



# **Council Meeting – Agenda**

## **CITY COUNCIL CALENDAR**

Chambers of the City Council Municipal Building

**Thursday, August 21, 2014 – 7:00 p.m.**

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

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**PRAYER LED BY: REVEREND DAVID LIMA, PASTOR AND EXECUTIVE MINISTER  
INTER-CHURCH COUNCIL OF GREATER NEW BEDFORD**

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**MOMENT OF SILENCE:**

**RICHARD A. BACHAND, FORMER LEGISLATIVE COUNSEL & WARD TWO COUNCILLOR**

**FORMER WBSM BROADCASTER CAPTAIN JACK PETERSON**

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**PLEDGE OF ALLEGIANCE**

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**CITATIONS**

1. CITATIONS, Councillors Gomes, honoring STEPHEN GWOZDZ and JORDAN FERREIRA, in recognition of their Appointments as New Bedford Police Officers.
2. CITATION, Councillor Martins, honoring PATRICIA DIAS, New Bedford High School, in recognition of her Winning the Inaugural Congressional Science, Technology, Engineering and Math (STEM) Competition for the 9<sup>th</sup> District.
3. CITATIONS, Councillor Gomes, honoring MAYOR JONATHAN F. MITCHELL, Honorary Co-Chair, JAMES RUSSELL, Co-Chair, DAGNY ASHLEY, Co-Chair and CHRISTINA CONNELLY, Charles W. Morgan Homecoming Committee, in recognition of their commitment and dedication in bringing the Historic Whaleship, Charles W. Morgan to her homeport of New Bedford, Massachusetts, and in acknowledgement of their hard work in organizing the City's festivities.
4. CITATIONS, Councillor Gomes, honoring JERRIE LYNDON, CAITLIN MCCAFFERY, ALISON SMART, SARAH BUDLONG, CHRISTINA CONNETT, MICHELLE TAYLOR, ROBERT ROCHA, BARBARA MOSS, BARBARA MULVILLE, CHARLIE MURRAY, CHARLIE SMITH, LOUISE MEDEIROS, CAPTAIN JOSEPH CORDEIRO, JEFFREY D. STIEB, FIRE CHIEF MICHAEL GOMES and CAPTAIN RICK CUNIO, Charles W. Morgan Homecoming Committee, in recognition of their contributions to our City and their dedication to the homecoming of the Historic Whaleship, Charles W. Morgan to her homeport of New Bedford, Massachusetts 2014, with thanks and gratitude
5. CITATIONS, Councillor Martins, honoring COMMUNITY ECONOMIC DEVELOPMENT CENTER OF SOUTHEASTERN MASSACHUSETTS, RON FERRERO, MCCANN & SONS PAINTING, BOURASSA HARDWARE, MORGADO LANDSCAPE & NURSERY CO., THE POTTING BENCH, KLEIN GREENHOUSE, ARTISTS RYAN MCFEE, TODD WOODWARD and DOUG MOTTA, NEW BEDFORD OFFICE OF COMMUNITY SERVICES "NO PLACE FOR HATE", NEW BEDFORD OFFICE OF HOUSING AND COMMUNITY DEVELOPMENT and MASS IN MOTION, in recognition of your Hard work, Dedication and Commitment in taking part of the Acushnet Avenue Mural Project.

6. CITATIONS, Councillors Martins and Bousquet, honoring NEIGHBORHOODS UNITED and JERRY PINTO, President of Neighborhoods United, in recognition of their planning and organizing NATIONAL NIGHT OUT 2014 held at Riverside Park on August 05, 2014.

7. CITATION, Councillor Alves, honoring LARRY ABREU JACQUES, President – 100<sup>th</sup> Feast of the Blessed Sacrament, in recognition of his commitment and dedication to preserving the cultural traditions of our Madeiran Ancestors and in acknowledgment of his hard work and a successful 100<sup>th</sup> Feast.

8. CITATION, Councillor Alves, honoring JOE JESUS, in recognition of his hard work and dedication on the 23<sup>rd</sup> Anniversary of “Joe Jesus 50’s Night” a Celebration of Classic American Cars and Nostalgia.

9. CITATION, Councillor Alves, honoring EDWARD BEAULIEU, 98 Years Old and his Classic 1925 Franklin Automobile, in recognition of his many years of support and participation in numerous area events showcasing antique and classic cars.

10. CITATIONS, Councillor Alves, honoring ROBERT BRAMWELL, JOHN “JOHNNY ANGEL” REMEDIS, ALFRED “BUTCH” RAMOS, ROGER SOUZA, ARTHUR FERREIRA, TERRY LOPES, GEORGE OLIVEIRA, MAJOR GILBERT PARKHURST and REVEREND RUSS CHAMBERLAIN, in recognition of their participation and dedication on the 23<sup>rd</sup> Anniversary of “Joe Jesus Annual 50’s Night”.

11. CITATIONS, Councillor Rebeiro, honoring HEIDI CAMPBELL, STEPHANIE ALVES and WALESKA JACOME-ORTIZ, in recognition of their achievements in education and receiving an Associate’s Degree.

12. CITATION, Councillor Rebeiro, honoring FALLON FERNANDES, in recognition of her achievement in education and receiving an Educational Certificate.

### ***RESOLUTIONS***

13. RESOLUTION, Councillors Gomes and Morad, honoring New Bedford High School Athletes ELLIE BUCKNELL, IRVIN JOHNSON, NOAH GIOIOSA and WILBERTO TORRES on a record breaking year.

14. RESOLUTION, Councillor Morad, honoring NEW BEDFORD FESTIVAL THEATRE, on the occasion of their Twenty-Fifth Anniversary.

15. RESOLUTION, Councillor Alves, honoring Converse Photo Supply on the occasion of their closing after eighty-two years in business.

### ***HEARINGS***

16. HEARING, on NSTAR ELECTRIC COMPANY, for location of two (2) 4” Conduits in SHAWMUT AVENUE, North of Nash Road.

16a. AN ORDER,

17. HEARING, on NSTAR ELECTRIC COMPANY, for location of one (1) 4” Conduit and two (2) 4” Conduits in WAMSUTTA STREET, East of Acushnet Avenue.

17a. AN ORDER,

### ***MAYOR’S PAPERS***

M1. COMMUNICATION, Mayor Mitchell, to City Council, submitting a VETO of a PRIVATE LIVERY LICENSE granted to Rafael Reyes d/b/a Road Runner Transportation by the City Council on June 12, 2014;

due to Mr. Reyes not filling out his Livery License application completely. (VETO Received and Ordered Spread on the Record – July 17, 2014.)

M1a. 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. (Referred to the Committee on Appointments and Briefings – April 24, 2014; License Granted – June 12, 2014; Vetoed by Mayor Mitchell – June 25, 2014; VETO Received and Ordered Spread on the Record – July 17, 2014.)

M2. COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of ROBERT W. EKSTROM, as CITY AUDITOR at a Grade M-15, Step 8; and requesting a nine-month Residency Waiver to provide his family sufficient time to relocate from their home in Rhode Island.

M3. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ACT that would extend the term of the Mayor from two (2) years to four (4) years; because it would amend the City's charter, the Act also would need to be approved by the State Legislature.

M3a. AN ACT, authorizing the City of New Bedford to establish a four (4) year Mayoral Term of Office.

M4. COMMUNICATION, Mayor Mitchell, to City Council, submitting LOAN ORDER that \$12,500,000.00 is appropriated for the purpose of constructing, equipping and furnishing Taylor School at the existing SeaLab Facility site, and for which the City is eligible for a 90% grant from the Massachusetts School Building Authority (MSBA).

M4a. LOAN ORDER,

M5. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDINANCE, amending Chapter 6, BUILDINGS and OTHER STRUCTURES, this newly amended "PROBLEM PROPERTIES" Ordinance contains changes based on the Councillors input at the Committee on Ordinances meeting on May 21, 2014.

M5a. AN ORDINANCE,

M6. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER that the City Council and Mayor hereby approve the policy entitled "Investment of City Funds" for the purpose of establishing a policy for management of the City's investments.

M6a. AN ORDER,

M7. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER amending the Order adopted by the City Council on June 26, 2014, and signed by the Mayor on July 01, 2014, which in accordance with Massachusetts General Law Chapter 44, Section 53E ½, authorized 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, equipment and advertising costs, contract for technical and administrative support for the ZBA, zoning studies, and stipends for ZBA members, whose revenues and amount limited to be spent estimated at \$131,015.00 is hereby authorized for FISCAL YEAR 2015.

M7a. AN ORDER,

M8. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER that in accordance with Massachusetts General Law Chapter 44, Section 53E ½, the revolving fund under the control of Tourism and Marketing Department known as the TOURISM REVOLVING FUND whose purpose is to collect sponsorship funds associated with City events, co-op advertising expenses and fees relating to film permitting, whose revenues and amount limited to be spent in FY15, is restricted to revenue deposited into the fund, is hereby authorized for FISCAL YEAR 2015.

M8a. AN ORDER,

M9. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$10,000.00 from FIRE CODE ENFORCEMENT, RESERVE FOR APPROPRIATION, to FIRE, CHARGES & SERVICES, in the amount of \$7,500.00 and FIRE, SUPPLIES & MATERIALS in the amount of \$2,500.00.

M9a. AN ORDER,

M10. COMMUNICATION, Mayor Mitchell, to City Council, submitting the following individuals for confirmation by the City Council as New Bedford Police Officers, STEPHEN GWOZDZ and JORDAN FERREIRA, the appointment of these two Officers will help fill current vacant positions and bring the total New Bedford Police Department manpower complement to 253 Officers.

M11. COMMUNICATION, Mayor Mitchell, to City Council, requesting that the attached list of locations be designated as polling precincts for the upcoming State Primary Election being held on Tuesday, September 09, 2014 for the offices listed on the attached Warrant.

#### ***CHARTER RULED ITEM***

CR1. WRITTEN MOTION, Council President Lopes, Councillors Carney, Martins, Bousquet, Winterson, Morad and Rebeiro, requested that the City Council send a letter to the Massachusetts Department of Public Health expressing our support for Coastal Compassions, Inc.'s Application to operate a Registered Medical Marijuana dispensary in New Bedford, MA. (Charter Ruled – July 17, 2014.)

#### ***NEW BUSINESS***

18. REPORT, Committee on Appointments and Briefings, recommending to the City Council APPROVAL of the APPOINTMENT of JACOB GONSALVES, New Bedford, MA 02744, to the CONSERVATION COMMISSION, replacing Kenneth Motta who has resigned; this term will expire in June 2017.

19. REPORT, Committee on Appointments and Briefings, recommending to the City Council APPROVAL on behalf of Anthony Snow, **d/b/a CAB TRANSPORTATION, LLC, 34 Welby Road, New Bedford, MA 02745**, hereby submit a copy of the Application requesting **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.

19a. COMMUNICATION, Acting City Clerk, to City Council, on behalf of **Anthony Snow, 12 Humes Street, Pawtucket, RI 02860, d/b/a CAB TRANSPORTATION, LLC, 34 Welby Road, New Bedford, MA 02745**, hereby submit a copy of the Application requesting **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. (**Current License expires September 12, 2014**) (Referred to the Committee on Appointments and Briefings – July 17, 2014.)

20. REPORT, Committee on Appointments and Briefings, recommending to the City Council to Grant Permission for the DEMOLITION of 4026 ACUSHNET AVENUE, Map 136, Parcel 252.

20a. COMMUNICATION/DEMOLITION, New Bedford Historical Commission, to City Council, re: BUILDING DEMOLITION REVIEW, 4026 ACUSHNET AVENUE, Map 136, Parcel 252, advising that “the structure was built circa 1800 and retains some of its original exterior architectural features including setting and massing; the structure is associated with members of the Tobey family who were early settlers of Old Dartmouth; the subject structure is reminiscent of a “Big House, Little House, Back House, Barn” farm complex found in many colonial American communities; the structure is found to be historically significant because of its historical representative of New Bedford’s early rural character and therefore, “the NBHC has determined that 4026 Acushnet Avenue is a historically significant structure and preferably preserved.” (Referred to the Committee on Appointments and Briefings – May 22, 2014.)

21. LOAN ORDER, that \$15,000,000.00 is appropriated for the purpose of financing the construction of transmission main improvements including installation and replacement of piping, main line valves, blow-off structures and air releases along the 36-inch water transmission mains from High Hill Reservoir and major connecting sideline mains, all road and surface treatment repairs. (Passed to a Second Reading – July 17, 2014.)

22. WRITTEN MOTION, Council President Lopes, accepting nominations for the APPOINTMENT of a CLERK OF COMMITTEES for a term to expire April 2015.

22a. NOMINATION by Councillors Winterson, Coelho and Bousquet of DENIS LAWRENCE, JR., for the position of CLERK OF COMMITTEES for a term to expire April 2015.

22b. NOMINATION by Councillor Rebeiro of CANDIDA MARIN COTE, for the position of CLERK OF COMMITTEES for a term to expire April 2015.

23. WRITTEN MOTION, Council President Lopes, Councillors Winterson, Rebeiro, Morad, Alves, Martins, Bousquet and Gomes, requesting, that the City’s Animal Control Office look into establishing and on call Animal Control Officer position(s) which would be on duty after normal business hours. (To be Referred to the Committee on Public Safety and Neighborhoods, the Police Chief and the Animal Control Office.)

24. WRITTEN MOTION, Councillor Alves, Council President Lopes and Councillor Martins, requesting, in review of the current vehicles provided to the Animal Control Division of the New Bedford Police Department, and in concern for the safety and versatility of the current Animal Control Officer vehicles, and in light of the fact that the Animal Control Division has provided and earned in excess of \$100,000 in income over the past two years for the City, that the Administration consider replacing the current van with one that reflects the City's concern for both the utility and safety of the staff and animals being transported, and that the Council be informed of the potential action being considered or of the action to be taken and requesting a response within thirty (30) days. (To be Referred to the Administration and Chief of Police.)

25. WRITTEN MOTION, Councillor Winterson, requesting, that a letter be sent to our State Delegation asking for State funding or grant monies to upgrade infrastructure issues in low lying areas of the City including Chancery, Maple, Orchard and Park Streets, to elevate the flooding issues and property damage when heavy rains blanket the area. (To be Referred to our State Delegation.)

26. WRITTEN MOTION, Councillor Alves, requesting, on behalf of Mr. Jonathan Reynolds, that the following street(s) be CLOSED: MAYWOOD STREET, from Brooklawn Avenue to Carlisle Street, ON SATURDAY, SEPTEMBER 20, 2014, FROM 10:00 A.M. TO 10:00 P.M., for the purpose of a Block Party and Wedding.

27. 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, AUGUST 23, 2014, FROM 4:00 P.M. TO 12:00 P.M. MIDNIGHT, for the purpose of Todd Baptista’s Doo Wop 10.

28. WRITTEN MOTION, Councillor Martins, requesting that the City Council send a letter to the Massachusetts Country Award Association, expressing our interest in being considered in the candidate pool to host Country Music festivals in New Bedford; and further, that this group has selected the Town of Dighton to host a few festivals and seeing that this group has ties to Nashville and can bring Nationally known acts to their festivals, New Bedford has the space to hold such festivals and it would be a great fit for our community.

29. WRITTEN MOTION, Councillors Martins and Bousquet, requesting, that the Department of Public Infrastructure demand that the contractors selected for the International Market Place return and repair the issues with the project; and further, this Councillor is not pleased with the length of time it took and how poorly the work was done; and further, if these or any contractors are selected to do Phase II, requesting, that the City monitor the project more carefully and involve the community businesses in the process.

29a. COMMUNICATION/EMAIL, Councillor Martins, submitting copies of photos of work done by contractors for the International Marketplace, Phase I, on Acushnet Avenue.

30. WRITTEN MOTION, Councillor Coelho, requesting, that a representative from the Cemetery Board be invited to a Committee on Appointments and Briefings meeting to brief the Committee members on the new regulations at Pine Grove Cemetery, specifically, the change in the purchase of pre-need graves; and further, that Mr. Cabral, owner of Cabral Baylies Square-Lamoureux Funeral Home be asked to attend said meeting. (To be Referred to the Committee on Appointments and Briefings.)

31. WRITTEN MOTION, Councillor Morad, requesting, that Paul Barton, Chairman of the Airport Commission, supply to the City Council, a listing of all sub-committees of the Airport Commission, including the Chairperson and members of each sub-committee; and further, that this information be provided to the Council on or before September 02, 2014.

32. WRITTEN MOTION, Councillor Morad, requesting, that Paul Barton, Chairman of the Airport Commission, appear before the September meeting of the Committee on Finance to brief the Committee in detail as to the income and expenses of the Airport Enterprise Fund from the beginning of the Fiscal Year, July 01, 2014 to August 31, 2014.

33. WRITTEN MOTION, Councillor Gomes, requesting, that the Special Committee on Memorials and Dedications and the Board of Park Commissioners name softball field three at Buttonwood Park after the late Captain Jack Peterson, WBSM News and sports personality, in recognition of his over fifty years of broadcasting in the area and in recognition of his being an adopted son of the City.

34. WRITTEN MOTION, Councillors Bousquet, Martins, Morad, Council President Lopes and Councillor Winterson, requesting, that the lot across from the high school between Ruggles and Greenwood Streets be transformed into a dog park with the appropriate fencing, key system, play areas, trash barrels, doggie do bags, stands and benches, and that this Dog Park be named after "Captain Jack Peterson" long time talk radio announcer, friend, animal advocate, and resident of New Bedford; and further, that the City establish an account for Peterson Park, so that people can make a donation in Jack Peterson's name in order to support the development and construction, as well as the care and maintenance of the Dog Park. (To be Referred to Special Committee on Memorials and Dedications, the Department of Parks, Recreation and Beaches, the Department of Public Infrastructure, Environmental Stewardship and Mayor Jon Mitchell.)

35. WRITTEN MOTION, Councillor Bousquet, requesting, on behalf of Ann-Marie Miller, a private Citizen, Neighborhoods United and various groups, permission to install "neighborhood free libraries" at Community Gardens around the City. (To be Referred to the Committee on City Property and Mary S. Rapoza, Director of Parks and Recreation and Beaches.)

36. WRITTEN MOTION, Council President Lopes, Councillors Alves, Gomes, Martins and Morad, requesting, that Department of Inspectional Services, Commissioner Romanowicz and Fire Chief Gomes meet with the members of the Committee on Public Safety and Neighborhoods to discuss the proper policies and procedures that are required by homeowners who are in the process of selling their homes with finished basements that were constructed without Building Permits. (To be Referred to DIS Commissioner Romanowicz, Fire Chief Gomes, the Committee on Public Safety and Neighborhoods and a member of the Greater New Bedford Association of Realtors).

37. WRITTEN MOTION, Councillor Lopes, requesting that the City accept M.G.L. Chapter 32, Section 90D ½, which would increase the allowance of a member retired on superannuation, accidental disability or ordinary disability with at least 25 years of creditable service.

37a. AN ORDER,

37b. COMMUNICATION, Gerard Arnaudet, Executive Director, New Bedford Contributory Retirement System, to Council President Lopes, notifying that on May 29, 2014, New Bedford Retirement Board adopted the provisions of M.G.L. Chapter 32, Section 90D ½.

38. WRITTEN MOTION, Councillor Alves, requesting, that the Department of Public Infrastructure take immediate action to repair the manhole cover that is falling in on its side, causing a large dangerous deep hole at the corner of Trinity Street and Bullock Street, this poses a danger to pedestrians and children in the area and a potential liability to the City. (To be Referred to the Department of Public Infrastructure.)

39. WRITTEN MOTION Councillor Alves, requesting, that the Traffic Commission address the issues at the Purchase Street Zeiterion Theatre Garage, as they relate to the safety and security of residents and patrons. (To be Referred to the Traffic Commission and the Committee on Public Safety and Neighborhoods.)

39a. COMMUNICATION, Councillor Alves, submitting copy of letter from Ms. Bernice Stensen, regarding safety concerns at the Purchase Street Zeiterion Theatre Garage.

40. WRITTEN MOTION, Council President Lopes requesting, School Superintendent Durkin provide the members of the Committee on Public Safety and Neighborhoods with a copy of the New Bedford Public Schools Alarm Monitoring Contract, as well as the policies and procedures for after hour's school safety.

41. WRITTEN MOTION: Councillors Morad, Bousquet, Council President Lopes, Councillors Gomes, Martins and Alves, requesting that School Committee Vice Chairperson Livramento, appear before the Committee on Finance to discuss the City Council's concern over the non-operational alarm system at Keith Middle School, considering that taxpayer monies were expended in the construction of the brand new school building and that taxpayer monies will certainly be required to cover the expense of repairing the alarm system and for the costs associated with the destruction that was caused at Keith Middle School by the vandals in the recent break-in.

42. WRITTEN MOTION, Councillor Martins, requesting, on behalf of constituents on Sylvia Street, that Department of Public Infrastructure Commissioner Ronald Labelle look into every possible way to assist the people in that neighborhood with flooding issues; and further, that City Solicitor Mikaela McDermott, do everything in her power to assist those residents financially, relative to reimbursement for items damaged and lost due to the flooding incidents; and further, this Councillor disagrees with the Mayor Mitchell's statement that "the reality is no matter what they do, flooding may always happen", this Councilor believes we should be doing everything possible for this to never happen again and that the good people residing on Sylvia Street should not be worrying if the next rainy day will bring more damage.

43. WRITTEN MOTION, Councillor Gomes, requesting, that the Mayor, the Licensing Board and the Police Chief, favorably consider asking all bars and liquor establishments long Acushnet Avenue and Belleville Avenue within an eight block radius, north and south, east and west of the Feast of the Blessed Sacrament location to close at midnight, on all four nights of the Feast giving law enforcement the ability to the control crowds and provide a safe area for all residents and tourists and those visiting the area for this special event. (To be Referred to the Mayor, Committee on Public Safety and Neighborhoods and the New Bedford Licensing Board.)

44. WRITTEN MOTION Councillor Gomes, requesting, that a round table summit meeting be held with the Committee on Public Safety and Neighborhoods, for the purpose of discussing and addressing a strategic plan of action on criminal and gang activity in the City of New Bedford; and further, that the following agencies be invited to attend said summit; Massachusetts Department of Public Safety, the District Attorney, the Police Chief, the City Solicitor, a representative from the Mayor's Office and the Mayor's Housing Task Force, the State Police, a member of the Bureau of Alcohol, Tobacco, Firearms and Explosives, and any agency presently working with local law enforcement; and further, that all members of our State and Federal Legislative Delegation be invited to said meeting, which will be a collaborative effort working together for a safer City.

45. WRITTEN MOTION, Councillor Gomes, requesting, that the Mayor and the Library Board of Trustees consider installing spotlights in the column area of the Downtown Main Public Library; and further, that "NO TRESPASSING DURING BUSINESS HOURS AND AFTER CLOSING, TRESPASSERS WILL BE SUBJECT TO ARREST", signage be posted on the area of the sixth row of stairs continuing to the top on the Pleasant Street side of the Library. (To be Referred to the Mayor, the Library Board of Trustees and the Committee on Ordinances.)

46. WRITTEN MOTION, Councillors Gomes, Winterson and Council President Lopes, requesting, for the third time, that immediate action be taken by the State Public Safety Commissioner along with State Public Health Commissioner in removing the synthetic smoking drugs from the shelves of stores throughout the City of New Bedford and the Commonwealth of Massachusetts; and further, that the City Council's Legal Counsel immediately draft an Ordinance banning all synthetic smoking drugs from store shelves in New Bedford; and further, that Mayor Mitchell join the City Council in this effort of banning a product that is well known to cause suicidal behavior, mental illness or even instant death; and further, that a letter be sent to our Federal and State Legislative Delegation asking for the appropriate action on the this issue.

47. WRITTEN MOTION, Councillor Gomes, requesting, that the New Bedford City Council send a letter to FEMA, requesting a waiver for the City to reconstruct the snack bar, restrooms, and outside bathing house showers on East Beach, this request comes in the best interest of public safety, services and tourism.

48. WRITTEN MOTION, Councillor Alves, requesting, in light of the fact that the City of New Bedford will be the site of the first facility in the Nation designed to support the assembly and deployment of offshore wind projects, and that the City Council has had little in-put or details as to the port development, asking that the Administration and/or Matthew Morrissey, Director of the New Bedford Wind Energy Center set-up a personal on-site tour of the newly developed South Terminal Construction site to allow the members of the Committee on Appointments and Briefings to view and learn more about the project. (To be Referred to the Administration, the New Bedford Wind Energy Center and the Committee on Appointments and Briefings.)

49. WRITTEN MOTION, Councillor Carney requesting that the Traffic Commission look into designating "SENIOR CITIZENS ONLY PARKING" on the north side of Middle Street in front of the New Bedford Hotel during the operational hours of the Senior Center. (To be Referred to the Traffic Commission.)

50. WRITTEN MOTION, Councillor Alves, requesting, that in light of the current back up at this time within the New Bedford Fire Prevention Department that has caused major problems in the scheduling for

smoke inspection certificates, which is causing major delays in closings and/or the purchases of homes in the City of New Bedford of approximately five to six weeks, causing major inconveniences to families and the potential loss of a low mortgage rate for many first time homebuyers, that the City Council ask the Administration and/or the Chief of the Fire Department to assign additional personnel to the Fire Prevention Unit to immediately address the problem. (To be Referred to the Committee on Appointments and Briefings.)

51. WRITTEN MOTION, Councillor Coelho, requesting that the Administration and ABC Disposal Service look into bringing back the policy of allowing one bulky item to be placed curbside each week on designated trash and recycling day; and further, requesting that ABC Disposal Service canvas the City and dispose of any trash or illegal dumping that has been happening since the new trash and recycling program has gone into effect.

52. WRITTEN MOTION, Councillors Martins and Morad, requesting, that Department of Inspectional Services Commissioner Romanowicz be invited to the Committee on Appointments and Briefings to discuss permitting procedures and enforcement for signs and flags on City sidewalks.

53. WRITTEN MOTION, Councillor Gomes, requesting, that the Mayor and the Police Chief increase patrols in the Sawyer Street area, between North Front Street and Bellevue Avenue and include Bonneau Court, due to the increasing criminal activity and drug dealing in this area; and further, requesting, that the Mayor's Housing Task Force inspect and address all violations in this area.

54. WRITTEN MOTION, Councillor Gomes, requesting, that the Committee on Ordinances amend Chapter 23, Section 24, Solicitation Of Contributions On Public Ways, to read "No person or persons will be allowed to solicit on any public way without a permit issued from the City, said permit will be issued only if accompanied by an organization or corporate letter that can be verified; and further, any person caught soliciting without the proper permit will be subject to immediate removal and fined up to three hundred dollars; and further, anyone not complying will also be subject to arrest", this change in Chapter 23, Section 24, will not apply to Police, Fire or Emergency Services fundraising solicitation.

55. COMMUNICATION, City Clerk/Clerk of the City Council, Dennis W. Farias, to City Council, requesting that the City Council set the Annual Bond for 2014-2015 for the City Clerk at \$35,000.00.

55a. AN ORDER,

56. COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of **GEORGE M. VIVEIROS, 102 Durfee Street, New Bedford, MA 02740 d/b/a MED FIRST, INC., 102 Durfee 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. **(Current License will expire September 12, 2014.)**

57. COMMUNICATION, City Clerk/Clerk to the City Council, to City Council, on behalf of **Khalil B. Arsanios, 1220 Pleasant Street, New Bedford, MA 02740, d/b/a INTERNATIONAL TRANSPORTATION, 308 Mill Street, New Bedford, MA 02740**, hereby submit a copy of the Application requesting **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. **(Current License expired February 28, 2014.)**

58. COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of **David N. Pimental d/b/a CD'S RELIABLE TRANSIT, 135 Thompson Street, New Bedford, MA 02740**, hereby submit a copy of the Application requesting a **NEW** **Private Livery License**, under the provisions of M.G.L.

Chapter 159A, Section 1 and amendments thereto, and M.G.L. Chapter 270, Section 22 (Smoke Free Workplace Law) and all other laws applicable to such operation, to carry passengers for hire over the streets of New Bedford.

59. COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of **Mariam Bokhari, 347 North Street, Apt 1E, New Bedford, MA 02740 & Ali Masood Bokhari, 44 Liberty Street, New Bedford, MA 02740, d/b/a MAGIC WHEELS TRANSPORTATION, 347 North Street, Apt 1E, New Bedford, MA 02740**, hereby submit a copy of the Application requesting a **NEW** Private Livery License, under the provisions of M.G.L. Chapter 159A, Section 1 and amendments thereto, and M.G.L. Chapter 270, Section 22 (Smoke Free Workplace Law) and all other laws applicable to such operation, to carry passengers for hire over the streets of New Bedford.

60. COMMUNICATION, Councillor Martins, submitting an Ordinance from the City of South Bend, Indiana, regarding Honey Bee Keeping Regulations. (To be Referred to the Committee on Ordinances.)

61. COMMUNICATION, Massachusetts Clean Energy Center, to Councillor Winterson, regarding the relocation of an AM Broadcast Tower for WNBH-1340 from a property adjacent to the New Bedford Marine Commerce Terminal. (To be Received and Placed on File.)

#### ***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** 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.