



Council Meeting – Agenda

CITY COUNCIL CALENDAR

Chambers of the City Council Municipal Building

Thursday, April 24, 2014 – 7:00 p.m.

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OPENING OF SESSION BY: CITY COUNCIL PRESIDENT JOSEPH P. LOPES

**PRAYER LED BY: REVEREND PAMELA J. COLE, PRESIDENT
GREATER NEW BEDFORD CHAPTER OF CHURCH WOMEN UNITED**

PLEDGE OF ALLEGIANCE

RESOLUTION

1. RESOLUTION, Councillor Carney, honoring the 2014 Greater New Bedford Regional Vocational Technical High School “Lady Bears” Varsity Basketball Team on another Winning Year.

MAYOR’S PAPERS

M1. COMMUNICATION, Mayor Mitchell to City Council, submitting AN ORDER, *amending* the Order adopted by the City Council on June 27, 2013, and signed by the Mayor on June 28, 2013, which in accordance with M.G.L. Chapter 44, Section 53E ½, authorized the Revolving Fund under the control of the Department of Community Services, known as SENIOR ACTIVITIES REVOLVING FUND, whose purpose is to support social activities and entertainment at all Senior Centers, etc., whose revenues collected and amount limited at \$6,200.00 is hereby authorized at \$15,970.00 for FISCAL YEAR 2014.

M1a. AN ORDER,

M2. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER to provide for the payment of unpaid bills of a previous Fiscal Year of the City of New Bedford, the sum set against the PURCHASING DEPARTMENT REVOLVING FUND SUPPLIES AND MATERIALS is hereby approved to be expended in FISCAL YEAR 2014 in the amount of \$3,825.45.

M2a. AN ORDER,

M3. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDINANCE, Amending Chapter 6, Article VII, Prevention and Abatement of Nuisances, by adding Section 6-125, CHRONIC PROBLEM PROPERTIES.

M3a. AN ORDINANCE,

M4. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDINANCE, Amending Chapter 16, Article IV, SOLID WASTE COLLECTION AND DISPOSAL, and AN ORDINANCE, Amending Chapter 17, Section 17-18, Noncriminal Disposition of Violations of Certain Ordinances, Rules and

Regulations.

M4a. AN ORDINANCE, Amending Chapter 16, Article IV, SOLID WASTE COLLECTION AND DISPOSAL.

M4b. AN ORDINANCE, Amending Chapter 17, Section 17-18, Noncriminal Disposition of Violations and Certain Ordinances, Rules and Regulations.

M5. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, authorizing the Mayor to execute a lease amendment and lease extension between the City and the Commonwealth (on behalf of Bridgewater State University) the purpose being to extend the current lease (which expired last summer) an additional (5) five years and provide a rent reduction, Bridgewater Flight Academy pays the highest rate of any tenant at the Airport and also services and fuels its fleet of aircraft at the Airport creating additional revenue.

M5a. AN ORDER,

M6. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, awarding to BWC Origination 1, LLC, the attached Solar (PV) Generation Net Metering Power Sales Agreement for the purpose of procuring the solar electricity credits generated by a photovoltaic system in the New Bedford Industrial Park.

M6a. AN ORDER,

M7. COMMUNICATION, Mayor Mitchell, to City Council, submitting a SEWER ABATEMENT REQUEST for INTERNATIONAL PARALLEL MACHINE, INC., 50 Conduit Street, New Bedford, MA 02745, Account No. 017039A, in the amount of \$327.85.

M8. COMMUNICATION, Mayor Mitchell, to City Council, submitting a SEWER ABATEMENT REQUEST for XIU L. ZHANG, 359 North Front Street, New Bedford, MA 02740, Account No. 009896A, in the amount of \$244.85.

M9. COMMUNICATION, Mayor Mitchell to City Council, requesting a ONE-YEAR WAIVER OF RESIDENCY for DR. PATRICIA ANDRADE, Dartmouth, MA 02748. Dr. Andrade has been a Board of Health member since December 1995; this Waiver will be in effect until May 2015.

M10. COMMUNICATION, Mayor Mitchell to City Council, requesting a ONE-YEAR WAIVER OF RESIDENCY for DR. CRAIG LONGO, Dartmouth, MA 02747, Dr. Longo has been a Board of Health member since June 2012; this Waiver will be in effect until June 2015.

NEW BUSINESS

2. AN ORDINANCE, amending Chapter 23 TRAFFIC by amending Section 23-26 COLLECTION FROM METERS and adding Section 23-48 DOWNTOWN TRANSPORTATION FACILITIES ENTERPRISE FUND. (Passed to a Second Reading – March 27, 2014.)

3. WRITTEN MOTION, Councillors Alves and Morad, requesting, on behalf of Our Lady of Perpetual Help Church, that the following street(s) be CLOSED: NORTH FRONT STREET, from Coggeshall Street to Beetle Street, ON SATURDAY, JUNE 14, 2014, FROM 8:00 A.M. TO 8:30 P.M., or shortly after, AND SUNDAY, JUNE 15, 2014, from 8:00 A.M. TO 8:30 P. M., or shortly after, for the purpose of the “POLISH FESTIVAL”; and further, requesting, that ‘NO PARKING’ Signs be POSTED ON NORTH FRONT STREET, from Coggeshall Street to Beetle Street, ON FRIDAY EVENING, JUNE 13, 2014 at 6:00 P.M., THROUGH SUNDAY, JUNE 15, 2014, at 10:00 P.M. (NOTE: WOODEN BARRELS WILL ALSO BE USED.)

4. WRITTEN MOTION, Councillor Alves, requesting, on behalf of the Senhor Da Pedra Club and Feast Committee, that the following street(s) be CLOSED: WEBSTER COURT, from Madeira Avenue to Funchal Place (Hope Street) and TINKHAM STREET, from Madeira Avenue to Funchal Place (Hope Street), ON SATURDAY, JUNE 14, 2014, FROM 10:00 A.M. TO 11:45 P.M., AND SUNDAY, JUNE 15, 2014, FROM 10:00 A.M. TO 11:45 P.M., for the purpose of THE ANNUAL SENHOR DA PEDRA HOLY GHOST FEAST.
5. WRITTEN MOTION, Councillor Rebeiro, requesting, that the following street(s) be CLOSED: PURCHASE STREET, from Union Street to William Street, ON SATURDAY, JUNE 28, 2014, FROM 7:00 A.M. TO 8:00 P.M., for the purpose of the Annual Southcoast Equality Pride Day.
6. WRITTEN MOTION, Councillor Rebeiro, requesting, on behalf of the American Cancer Society, that the following street(s) be CLOSED: HUNTER STREET, from Parker Street to Maxfield Street, FROM FRIDAY, JUNE 27, 2014, AT 8:00 A.M. TO SATURDAY, JUNE 28, 2014. AT 12:00 (NOON), for the purpose of the Relay for Life Walk at Paul Walsh Field.
7. WRITTEN MOTION, Councillor Oliveira, requesting, on behalf of Paul Dupont, Scout Master, Troop 24, that the following street(s) be CLOSED: CHEROKEE STREET, between Acushnet Avenue and Morton Avenue, on SATURDAY, MAY 17, 2014, FROM 7:00 A.M. THROUGH 3:00 P.M., for the purpose of The Annual Soap Box Derby Race Event; and further, requesting that Cherokee Street be swept before said event. (Rain Date: Saturday, May 31, 2014 from 7:00 a.m. to 3:00 p.m.)
8. WRITTEN MOTION, Councillor Martins, requesting, on behalf of Ms. Kayla Quinones, that the following street(s) be CLOSED: BONNEAU COURT, from 3:00 P.M. to 8:00 P.M., ON SUNDAY, JUNE 22, 2014, for the purpose of a Birthday Block Party.
9. WRITTEN MOTION, Council President Lopes, requesting, on behalf of the Zeiterion Theatre, that the following street(s) be CLOSED: PURCHASE STREET, from School Street to Spring Street, ON SATURDAY, APRIL 26, 2014, FROM 4:00 P.M. TO 11:00 P.M., for the purpose of Todd Baptista's DOO WOP 9.
10. WRITTEN MOTION, Councillor Oliveira, requesting, that DPI Commissioner Ronald H. Labelle allow Boy Scout Troop 24 the use of Pine Grove Cemetery for their annual Laying to Rest of American Flags Ceremony, on June 11, 2014; and further requesting, that the DPI supply the burn barrels for the event and that the Fire Department be notified of said Ceremony.
11. WRITTEN MOTION, Councillor Coelho, requesting, that the municipal parking lot on Phillips Avenue, between North Front Street and Acushnet Avenue, be immediately provided with lighting, even if it is temporary lighting, such as floodlights, while permanent lighting is being installed, for the safety of the many customers of the growing number of businesses in the area who use the parking lot during the evening hours; and further, requesting, that this be done without delay as more people will be utilizing the parking lot as the summer season approaches.
12. WRITTEN MOTION, Council President Lopes, requesting, that CFO Ari Sky brief the New Bedford City Council on the status of the City's "other post employment benefits"; and further, that CFO Sky provide this body with any and all plans that the City is looking at to address this matter.
13. COMMUNICATION, Councillor Bousquet, submitting, AN ORDINANCE Amending Chapter 15, Article III, Section 15-71.8 RELATIVE TO FOOD TRUCKS. (To be Referred to the Committee on Ordinances.)
- 13a. AN ORDINANCE, (To be Referred to the Committee on Ordinances.)
14. COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of **Rafael Reyes, d/b/a ROAD RUNNER TRANSPORTATION, 12 Roosevelt Street, New Bedford, MA 02744**, 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.

15. COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of **DANIEL XAVIER, d/b/a MCKENZIE'S BUS COMPANY, 183, Campbell Street, New Bedford MA 02740**, hereby submit a copy of the Application requesting a **RENEWAL** of a 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 will expire May 09, 2014.**)

16. COMMUNICATION, City Clerk, on behalf of the City Treasurer, requesting that the City Council set the City Treasurer's Bond at \$350,000.00.

TABLED BUSINESS

01/23/2014 CITATION, Councillor Rebeiro, honoring **REVEREND RUSS CHAMBERLAIN**, Mercy Meals and More, in recognition of his hard work and dedication to the homeless during the recent snow storm of January 2 and 3, 2014.

03/27/2014 COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER authorizing the Mayor to execute a Deed on behalf of the City of New Bedford to Finigan Property, LLC for \$75,000.00 in substantially the same form as attached hereto, for property located at 109 Hillman Street, shown as Lot 157 on City of New Bedford Assessor's Map 58.

03/27/2014 AN ORDER,

03/27/2014 WRITTEN MOTION, Councillor Rebeiro, requesting, that the Department of Public Infrastructure which maintains the street lights provide the City Council with a report on the annual cost of upkeep including labor and materials; and further, whether it would be more cost efficient to contract the work to a private firm should be included in said report.