



# Appointments and Briefings

October 14, 2014 – 7:00 PM – **Agenda**  
Chambers of the City Council, Room 214

1. 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. (Ref'd 08/21/14, 09/16/14 – tabled)

**INVITEES: David Pimental**

2. 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. (Ref'd 08/21/14, 09/16/14 – tabled)
- 2a. 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)(Ref'd 08/21/14, 09/16/14 – tabled)

**INVITEES: Rafael Reyes**

3. Written Motion, Councillor Alves, at the request of the Trustees of the Bethel AME Church and on behalf of our Pastor, Reverend Irma Thibodeaux, officers and members of this historic Church, that the City Council look into what action or assistance the City can provide to ensure the Church is not forced to close, and that the Council follow up on many of the promises that have been made to the Church Trustees and Pastor by former Administrations for assistance; and further, that the Committee on Appointments and Briefings invite Department of Public Infrastructure Commissioner, Ronald Labelle, Tax Title Attorney Blair Bailey, as well as representatives of Bethel AME Church to discuss the matter. (Ref'd 2/13/14, 09/16/14 – letters to DPI and Traffic)
- 3a. Communication/Email, Councillor Alves, submitting, request from Toni Pires, Trustee, Bethel AME Church, requesting assistance with issues and concerns at Church. (Ref'd 2/13/14, 09/16/14 – letters to DPI and Traffic)

**INVITEES: DPI Commissioner Ron Labelle; Traffic Commission Executive Secretary Scott Downing; A.M.E Pastor Reverend Irma Thibodeaux; Toni Pires**

4. Written Motion, Councillor Gomes, requesting that the City Council's Legislative Counsel and the City Solicitor look into Article II, Section 19-20 through 19-27, with respect to enforcing the requirement that City Employees be residents of the City of New Bedford during the full term of their employment with the City; further, that contracts with the City's Unions (AFSCME, Police, Fire) ensure that every City employee be a resident of the City of New Bedford for the full term of their employment and/or for a MINIMUM OF FIFTEEN years, if so negotiated, (and NOT the presently negotiated 3-4 years) before being allowed to reside in other Cities or Towns; further, that this change, after review by Legislative Counsel and Solicitor, not apply to positions exempted by the code or where Waivers have been granted by the City Council and Mayor when in the best interest of the public to do so, if the Legislative Counsel and City Solicitor so determine to continue exemption (s) after review; and further, that employees presently working for the City that were allowed by Union Contract to reside outside of the City be "Grandfathered In", so as not to cause hardship to said employees and their families. (Ref'd 3/8/12, 12/10/13 – Remain in Committee)

***INVITEES: City Solicitor Mikaela McDermott; Legal Counsel Attorney David Gerwatowski***

5. Written Motion, Councillor Gomes, requesting that the Committee on Appointments and Briefings meet with a Representative from the Administration, Tax Title Attorney Blair Bailey and City Treasurer Renee Fernandes-Abbott to discuss the new Side Yard program that was announced earlier this week, which in this Councillor's opinion is a duplication of the Abutter's Lot program that has been in place since the 1900's with every Administration utilizing said program; and further, that Tax Title Attorney Blair Bailey provide the City Council with a list of abutting lots that were sold between the time of implementation of the Abutter's Lot program to present time, along with an explanation from the Administration as to why the City Council wasn't notified of the change of said program. (Ref'd 5/23/13)

***INVITEES: Rep. of the Mayor Christina Connelly; Tax-Title Attorney Blair Bailey; City Treasurer Renee Fernandes-Abbott***

6. Written Motion, Council President Lopes, requesting that the Committee on Appointments and Briefings invite a local representative from Viridian Power to discuss their municipal green energy program. (Ref'd 5/22/14)

***INVITEES: Viridian Power Founder & CEO Michael J. Fallquist***

7. Written Motion, Councillor Alves, requesting, that the City Council invite the Mayor (or a representative of the Administration), and Jonathan M. Silverstein of Kopelman and Paige, P. C., to a Committee on Appointments and Briefings meeting (in Executive Session if need be) to brief the Council members on the process being utilized, and the current status of the City's negotiations in developing a host agreement with potential Casino operators in light of the potential referendum needed to be filed in time to be placed on the Ballot to be voted on by City residents at the General Election in November. (Ref'd 6/26/14, 8/12/14 – tabled for 60 days )

***INVITEES: Rep. of the Mayor Christina Connelly; Attorney Jonathan M. Silverstein of Kopelman & Paige, P.C.***

8. 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. Oliver M. Cabral, owner of Cabral Baylies Square Lamoureux Funeral Home be asked to attend said meeting. (Ref'd 08/21/14)

***INVITEES: DPI Commissioner Ron Labelle; Cabral Baylies Square Lamoureux Funeral Home Owner Oliver M. Cabral***

9. Written Motion, Councillors Coelho, Council President Lopes, Winterson, Martins, Carney and Gomes requesting, that the Department of Public Infrastructure Commissioner Ronald Labelle be invited to appear before the Committee on Appointments and Briefings to update the Council on how far along in the process they are in the LED lighting project the City is undertaking; and further, we would like a list of all streets to receive new increased lighting; is the Police Department involved, due to public safety, in deciding what streets are being updated, also, what is the criteria the DPI is using to install this new increased lighting. (Ref'd 9/23/14)

***INVITEES: DPI Commissioner Ron Labelle***

10. 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. (Ref'd 08/21/14)

***INVITEES: DIS Commissioner Dan Romanowicz***

11. Written Motion, Council President Lopes, Councillors Martins, Bousquet, Winterson, Rebeiro, Morad, Gomes, Coelho and Carney, requesting that Mr. Joseph Mulvey, Real Estate Specialist with the United States Postal Service, meet with the Committee on Appointments and Briefings, to discuss the future of the Downtown New Bedford Post Office. (Ref'd 2/13/14, 3/18/14 - Letters)

- 11a. Communication, Mr. Joseph Mulvey, Real Estate Specialist to the United States Post Office, to and from Mayor Mitchell, regarding the future of the Downtown New Bedford Post Office. (Ref'd 2/13/14, 3/18/14 - rpf)

- 11b. Written Motion, Councillor Coelho, Council President Lopes, Councillors Winterson, Alves, Oliveira, Carney, Martins, Rebeiro and Morad, in light of the United States Postal Service's final decision to relocate the Downtown Post Office, requesting that Mr. Joseph Mulvey, Real Estate Specialist with the United States Postal Service be invited to the next Committee on Appointments and Briefings meeting to update the Council on plans for the building, when will the Post Office be moved and where will the Downtown Post Office be located. (Ref'd 7/17/14, 8/12/14 - tabled)

***INVITEES: United States Postal Services Real Estate Specialist Joseph Mulvey***

12. Related Motion, Councillor Carney, requesting that City Solicitor McDermott and Risk Manager John Beauregard attend a future meeting of the Appointments & Briefings Committee in order to answer questions from the City Council regarding the City's Insurance Company and its procedures relating to claims and business practices. (5/12/14)

***INVITEES: City Solicitor Mikaela McDermott; Risk Manager John Beauregard***

*Chairman suggests taking “No Further Action”, on the following:*

13. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ACT authorizing the City of New Bedford to grant additional Liquor Licenses. (Ref'd 2/27/14)
- 13a. AN ACT,