (#0895)

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 – May 23, 2013.

Passed to a Second Reading – September 12, 2013.

Passed to be Ordained – Yeas 11, Nays 0.

Presented to the Mayor for approval September 30, 2013.

Approved October 08, 2013. (#0893)

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 – May 23, 2013.

Passed to a Second Reading – September 12, 2013.

Passed to be Ordained – Yeas 11, Nays 0.

Presented to the Mayor for approval September 30, 2013.

Approved October 08, 2013. (#0891)

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 – May 23, 2013.

Passed to a Second Reading – September 12, 2013.

Passed to be Ordained – Yeas 11, Nays 0.

Presented to the Mayor for approval September 30, 2013.

Approved October 08, 2013. (#0889)

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 – May 23, 2013.

Passed to a Second Reading AS AMENDED – September 12, 2013.

Passed to be Ordained – Yeas 11, Nays 0.

Presented to the Mayor for approval September 30, 2013.

Approved October 08, 2013. (#0887)

ORDINANCE, Rezoning of Assessors Map 100, Lots 29 & 47 (Whalers Place) along South side of Collette Street, West side of Riverside Avenue and North side of Phillips Avenue from Mixed-Use Business to RESIDENTIAL.

Passed to a Second Reading – September 12, 2013.

Passed to be Ordained – Yeas 10, Nays 0. (Councillor Alves not present for vote.)

Presented to the Mayor for approval September 30, 2013.

Approved October 08, 2013. (#1502)

ORDINANCE, Rezoning of Assessors Map 105, Lots 132, 169, 180, 213 and 216 (Cliftex Lofts) along West side of riverside Avenue, North side of Hathaway Street and Belleville Avenue from Mixed-Use Business to RESIDENTIAL.

Passed to a Second Reading – September 12, 2013.

Passed to be Ordained – Yeas 10, Nays 0. (Councillor Alves not present for vote.)

Presented to the Mayor for approval September 30, 2013.

Approved October 08, 2013. (#1503)

ORDINANCE, Rezoning Assessors Map 136, Lot 322 (209 Theodore Rice Boulevard) – along West side of Braley Road and North side of Theodore Rice Boulevard be Rezoned from Industrial C to MIXED-USE BUSINESS.

Passed to a Second Reading – September 12, 2013.

Passed to be Ordained – Yeas 10, Nays 0. (Councillor Alves not present for vote.)

Presented to the Mayor for approval September 30, 2013.

Approved October 08, 2013. (#1505)

WRITTEN MOTION, Council President Duarte, requesting, on behalf of the Marion Institute, that the following street(s) be CLOSED: PURCHASE STREET, from Walnut Street to Union Street; SPRING STREET, from Pleasant Street to Acushnet Avenue and SCHOOL STREET, from Pleasant Street to Acushnet Avenue, ON THURSDAY, OCTOBER 24, 2013, AT 8:00 A.M. THROUGH SUNDAY, OCTOBER 27, 2013, AT 7:00 P.M., for the purpose of Bioneers by the Bay Conference: Connecting for Change.

Permission Granted.

Presented to the Mayor for approval September 30, 2013.

Approved October 08, 2013. (#1647)

WRITTEN MOTION, Councillor Gonsalves, requesting, on behalf of The Greater New Bedford Track Club, that the following street(s) be CLOSED: LAKE STREET and LT. WALTER E. FULLER MEMORIAL PARKWAY, from 6:00 A.M. THROUGH 12:30 P.M., on SUNDAY, OCTOBER 27, 2013, for the purpose of THE 35th ANNUAL SPOONER 10K RUN AND SPOOKY 5K RUN/WALK. NOTE: ALSO REQUESTING THAT THE DPI PROVIDE STREET CLOSURE BARRELS.

Permission Granted.

Presented to the Mayor for approval September 30, 2013.

Approved October 08, 2013. (#1648)

WRITTEN MOTION, Councillor Saunders, requesting, on behalf of the New Bedford High School Marching Band, that the following street(s) be CLOSED: PARKER STREET, from Hathaway Boulevard to Liberty Street, ON SUNDAY, OCTOBER 06, 2013, FROM 10:00 A.M. TO 7:00 P.M., for the purpose of the ANNUAL BAND COMPETITION.

Permission Granted.

Presented to the Mayor for approval September 30, 2013.

Approved October 08, 2013. (#1649)

WRITTEN MOTION, Council President Duarte, requesting, on behalf of the Zeiterion Theatre, that the following street(s) be CLOSED: PURCHASE STREET, from School Street to Spring Street, (Alongside the Zeiterion Theatre), ON SATURDAY, SEPTEMBER 28, 2013, FROM 3:00 P.M. TO 11:00 P.M., for the purpose of A Gleeful Gala and Evening with Glee Star Matthew Morrison and the New Bedford Symphony Orchestra; and further requesting, that “NO PARKING” Signs be installed.

Permission Granted.

Presented to the Mayor for approval September 30, 2013.

Approved October 08, 2013. (#1650)

WRITTEN MOTION, Council President Duarte, requesting, that signage reading “NO TRESPASSING FROM DUSK TO DAWN” be installed at the Serenity Gardens, at South Sixth Street and Bedford Street; and further, that similar

signage be installed at Magnet Park. (To be Referred to the Traffic Commission and the Department of Parks and Recreation.)

Referred to the Traffic Commission and the Department of Parks and Recreation.

Presented to the Mayor for approval September 30, 2013.

Approved October 08, 2013. (#1651)

WRITTEN MOTION, Council President Duarte, requesting, that the Traffic Commission install a “WELCOME TO NEW BEDFORD” Sign at Rt. 6 and Rt. 140, which motorists entering the City can easily read. (To be Referred to the Traffic Commission.)

Referred to the Traffic Commission – Yeas 10, Nays 1. (Councillor Gonsalves OPPOSED.)

(#1652)

WRITTEN MOTION, Councillor Lopes, ONCE MORE requesting that the City of New Bedford hire an Independent Auditing firm to conduct an Audit of the City’s finances, before the hiring of a new City Auditor; and further, requesting that the firm contracted to complete said Audit, is not currently working on or has not worked on the City’s finances within the last six Fiscal Years.

Adopted – Yeas 11, Nays 0.

Presented to the Mayor for approval September 30, 2013.

RETURNED UNSIGNED October 11, 2013. (#1653)

COMMUNICATION/DEMOLITION, New Bedford Historical Commission, to City Council, re: BUILDING DEMOLITION REVIEW: 35 BELLEVUE STREET, CIRCA 1932 ONE-STORY WOOD FRAMED STRUCTURE, advising that “the structure is not located in a National Register Historic District and the structure is of no notable historic significance either recorded or found with the existing condition of the structure” and therefore, “the NBHC has determined that the building is NOT historically significant building and not preferably preserved.”

Demolition Granted – Yeas 10, Nays 0. (Councillor Saunders not present for vote.)

Presented to the Mayor for approval September 30, 2013.

Approved October 08, 2013. (#1654)

COMMUNICATION, Harbor Development Commission, to City Council, notifying that the Harbor Development Meeting on September 12, 2013, a vote was taken to send a letter to the City Council setting forth the Commissioners strong support for the Home Rule Petition relative to the Harbormaster in the City of New Bedford. (Copy all Councillors 09/20/2013.)

Received and Placed on File – Yeas 10, Nays 0. (Councillor Saunders not present for vote.)

(#1655)

COMMUNICATION, US Army Corps of Engineers, submitting the Final Environmental Impact Statement/Final Environmental Impact Report on the South Coast Rail Project proposed by the Massachusetts Department of Transportation. (Copy all Councillors 09/23/2013.)

Received and Placed on File – Yeas 10, Nays 0. (Councillor Saunders not present for vote.)

(#1656)

WRITTEN MOTION, Councillor Gomes, requesting, that the Department of Public Infrastructure take immediate action and repair the sidewalk in front of Uncle Ken's Bait and Tackle, 314 Dartmouth Street, due to the cracks in the sidewalk and the deplorable conditions for pedestrians walking in front of said business. (To be Referred to the Department of Public Infrastructure.)

Referred to the Department of Public Infrastructure.

Presented to the Mayor for approval September 30, 2013.

RETURNED UNSIGNED October 11, 2013.

(#1657)

ANNUAL REPORT, New Bedford Police Department, submitting ANNUAL REPORT for Fiscal Year 2013.

Received and Placed on File.

(#1658)

MINUTES, Council on Aging, submitting MINUTES of a meeting held on August 08, 2013.

Received and Placed on File.

(#1659)

MINUTES, Board of Assessors, submitting MINUTES of meetings held on September 05 and 19, 2013.

Received and Placed on File.

(#1660)

MINUTES, Licensing Board, submitting MINUTES of a meeting held on August 26, 2013.

Received and Placed on File.

(#1661)

APPLICATION, **Unlimited Removal and Demolition Inc.**, for permission to maintain a STREET OBSTRUCTION at **4 Marcotte Street, P125B/L147**, provisionally granted by the City Clerk on September 13, 2013, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval September 30, 2013.

Approved October 08, 2013.

(#1662)

APPLICATION, **Reis Asphalt Inc.**, for permission to maintain a STREET OBSTRUCTION at **1028 Churchill Street**, provisionally granted by the City Clerk on September 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 September 30, 2013.

Approved October 08, 2013.

(#1663)

APPLICATION, **Reis Asphalt Inc.**, for permission to maintain a STREET OBSTRUCTION at **61 Maxine Street**, provisionally granted by the City Clerk on September 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 September 30, 2013.

Approved October 08, 2013.

(#1664)

APPLICATION, **Reis Asphalt Inc.**, for permission to maintain a STREET OBSTRUCTION at **85 Walden Street**, provisionally granted by the City Clerk on September 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 September 30, 2013.

Approved October 08, 2013.

(#1665)

APPLICATION, **Reis Asphalt Inc.**, for permission to maintain a STREET OBSTRUCTION at **232 Haskell Street**, provisionally granted by the City Clerk on September 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 September 30, 2013.

Approved October 08, 2013.

(#1666)

APPLICATION, **Reis Asphalt Inc.**, for permission to maintain a STREET OBSTRUCTION at **416 Park Avenue**, provisionally granted by the City Clerk on September 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 September 30, 2013.

Approved October 08, 2013.

(#1667)

APPLICATION, **Mirra Company Inc.**, for permission to maintain a STREET OBSTRUCTION at **16 Hassey Street**, provisionally granted by the City Clerk on September 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 September 30, 2013.

Approved October 08, 2013.

(#1668)

APPLICATION, **Mirra Company Inc.**, for permission to maintain a STREET OBSTRUCTION at **71 8th Street**, provisionally granted by the City Clerk on September 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 September 30, 2013.

Approved October 08, 2013. (#1669)

APPLICATION, **Unlimited Removal and Demolition Inc.**, to DISTURB THE SURFACE, of **4 Marcotte Street, P125B/L147**, provisionally granted by the City Clerk on September 13, 2013, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval September 30, 2013.

Approved October 08, 2013. (#1670)

APPLICATION, **Reis Asphalt Inc.**, to DISTURB THE SURFACE, of **1028 Churchill Street**, provisionally granted by the City Clerk on September 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 September 30, 2013.

Approved October 08, 2013. (#1671)

APPLICATION, **Reis Asphalt Inc.**, to DISTURB THE SURFACE, of **61 Maxine Street**, provisionally granted by the City Clerk on September 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 September 30, 2013.

Approved October 08, 2013. (#1672)

APPLICATION, **Reis Asphalt Inc.**, to DISTURB THE SURFACE, of **85 Walden Street**, provisionally granted by the City Clerk on September 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 September 30, 2013.

Approved October 08, 2013. (#1673)

APPLICATION, **Reis Asphalt Inc.**, to DISTURB THE SURFACE, of **232 Haskell Street**, provisionally granted by the City Clerk on September 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 September 30, 2013.

Approved October 08, 2013. (#1674)

APPLICATION, **Reis Asphalt Inc.**, to DISTURB THE SURFACE, of **416 Park Avenue**, provisionally granted by the City Clerk on September 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 September 30, 2013.

Approved October 08, 2013. (#1675)

APPLICATION, **Mirra Company Inc.**, to DISTURB THE SURFACE, of **16 Hassey Street**, provisionally granted by the City Clerk on September 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 September 30, 2013.

Approved October 08, 2013. (#1676)

APPLICATION, **Mirra Company Inc.**, to DISTURB THE SURFACE, of **71 8th Street**, provisionally granted by the City Clerk on September 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 September 30, 2013.

Approved October 08, 2013. (#1677)

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

206 Brownell Street (#1678)

212 State Street (#1679)

Walden Street @ Hillman Street (#1680)

115-119 Coggeshall Street (#1681)

372 Bream Street (#1682)

1061 Pleasant Street (#1683)

179 William Street (#1684)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval September 30, 2013.

Approved October 08, 2013.

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

112 Dewolf Street (#1685)

70 Lindsey Street (#1686)

12 Stowell Street (#1687)

966 Kempton Street (#1688)

886 County Street (#1689)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval September 30, 2013.

Approved October 08, 2013.

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

Cedar Street, at Mill Street (#1690)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval September 30, 2013.

Approved October 08, 2013.

APPLICATIONS, **ABC Disposal Service**, for permission to maintain a STREET OBSTRUCTION, provisionally granted by the City Clerk on September 25, 2013, subject to ratification by the Mayor and City Council as follows:

3 Nelson Street (#1691)

110 South Street (#1692)

461 Chancery Street (#1693)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval September 30, 2013.

Approved October 08, 2013.

On a motion, the Council then adjourned at 8:30 p.m.

ATTEST:

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