



Council Meeting – Agenda

CITY COUNCIL CALENDAR

Chambers of the City Council Municipal Building

Thursday, October 09, 2014 – 7:00 p.m.

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

PRAYER LED BY: REVEREND LEONA FISHER, PASTOR IN THE NAME OF JESUS CHURCH

PLEDGE OF ALLEGIANCE

CITATIONS

1. CITATION, Councillors Winterson and Morad, honoring FRIENDS OF BUTTONWOOD PARK PROJECT DESIGN COMMITTEE MEMBERS, in recognition of their dedication and talent in designing the beautiful Buttonwood Park Basketball Court.
2. CITATION, Councillors Winterson and Morad, honoring FRIENDS OF BUTTONWOOD PARK, in recognition of their longtime dedication to preserving the beauty of Buttonwood Park and their fundraising campaign “Buttonwood on the Move” resulting in the revitalization of the Buttonwood Park Basketball Court.

MAYOR’S PAPERS

M1. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER that the City of New Bedford accept M.G.L. Chapter 32B, Section 20, which authorizes the establishment of an Other Post-Employment Benefits Liability Trust Fund, requires the segregation of all monies held in the fund from other funds, and designates the City Treasurer as the fund’s custodian, the statute further requires the City to annually submit a summary of post-employment benefits costs and obligations to the Massachusetts Public Employee Retirement Administration Commission (PERAC).

M1a. AN ORDER,

M2. COMMUNICATION, Mayor Mitchell, to City Council, submitting a copy of the Conservation Restriction from the Massachusetts Land Conservation Trust for the Allen C. Haskell Public Gardens for approval and acceptance.

M2a. CONSERVATION RESTRICTION,

M3. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$6000.000 from RECREATION AND PARKS, SALARIES & WAGES, to RECREATION AND PARKS, CHARGES & SERVICES in the amount of \$2,000.00 and RECREATION AND PARKS, SUPPLIES & MATERIALS in the amount of \$4,000.00.

M3a. AN ORDER,

M4. COMMUNICATION, Mayor Mitchell, to City Council, submitting SEWER ABATEMENT for DARLENE FRIEDLAND, 18 Metropolitan Avenue, New Bedford, MA Account Number 023889A in the amount of \$95.45.

M5. COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of RENALD

RUSSO, III, as a CONSTABLE.

M5a. APPLICATION,

M6. COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of RICHARD M. PIMENTAL, Acushnet, MA as a SPECIAL POLICE OFFICER.

M6a. APPLICATION,

M7. COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of ALAN R. KENDALL, New Bedford, MA as a SPECIAL POLICE OFFICER.

M7a. APPLICATION,

M8. COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of JOHN ARAUJO, New Bedford, MA as a SPECIAL POLICE OFFICER.

M8a. APPLICATION,

NEW BUSINESS

3. LOAN ORDER, that the City appropriates the amount of \$12,500,000.00 for the purpose of constructing, equipping and furnishing an addition to the existing SeaLab Facility located at 71 Portland Street in New Bedford, to be known as Taylor School at SeaLab. (Passed to a Second Reading September 23, 2014.)

4. AN ORDINANCE, amending Chapter 25 VETERANS – Veterans Advisory Board – Appointment, Qualifications and Compensation of Members. (Passed to a Second Reading September 11, 2014.)

5. AN ORDINANCE, rezoning of Plot 16, Lots 140 & 141 and Plot 14, Lot 223 from Residential C to MIXED USE BUSINESS. (Passed to a Second Reading September 23, 2014.)

6. WRITTEN MOTION, Councillor Alves, requesting, on behalf of Veterans' Day participants, that the following street(s) be CLOSED: PLEASANT STREET, from Union Street to Elm Street and WILLIAM STREET, from North Sixth Street to Pleasant Street, ON TUESDAY, NOVEMBER 11, 2014, FROM 8:00 A.M. TO 2:00 P.M., for the purpose of The Annual Veterans Day Parade Ceremonies in front of the Downtown Main Public Library.

7. 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, (In Front of the Zeiterion Theatre) ON SUNDAY, JANUARY 18, 2015, FROM 3:00 A.M. THROUGH MONDAY, JANUARY 19, 2015, AT 3:00 A.M., for the purpose of three trucks unloading equipment for the performance of "Sister Act".

8. WRITTEN MOTION, Councillor Rebeiro, requesting, on behalf of the Marion Institute that the following street(s) be CLOSED: SCHOOL STREET, from Purchase Street to Acushnet Avenue, FROM 6:00 P.M. ON TUESDAY, OCTOBER 21, 2014, TO 5:00 P.M. ON SUNDAY, OCTOBER 26, 2014, AND PURCHASE STREET, from School Street to Union Street, FROM 7:00 A.M. ON THURSDAY, OCTOBER 23, 2014, TO 5:00 P.M. ON SUNDAY, OCTOBER 26, 2014, for the purpose of Bioneers by the Bay Network Event: Connecting for Change. PLEASE NOTE: THESE ARE ADDED LOCATIONS.

9. WRITTEN MOTION, Council President Lopes, Councillors Winterson, Morad, Bousquet, Alves, Gomes, Carney and Coelho, requesting, that a representative from each of the of the bus companies (Whaling City Transit, Reliable Bus Lines, Inc., and Tremblay Bus Company) who were awarded a bussing contract by

the Members of the New Bedford School Committee for the 2014/2015 School Year, be invited to attend and speak at a Committee on Appointments and Briefings meeting to discuss the concerns that the members of the New Bedford City Council have, as it relates to the bussing routes that they were provided for the 2014/2015 School Year. (To be Referred to the Committee on Appointments and Briefings.)

10. WRITTEN MOTION, Councillor Winterson, requesting that the Traffic Commission consider making the intersection of Tremont Street and Maple Street a four-way stop, due to the recent accidents at said location. (To be Referred to the Traffic Commission.)

11. WRITTEN MOTION: Councillor Gomes, requesting that the City Council go on record in support of banning the sale of the synthetic liquid drug called Cloud 9; and further that Legal Counsel Gerwatowski also include this liquid synthetic drug as part of the Ordinance currently being drafted to ban the sale of synthetic drugs in the City, and further requesting that letters be sent to cities and towns in the Commonwealth including Wareham, Fall River, Taunton and all towns in between asking them to join us in this effort to ban the sale of the synthetic drugs in our region.

12. WRITTEN MOTION, Councillor Carney, requesting the Department of Community Services Director; Cynthia Wallquist; Council on Aging Director, Debra Lee; Council on Aging Chairman Bruce Duarte and any Council on Aging Commission Members wishing to attend meet with the Committee on Appointments and Briefing to discuss what mechanisms are in place to inform Commission members of problems and employment changes in the Senior Centers prior to any resolutions and actions to correct or rectify the problem.

13. WRITTEN MOTION, Councillors Carney and Rebeiro, requesting on behalf of the Pilgrim United Church of Christ and Mercy Meals and More, 635 Purchase Street, that the Traffic Commission consider the installation of a "NO PARKING LOADING ZONE BETWEEN THE HOURS OF 6:00AM AND 6:00PM" sign to be placed at on the east side of Purchase Street in front of the Pilgrim Church Hall. (To be Referred to the Traffic Commission.)

14. WRITTEN MOTION, Councillor Carney, requesting that Police Chief Provencher come before the Committee on Public Safety and Neighborhoods, to discuss ongoing problems of drug related activities in certain city neighborhoods, and also to discuss why Police Officers are disclosing the person(s) who are calling the Police Station to report illegal activities.

15. COMMUNICATION, Council President Lopes submitting a copy of a Human Relations Commission report regarding denial of registration for a New Bedford youth by the South End Youth Athletic Association. (To be Referred to the Committee on Appointments and Briefings.)

16. COMMUNICATION, Thomas J. Mathieu, Associate Solicitor, to City Council, submitting a copy of the First Amendment Lease Agreement between the City of New Bedford and the Alma del Mar Charter School. (Copy all Councillors via email 10/02/2014.)

17. COMMUNICATION, Fire Chief Gomes, to City Council, notifying of the efforts of Representative Straus in securing funding to complete public safety projects funded under the Port Security Grants in FY12 and FY13. (Copy all Councillors 10/03/2014.)

18. COMMUNICATION, Ana S. Rosa, Clerk of the Works-Engineering, to Cumberland Farms, Inc. confirming that the City of New Bedford DPI Engineering Department has assigned the address of 923 Shawmut Avenue to the new Cumberland Farms property, formerly known as 943 Shawmut Avenue. (Submitted by City Clerk Farias; 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.

08/21/2014 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.

08/21/2014 CITATION, Councillor Alves, honoring **LARRY ABREU JACQUES**, President – 100th 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 100th Feast.

09/11/2014 WRITTEN MOTION, Councillor Martins, requesting, that the Attorney General and our City Solicitor, look into "Just Energy", who have a bad reputation in Massachusetts for harassing people about their services, representatives from "Just Energy" are ringing door bells and telling people they are from the electric company, "Just Energy" has a troubled past in Massachusetts and in several other States, where they faced allegations of deceptive practices, convincing people to switch over once pressured and once people sign up, they are committed for five years and rates can change every month; and further, requesting, that "Just Energy" be seriously investigated and until they are, they should be banned from New Bedford to better protect our constituents.