



Appointments and Briefings

February 19, 2014 – 7:05 PM – **Minutes**
Chambers of the City Council, Room 214

****View Agenda****

MEETING: COMMITTEE ON APPOINTMENTS & BRIEFINGS
DATE: FEBRUARY 19, 2014
TIME: 7:05 P.M.
PLACE: CITY COUNCIL CHAMBER, ROOM 214, MUNICIPAL BUILDING

PRESENT: COUNCILLORS DAVID ALVES, CHAIRMAN; JAMES OLIVEIRA, VICE-CHAIRMAN; HENRY BOUSQUET; NAOMI CARNEY; DEBORA COELHO; BRIAN GOMES; JOSEPH LOPES; STEVEN MARTINS; LINDA MORAD; DANA REBEIRO; KERRY WINTERSON

ABSENT: NO ONE

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Councillor Alves called the Appointments & Briefings Meeting to order and took attendance, with everyone being present.

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Notice, City Clerk of reference of a Public Hearing, on an APPLICATION, GC, CF NEW ENGLAND, LLC, for SPECIAL PERMIT for MOTOR VEHICLE LIGHT SERVICE at 943 Shawmut Avenue, New Bedford, MA 02740 (Duly advertised in the Standard-Times on Wednesday, November 27, 2013 and Wednesday, December 4, 2013, 12/10/13 – Hearing continued, 1/22/14 – meeting cancelled due to inclement weather). Councillor Martins made a motion to open the public hearing, which was seconded by Councillor Bousquet. The hearing was opened. (1)

Attorney Michael Kehoe, 128 Union Street, New Bedford, representing Cumberland Farms, addressed the Committee. He explained that this project has been going through the Site Plan Review process and they have appealed three of the conditions set by the Planning Board to the Zoning Board of Appeals. He stated that those appeals have no bearing on this application, which is simply for a permit to pour the petroleum into vehicles.

There was no one speaking or being recorded in favor of the application. There was no one speaking or being recorded in opposition of the application. The hearing was closed on motion by Councillor Martins and seconded by Councillor Lopes.

On motion by Councillor Bousquet and seconded by Councillor Martins, the Committee VOTED: To recommend to the City Council APPROVAL of the Application, GC, CF New England,

LLC, for a special Permit for Motor Vehicle Light Service at 943 Shawmut Avenue, New Bedford, MA 02740. This motion passed on a Roll Call Vote of Yeas 11, Nays 0.

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Notice, City Clerk of reference of a Written Motion, Councillors Coelho, Bousquet and Gonsalves, once again, requesting, that the Mayor's Office look into hiring a "Baby Advocate" for the City of New Bedford to address the needs of the growing baby population in the City, the advocate would assess the needs of both mothers and babies and bring in, if necessary, State agencies to provide proper services for the wellbeing and safety of the City's babies and possibly obtain grants or needed funding for the vital assistance needed for the welfare of these children; and further, requesting that Diane Bolton be invited to a Committee on Appointments and Briefings meeting, along with Cynthia Wallquist, Department of Community Services Director, to discuss if the City can add a person or have someone pick up this work as a Baby Advocate for the City (Ref'd 3/14/13) was received and placed on file by Councillor Morad and seconded by Councillor Lopes. (2)

Ms. Diane Bolton explained her involvement in the "Baby Project" and her strong advocacy for babies and families in need of services. She strongly suggested that the City create a baby advocate who could act as a liaison between government agencies and families in need.

Councillor Martins made a motion to send a letter to the Mayor asking that he consider creating such a position or appointing a liaison for the FY15 budget, which was seconded by Councillor Coelho.

On the question, Councillor Morad offered a friendly amendment asking that the Mayor, Cynthia Wallquist and Ms. Bolton meet to suggest recommendations and requirements for such a position to the City Council; and that they do so within forty-five (45) days. The amendment was accepted.

On motion by Councillor Morad and seconded by Councillor Martins, the Committee VOTED: That the Administration works with the Director of Health, the Director of Community Services and Ms. Bolton to come together to have a discussion and report back to the City Council before we make a recommendation to create a position, as to what the need would be and how the gaps could be filled to service the community; and that they do so within forty-five (45) days. This motion passed as amended on a voice vote.

On motion by Councillor Morad and seconded by Councillor Coelho, the Committee VOTED: To table this matter at this time. This motion passed on a voice vote.

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Notice, City Clerk of reference of a Written Motion, Councillor Martins, requesting, that the Committee on Finance meet with a representative of the MIS Department, City Auditor, CFO and City Treasurer for the purpose of having the City of New Bedford's checkbook placed online for all taxpayers and Citizens to view; and further, that the City has a large budget, monies being transferred, items being bought and salaries being paid for that although the City Budget is posted on the web, it's not easy to follow and doesn't give them the information needed to follow the monies being spent, nor the access to see what they pay for and what we do with City funds; and further; that this process would increase transparency of local government and we should have our books open to the public to show the people of New Bedford what is being done with their tax dollars; and further, this process should include the

School Department's budget, especially during times like these when so many Citizens and taxpayers want answers to their questions and rightfully so (Ref'd 5/9/13) was received and placed on file by Councillor Martins and seconded by Councillor Lopes. (3)

Councillor Martins asked Ari Sky, CFO, if he has looked at other municipalities' web-sites who have this information available. Mr. Sky stated that they can possibly look into establishing an online "check book" so to speak, but it would basically be a list of expenditures made to various vendors. He said that eight (8) or nine (9) cities have something like that and it is approximately \$145,000 to purchase that software. He explained that grants are available to purchase the software, but in the meantime, in the interest of greater transparency, he will make every effort to make more timely reports to the Council and post mid-year reports on the city's web-site.

On motion by Councillor Martins and seconded by Councillor Bousquet, the Committee VOTED: To table this matter at this time. This motion passed on a voice vote.

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Notice, City Clerk of reference of a Written Motion, Councillor Lopes, requesting that the Morgan Celebration Committee meet with the Committee on Appointments and Briefings to provide the Committee with an overview of the celebratory plans for her return visit to New Bedford (Ref'd 10/10/13) was received and placed on file by Councillor Lopes and seconded by Councillor Bousquet. (4)

Dagny Ashley, Tourism Director, handed out information, which was received and placed on file by Councillor Lopes and seconded by Councillor Martins.

Ms. Ashley explained the overview of the Morgan visit and the events surrounding it, which will take place in the city between June 28th and July 6th.

On motion by Councillor Lopes and seconded by Councillor Martins, the Committee VOTED: To table this matter for thirty (30) days, at which time the Committee can review a report provided by Ms. Ashley, in place of her actual appearance before the Committee. This motion passed on a voice vote.

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Notice, City Clerk of reference of a Communication, Kenneth Blanchard, Director, Department of Facilities and Fleet Management, to City Council, relative to the City's new trash and recycling collection program (Ref'd 1/9/14) was received and placed on file by Councillor Martins and seconded by Councillor Bousquet. (5)

Ken Blanchard, Acting DPF Commissioner, explained the city's new waste and recycling program which will soon involve special containers for each. He explained which types of residential homes (single family, two family, etc.) will receive which size container and how many.

Marissa Perez-Dormitzer, Recycling Director was also present to answer questions from the Committee.

There were various questions and answers.

On motion by Councillor Winterson and seconded by Councillor Morad, the Committee VOTED: To take “No Further Action” on this matter. This motion passed on a voice vote.

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Notice, City Clerk of reference of a Written Motion, Councillors Gomes and Lopes, requesting, that the Committee on Appointments & Briefings meet with a representative from the Administration, along with Ward Six Councillor Joseph P. Lopes and the artist responsible for painting the City’s electrical boxes to discuss why the Administration painted the boxes black after they were painted with artwork that so well identified the City of New Bedford, and which was deterrent to graffiti; and further, that we ask Patrick Sullivan, Director of Planning and Community Development if there are any monies available to hire this artist on a part-time basis to paint all of the electrical boxes across the City, identifying the neighborhood, the culture and the flavor of each neighborhood and the City of New Bedford which we take pride in; and further that the City Council go on record and ask Artworks and the 3rd Eye to work with the City Council to develop a program to provide space for public art to be done by the youth of our City and that Lt. Scott Carola be invited to cooperate with the Council in mentoring youth in New Bedford, sharing his artistic talent (Ref’d 9/12/13) was received and placed on file by Councillor Morad and seconded by Councillor Bousquet. (6)

Councillor Lopes stated that on his own and at his expense, he commissioned the painting of two of these boxes in the south end; and was therefore upset when one of them was painted over by city crews, when it was so apparent that it was actual art work on them and not just simple graffiti. He asked why the Administration saw this artwork as graffiti and vandalism.

Noelle Foye, ArtWorks Director was present and addressed the Committee, as well as Debra Smook, Studio Education & Outreach Director at ArtWorks.

The Clerk read a Communication from Pat Sullivan, Director of Planning & Community Development stating he was unable to attend this meeting due to a prior commitment. He informed the Committee that pursuant to the painting of electrical boxes, the Office of Housing and Community Development previously provided CDBG funding to ArtWorks, as part of a youth initiative project to paint interpretive artwork on electrical boxes in various locations. This is an activity that is eligible for CDBG funding and could be funded through an appropriate entity to complete the project. This Communication was received and placed on file by Councillor Lopes and seconded by Councillor Gomes.

Ron Labelle, DPI Commissioner, stated that in July he was given the task of removing all graffiti from the city, including from electrical boxes. He took that task seriously and mistakenly had that box in question painted over. He did not see it, but he is the one who gave the instruction to paint over everything without question. He apologized several times in a sincere manner and explained that it was his fault and misunderstanding and no one else’s.

On motion by Councillor Lopes and seconded by Councillor Bousquet, the Committee VOTED; To refer this matter to the Mayor and Pat Sullivan, Director of Planning & Community Development,

for the purpose of an appropriation in the 2015 Fiscal Year, that we would look at creating a program that would allow an activity in the painting of city-owned light signal boxes beginning in FY15. This motion passed on a voice vote.

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On motion by Councillor Bousquet and seconded by Councillor Lopes, the Committee VOTED: To waive the reading of item number seven (7) and table this matter as Dr. Brenda Weis, Public Health Director could not be in attendance. This motion passed on a voice vote. The item is as follows:

Notice, City Clerk of reference of a Written Motion, Councillor Martins, requesting that the Director of Public Health, Dr. Brenda Weis, be invited to the next Committee on Appointments and Briefings meeting to discuss the new posted position in the Health Department, Code Enforcement Inspector; said posting states that the Inspector will also be doing some “outreach” and Landlords have spoken to this Councillor about outreaching which is important in the City; and further, requesting that the Health Department should create an awareness campaign to all living in the City about “Trash Violations; and develop a plan to also outreach to tenants who are not following the City’s Ordinance. (Ref’d 12/19/13) (7)

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Councillor Bousquet made a motion to take “No Further Action” on items eight (8) through twenty-five (25), which was seconded by Councillor Winterson; Councillor Gomes made a motion to sever items eight (8) and nine (9) and have them remain in Committee, which was seconded by Councillor Lopes.

On motion by Councillor Bousquet and seconded by Councillor Winterson, the Committee VOTED: To take “No Further Action” on items ten (10) through twenty-five (25) and items eight (8) and nine (9) to remain in Committee. This motion passed on a voice vote. They are as follows:

Notice, City Clerk of reference of a Written Motion, Councillor Lopes and Council President Gomes, requesting that David English and Mary O’Keeffe the Regional Representative of Comcast Cable attend the next scheduled meeting of the Committee on Appointments and Briefings, and to provide this Councillor with an update as it pertains to their agreed upon meetings with the Residents of Tripp Towers. (Ref’d 11/22/11, 6/21/12 – tabled, 12/10/13 – Remain in Committee) (8)

Notice, City Clerk of reference of a Written Motion, Councillor Gomes, requesting, that the Board of Health’s new Director Brenda Weis and a Representative from the Massachusetts Board of Health be invited to a Committee on Appointments and Briefings meeting to give a detailed explanation as to what is being done on a City and State level to combat the growing bedbug problem that has hit New Bedford and other communities in the Commonwealth and what plans the City and State are implementing to alleviate this problem. (Ref’d 8/16/12, 10/18/12 – tabled, 12/10/13 – Remain in Committee) (9)

Notice, City Clerk of reference of a Written Motion, Councillors Gonsalves and Bousquet, requesting, that the Committee on Appointments and Briefings meet with Mme. Paul Bushins, owner of

Wamsutta Mill Number One, Matthew Morrissey, Economic Development Council, Department of Inspectional Services, Commissioner Danny Romanowicz and the Owners of the Skate Factory, Phil DaSilva and Russell Anderson, regarding the ongoing and unresolved compliance issues that have prevented the Skate Factory from opening in Wamsutta Mill Number One. (Ref'd 10/11/12, 2/19/13 – tabled) NFA (10)

Notice, City Clerk of reference of a Communication, Mayor Mitchell, to City Council, submitting the APPOINTMENT of MANDY ABOUCHANAB, Acushnet, MA 02743, to the HUMAN RELATIONS COMMISSION, replacing Reverend Richard Wilson, whose term has expired; this term will expire in December 2014. (Ref'd 12/20/12, 2/19/13 – tabled, applicant not present, 3/21/13 – tabled, 7/16/13 – tabled, stipulation that if she is a no show for next meeting put on for NFA) (11)

Notice, City Clerk of reference of a Written Motion, Councillor Gomes, requesting that the Committee on Appointments and Briefings meet with Lee Heald, from AHA!, representatives from the Downtown Art Community and those responsible for working with the City to put on a City Celebrates! New Year's Eve, for the purpose of discussing what the City can possibly do to improve what is already in place and what is a good program for New Year's Eve, but what can be done to make it more festive for the City, including possibly a big name group for the Downtown celebration, this is the only City on the SouthCoast that holds such a celebration and should be attracting those from a 25 to 30 mile radius to the City for the festivities that have been put on for years. (Ref'd 1/10/13) NFA (12)

Notice, City Clerk of reference of a Written Motion, Councillor Gomes, requesting, that the City look into purchasing more Christmas decorations for the Downtown area; and further, look into replacing some of the older decorations in the north end and the south end for the purposes of putting a beautiful display of Christmas decorations not only on Union Street and Pleasant Street, but in areas that have long been without any decorations, such as South Sixth Street, the upper part of Pleasant Street, which should include the entire Downtown area in an effort to bring a more festive look for the Christmas season. (Ref'd 1/10/13) NFA (13)

Notice, City Clerk of reference of a Written Motion, Councillors Gomes and Bousquet, requesting that a Representative from the Mayor's Office, Department of Public Infrastructure Commissioner Ronald Labelle, and a Representative from the Treasurer's Office meet with businesses in the Coggeshall Street area, including the Golden Greek Restaurant, the Dog House Restaurant, Hair Stylists and many other businesses in that area for the purpose of updating them as to where the International Marketplace project is at this time and to clarify what the plans are on said project, given that the businesses in this area have suffered so greatly during the past eight months, not only losing thousands of dollars but whether they should make future investments at this time; and further, that at said meeting the City address plans for the parking lot to consider including a public parking lot not to include meters and also to see if there is some type of tax relief that can be given to the businesses due to the fact that they have lost a lot of money. (Ref'd 1/10/13) NFA (14)

Notice, City Clerk of reference of a Related Motion, Councillor Martins, requesting that the Personnel Director Angela Natho, be invited to the next Committee on Appointments and Briefings meeting held in Executive Session with a list of names and addresses of applicants that applied for the positions of CFO, Director of Tourism, City Planner and the Director of the Harbor Development

Commission so the City Council can discuss and review resumes to find out how many New Bedford applicants applied for above-referenced positions. (Ref'd 1/10/13, 3/21/13 – no action taken) NFA (15)

Notice, City Clerk of reference of a Written Motion, Councillor Gonsalves, requesting, that Wire Inspector Michael Baker and Department of Inspectional Services Commissioner Danny Romanowicz meet with the Committee on Appointments and Briefings, regarding the requirement for licensed electricians to produce a signed contract in order to obtain a wiring permit if the project is valued at \$3,000.00 or higher. (Ref'd 1/24/13, 3/21/13 - tabled) NFA (16)

Notice, City Clerk of reference of a Communication, Councillor Gonsalves, submitting a copy of a letter dated April 27, 2012, to DIS Commissioner Danny Romanowicz from Officers of the New Bedford Electricians Association, Inc., relative to licensed electricians and wiring permits. (Ref'd 1/24/13, 3/21/13 – tabled) NFA (16a)

Notice, City Clerk of reference of a Written Motion, Councillors Gomes and Oliveira, requesting, that a public hearing be held with the Administration, Department of Public Infrastructure Commissioner Ronald Labelle, Department of Public Facilities Acting Commissioner Kenneth Blanchard, and any other parties concerned to discuss snow removal during the Blizzard of 2013, that a plan of action be placed on the books for any type of storm related to the Blizzard of 2013 procedures and policies, that will be followed in order to guarantee that we open up the streets of the City of New Bedford as soon as possible and that the proper equipment is in place during a storm; and further, requesting that NSTAR officials be invited to said meeting to discuss their policies and procedures during the Blizzard of 2013 and what procedures were put in place to guarantee the constituents of the New Bedford area, rapid response from NSTAR and also requesting that during a hurricane or blizzard situation or any other emergency situation that arises, that NSTAR set up a command center similar to the one that is being done in the northern part of the state, such as National Grid which is a live operator speaking to residents giving them a breakdown of what has happened and how long it will take before their power is restored; and further, that this request be accepted by NSTAR due to the fact that the information that was coming out of NSTAR to the general public through an automated phone operator was not the way to handle a crisis such as this, and we demand that NSTAR explain why some areas took so long to get power back, also there were some small abutting areas where electricity was restored while others still had no power; and further, that NSTAR put in place policies and procedures that address areas where there are nursing homes or elderly housing due to the fact that these people should be prioritized due to the urgency of them possibly getting sick or freezing to death, so that the City can put in place along with the information being fed from NSTAR a policy and procedure of emergency evacuation and shelters to be set up to accommodate those affected; and further, requesting that if the City of New Bedford is going to award the contract to ABC Disposal, that we look into the possibility of amending the contract to include using their trucks as plows during major snow storms and that ABC Disposal be compensated for said service. (Ref'd 2/14/13) NFA (17)

Notice, City Clerk of reference of a Written Motion, Councillor Martins, requesting, that members of C.A.L.M., Inc., be invited to a Committee on Appointments and Briefings meeting to discuss their organization's involvement in the education and use of medical marijuana. (Ref'd 3/14/13) NFA (18)

Notice, City Clerk of reference of a Communication, Councillor Lawrence, submitting letter dated March 13, 2013, to the Office of the City Solicitor from Epic Realty Associates, Inc., relative to building demolitions. (Ref'd 3/27/13) NFA (19)

Notice, City Clerk of reference of a Written Motion, Councillors Lawrence and Gonsalves, requesting that in light of the SouthCoast Rail project debacle currently taking place in our State legislature, that the City Council's Legislative Counsel David Gerwatowski, review and provide this body with his opinion as to whether or not the City Council through his representation as our Attorney, can take any legal action to ensure that funding be provided to support rail service to New Bedford. (Ref'd 4/11/13) NFA (20)

Notice, City Clerk of reference of AN ORDER, that EASTON STREET (Board of Survey) 50 feet wide, from Upton Street northerly +/- feet be DISCONTINUED as a Board of Survey Street. (Ref'd 4/25/12) NFA (21)

Notice, City Clerk of reference of a COMMUNICATION, Councillor Lopes submitting a Memorandum from James M. Cole, Deputy Attorney General, U.S. Department of Justice, to United States Attorneys regarding Marijuana Enforcement. (Ref'd 9/12/13) NFA (22)

Notice, City Clerk of reference of a Written Motion, Councillors Gonsalves, Lopes, Gomes and Bousquet, requesting that Uplifting Health 7 Wellness (UHW) and Coastal Compassion, Inc. meet with the Committee on Appointments and Briefings to discuss their plans for a medical marijuana dispensary in New Bedford. (Ref'd 9/12/13) NFA (23)

Notice, City Clerk of reference of a Written Motion, Councillor Lawrence, requesting that the Committee on Appointments and Briefings meet with the Cultural Art District Steering Committee to review and approve a Resolution in support of said district in the City of New Bedford; and further, that a Public Hearing be advertised and called for on Tuesday, September 24, 2013 in relation to this item. (Ref'd 9/12/13) NFA (24)

Notice, City Clerk of reference of a Related Motion, Councillor Lopes, requesting that the Cultural Art District Steering Committee look at establishing cultural districts in the North End and South End of New Bedford, since both areas have cultural strengths that should be highlighted and celebrated along with the Downtown area. (Ref'd 9/12/13) NFA (25)

Councillor Bousquet made a motion to adjourn, which was seconded by Councillor Winterson.

This meeting adjourned @ 9:20 p.m.

ATTEST:

Clerk of Committees