



Appointments and Briefings

April 22, 2014 – 7:05 PM – **Minutes**
Chambers of the City Council, Room 214

****View Agenda****

MEETING: COMMITTEE ON APPOINTMENTS & BRIEFINGS
DATE: APRIL 22, 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; JOSEPH LOPES; STEVEN MARTINS; DANA REBEIRO; KERRY WINTERSON

ABSENT: COUNCILLORS BRIAN GOMES; LINDA MORAD

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Councillor Alves called the Appointments & Briefings Meeting to order and took attendance. The Clerk read into the record, a Communication from Councillor Morad stating she would not be in attendance due to her chaperoning the Winslow Elementary School Children to the PawSox game. This Communication was received and placed on file by Councillor Lopes and seconded by Councillor Carney. Councillor Gomes called in stating he was feeling ill and would not be in attendance.

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Notice, City Clerk of reference of a PUBLIC HEARING, on a Communication/Demolition, New Bedford Historical Commission, to City Council, re: BUILDING DEMOLITION REVIEW, 177 Cove Street, MAP 20, PARCEL 346, advising that “built in 1915, the structure is a two and one-half story hipped roof building originally covered with clapboards, the most visually important aspect of the building is the full height columned entry which originally had a first and second story porch with balustrades; constructed as the Charron Maternity Hospital in the Neo- Classical style, the building was designed by the well-known local Architect Louis E. Destremps and constructed by local builder Napoleon Lapointe, both members of the French Canadian Community; currently rented and occupied as a half-way house, the building is structurally sound and until a few years ago operated as a funeral parlor, the first and second story porches have been removed and all the original windows have been replaced; the original garage has been removed and all the original windows have been replaced; the original garage has been extensively altered, but retains its original shape and massing; the subject structure is found to be historically significant for its connections to the French Canadian Community and as a local example of Neo-Classical style architecture as designed by local Architect Louis E. Destremps”; and therefore, “the NBHC has determined that 177 Cove Street is a historically significant

structure and preferably preserved” (Ref’d 2/13/14, advertised in the Standard-Times on Wednesday, April 9, 2014) was received and placed on file by Councillor Coelho and seconded by Councillor Lopes. The Chair opened the Hearing. (1)

Mrs. Diane Henry, Chair of the New Bedford Historical Commission spoke in favor of the delay in the hopes that the building can be saved.

The Chair asked if anyone wanted to speak in favor of delaying the demolition, they were as follows:

Jessica De Costa of 608 South Second Street, Gerard Bourassa of 148 Bryant Lane and Donna Downing of 616 South Second Street.

No one wished to be recorded in favor.

The Chair asked if anyone wished to speak in opposition to the six month delay in this demolition, they were as follows:

Mr. Michael Panagakos, owner and developer of the property, stated that all the 6 month delay will do is simply delay the inevitable: that the building will in fact come down. He explained that the building has been for sale for several years, it has had several fires, there is barely anything original on or in the building. He stated that the current tenants are being evicted and are expected to be out by May 13th, at which time the property will be boarded up.

Councillor Bousquet asked Mr. Panagakos what his plan for the property is. Mr. Panagakos stated that he will develop a small retail location there, which will look nice, be built well and add to the area.

Councillor Coelho stated that, having heard from the public tonight, she hopes that Mr. Panagakos would save the building and not tear it down. Mr. Panagakos replied that a few people showing up to a meeting and asking that the building not be demolished does not, in his opinion, qualify as “hearing from the public” as Councillor Coelho suggested. He re-stated that the building has been for sale for several years and no one else wanted it. He is going to do something good with the property that is also beneficial to the city and the neighborhood.

Councillors Coelho and Rebeiro both strongly urged Mr. Panagakos to reconsider demolishing the building and instead try to find a way to keep the structure up. Mr. Panagakos, once again, reiterated his position that there is barely anything original left in the building and has no historical value. He also stated that he will in fact demolish it after the delay, if that is what is decided upon. Councillor Coelho stated to Mr. Panagakos that he should save the building because he can afford to do so.

No one was recorded in opposition to the delay. The Chair closed the hearing.

Councillor Martins asked to hear from Ann Louro, the Preservation Planner. Ms. Louro stated that she too is hoping for the delay in the hopes that some other plan for the building can be developed

and put into action rather than simply demolishing it. Councillor Martins asked if the Historical Commission would actively search for a potential buyer. Ms. Louro replied that the Historical Commission does not normally get involved in that manner, but perhaps they could do so.

On motion by Councillor Lopes and seconded by Councillor Coelho, the Committee VOTED: To recommend to the City Council, a six (6) month delay on the Demolition of 177 Cove Street, Map 20, Parcel 346. This motion passed on a Roll Call vote of Yeas 8, Nays 1, with Councillor Alves opposed.

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Councillor Lopes asked that item 6 and 6a be taken out of order. There were no objections.

Notice, City Clerk of reference of a Written Motion, Councillor Rebeiro, requesting that the Committee on Appointments and Briefings discuss and accept the petitions signed by New Bedford Residents regarding the retirement of Emily & Ruth from the Buttonwood Zoo to an elephant sanctuary (Ref'd 1/9/14) and a Communication, Councillor Morad, submitting letter received on March 17, 2014, by Theresa W. Kim, M.D., to City Council, relative to moving the elephants, Emily and Ruth to an elephant sanctuary in Tennessee (Ref'd 3/27/14) were received and placed on file by Councillor Martins and seconded by Councillor Lopes. (6, 6a)

Ms. Joyce Rowley of 49 Orchard Street addressed the Committee asking that the Council consider sending the Zoo's elephants to the Elephant Sanctuary in Tennessee. Chantel Pavao of 2 Shaw Street also spoke in favor, as did her sister Corrine Pavao of the same address. Dr. Theresa Kim of 99 South Street, Roslindale, MA also spoke in favor of moving the elephants, saying that it is what they deserve. However, for the record, Councillor Lopes asked her if she was a Veterinarian or an Elephant Specialist; she said she is neither.

Ms. Rowley presented the Committee with a video presentation of the sanctuary and reasons why, in her opinion, the elephants needed to be moved out of the Zoo.

Councillor Rebeiro asked if it is true that elephants in sanctuaries and/or natural habitats live longer than those in Zoos. Ms. Rowley said that her research stated that they do. She also stated that because there is not enough space for Ruth and Emily, Ruth will absolutely be attacked by Emily again. She criticized the Zoo Staff, stating that they have "lost" several animals over the years.

Councillor Rebeiro stated that perhaps it is time for people to stop thinking of the elephants as there for personal entertainment and begin seeing them for living things that deserve better treatment. She too criticized some of the practices at the Zoo.

Councillor Martins asked Councillor Rebeiro if she had ever been to the Zoo or had spoken with the Zoo Staff or its Director. Councillor Rebeiro admitted that she had not as of yet, but is planning a visit there soon. However, she added, her research about elephants has led her to agree with Ms. Rowley that the elephants are being mistreated at the Zoo and should be moved to the sanctuary rather than being held on to for Zoo profits.

Keith Lovett, Zoo Director also addressed the Committee. He stated that the Buttonwood Park Zoo was just recognized by the AZA Accreditation as one of the best Zoos in America, and that this is the third time it has received such recognition. He stated that the Tennessee Sanctuary does do good work, but he also pointed out several problems/issues that it has had over the years, and is currently having. These problems include the fact that there have been three (3) Executive Directors since 2011, and the current one is not an elephant expert, it does not currently have a Director of Elephant Care, and that the Veterinarian on staff recently left. In fact, the sanctuary was recently cited as having staff that lacked experience and knowledge. He stressed that the Zoo does not “make money” off of the elephants, but conversely is actually losing money on them. However, he feels that because it is the best place for Ruth and Emily to be, that the Zoo is spending the money to keep them here.

On motion by Councillor Lopes and seconded by Coelho, the Committee VOTED: To take “No Further Action” on 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 Alves, requesting, that the Committee on Appointments and Briefings meet with representatives of Community Choice Aggregation to discuss implementing a municipal aggregation program in the City of New Bedford similar to the program being considered by the City of Brockton; and further, that members of the Brockton City Council be invited to share their input and outline the beneficial opportunity for our residents and businesses in the City (Ref'd 2/13/14) was received and placed on file by Councillor Martins and seconded by Councillor Coelho. (2)

Mr. Leo Sullivan with Global Technology addressed the Committee. He presented them with a Power Point presentation about Community Choice Aggregation, which would enable New Bedford and other cities, and their residents and businesses, to join forces in buying and providing energy for a greatly reduced rate. The benefits of such a program would include:

- A minimum of 7% savings on both business and residential rates for electricity
- An increased percentage of green power to New Bedford
- Attracts new business to the city due to lower energy rates

He stated that Brockton is very interested in doing this with New Bedford and potentially Fall River. He explained that there are currently five states that allow this, which are Massachusetts, New Jersey, Ohio, Illinois and California.

Critical to the program’s success are:

- Web-Site
- Newspaper Ads
- Direct Mail
- Phone Hotline
- Press Kits
- Public Education

He explained that NSTAR would still bill the consumers, and that the only change – in addition to the reduced rate - would be WHO supplied the energy.

Councillor Oliveira asked Mr. Sullivan if Global was the only company that does this. Mr. Sullivan stated that they are not, and that it is, in fact, a competitive market.

On motion by Councillor Oliveira and seconded by Councillor Lopes, the Committee VOTED: To recommend to the City Council APPROVAL of the opportunity to entertain Community Choice Aggregation Program with the recommendation that the Mayor consider utilizing Global as an information expert 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, Winterson, Coelho, Alves, Bousquet, Council President Lopes, Martins, Morad, Oliveira and Rebeiro, requesting, that the Committee on Appointments and Briefings meet with the President of the Whaling City Festival for the purposes of discussing why the Festival will not be held in the City this year after decades of this type of entertainment for the people of New Bedford; and further, this Festival contributes significantly to our tourism base (Ref'd 3/13/14) and a Related Motion, Councillor Martins, requesting, that the Committee on Appointments and Briefings invite a Representative of the Mayor's Office, Park Board Chairman and Police Chief Provencher to discussion about the festivals happening in our City; and further, that the Committee review all policies and Ordinances associated with City parks (Ref'd 3/27/14) and a Related Motion, Councillor Carney, requesting, that Police Chief Provencher, the Mayor or a Representative of the Mayor's Office and the Whaling City Festival Committee be invited to the April's Committee on Appointments and Briefings meeting, so the City Council can receive an update on the festival and to discuss security measures that will take place at this year's Whaling City Festival. (Ref'd 3/27/14) (3, 3a, 3b)

On motion by Councillor Carney and seconded by Councillor Lopes, 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 Gomes, requesting, that the Committee on Appointments and Briefings meet with the Administration, Vice President of Berklee College of Music's Outreach Program called City Music, along with Berklee College of Music's Satellite Program Coordinator and Professor Jackie Santos for the purpose of finalizing the Berklee College of Music's Satellite Program at St. Mary's Home, located on Kempton Street, which has been in the works for some time now and Berklee College of Music is ready to locate a satellite program here in the City of New Bedford; and further, that during said meeting that a date of opening be discussed. (Ref'd 2/14/13, 3/18/14 - tabled) (4)

On motion by Councillor Lopes and seconded by Councillor Carney, the Committee VOTED: To keep this matter on the table. 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, 2/19/14 – tabled for 30 days) and a Written Motion, Councillors Alves, Lopes and Rebeiro, requesting, that Dagny Ashley, Chairwoman, and members of the New Bedford homecoming of the Charles W. Morgan Committee established to oversee events for the visit of the historic whale ship, the Charles W. Morgan, be invited to attend a Committee on Appointments and Briefings meeting to update the City Council and community on the schedule of events for the visit; and further, that the Committee on Appointments and Briefings invite other interested community agencies and representatives to attend said meeting and share any comments and suggestions as to how we can best showcase the City of New Bedford. (Ref'd 3/13/14) (5, 5a)

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

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On motion by Councillor Bousquet and seconded by Councillor Carney, the Committee VOTED: To take “No Further Action” on the items seven (7) through seventeen (17). This motion passed on a voice vote. They are as follows:

Notice, City Clerk of reference of a Communication, Mayor Mitchell, to City Council, submitting the APPOINTMENT of MATT CAMARA, New Bedford, MA 02745, to the CONSERVATION COMMISSION, replacing Robert G. Morris whose term has expired; this term will expire June 2015. (Ref'd 2/13/14) *Withdrawn by applicant.* (7)

Notice, City Clerk of reference of a Written Motion, Councillor Duarte, requesting, that the Committee on Appointments and Briefings to discuss the benefits of a program called “First Move” which teaches young people how to play chess. (Ref'd 8/16/12, 12/10/13 – Remain in Committee) (8)

Notice, City Clerk of reference of a Written Motion, Councillor Duarte, requesting, on behalf of students of the Parker Street School and concerned parents, that Assistant School Superintendent, Heather B. Larkin be invited to the Committee on Appointments and Briefings to update the City Council as to what plans are in place to address the Parker Street School and Pulaski School playgrounds, and further, that any plan should include a timeline for addressing issues such as, rocks on the playground, no playground equipment and no nets on the basketball hoops. (Ref'd 8/16/12, 9/20/12 – tabled, letters, 12/10/13 – Remain in Committee) (9)

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, 2/19/14 – Remain in Committee) (10)

Notice, City Clerk of reference of a Written Motion, Councillors Alves, Martins and Coelho, requesting, that the Parks, Recreation and Beaches Department address the maintenance needs of the Duck Pond/Enclosure at Brooklawn Park, and remove the tree that is broken and down across the pond and eliminate the debris in the enclosed area, which is a safety issue to the animals confined to the area, and to enhance the aesthetics of the area which is visited on a daily basis by young children and their parents, this area does not currently demonstrate or speak well for the City's care of animals or maintenance of our facilities; and that the City contact the Greater New Bedford Regional Vocational Technical High School to find out if the bridge is being repaired and if the bridge will be return for the summer months; and further, requesting that the Department of Community Development and/or DPI and DPF provide the Commission for Citizens with Disabilities with copies of the plans and specifications for the playground and also provide the City Council with copies of the plans for the playground and the overall plans for Brooklawn Park. (Ref'd 4/25/13) (11)

Notice, City Clerk of reference of a Written Motion, Councillor Gonsalves, requesting, that The Friends of Buttonwood Park brief the City Council on its Buttonwood on the Move project and its plans to rehabilitate the basketball courts. (Ref'd 5/23/13) (12)

Notice, City Clerk of reference of a Related Motion, Councillor Lawrence, requesting, under the Rules of Order of the New Bedford City Council, that when a Councillor makes a recommendation to waive a reading and delegate what they want done, that whatever item waived should be part of the ending credits of the City Council Meeting on Cable Access, so that viewers may be given information on what items the Council waived the reading on. (Ref'd 5/13/13) (13)

Notice, City Clerk of reference of a Written Motion, Councillors Lawrence, Lopes, Bousquet, Martins and Gonsalves, requesting that Mayor Mitchell and City Solicitor Markey immediately place a Cease and Desist Order on the selling of Butler's Flat Lighthouse until the ownership of said Lighthouse can be proven. (Ref'd 6/13/13, 7/16/13 - tabled) (14)

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 the 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, 2/19/14 – Referred to the Mayor and Community Development) (15)

Notice, City Clerk of reference of a Written Motion, Councillor Gonsalves, requesting that the Committee on Appointments and Briefings meet with Tourism Director Dagny Ashley and other community partners in the arts, including New Bedford Symphony Orchestra and the Zeiterion Theater

to discuss the installation of public pianos in New Bedford, following the example of the City of Boston; and further that Mary Rapoza, Director of Parks, Recreation and Beaches and the me Members of the Beautification Committee be invited to said meeting. (Ref'd 10/10/13) (16)

Notice, City Clerk of reference of a Written Motion, Councilor Gomes, requesting that Mr. A Oliveira of the School Department and School Committee member Bruce Oliveira appear before the Committee on Appointments and Briefings to discuss policies and procedures for the permitting process at the Roosevelt Middle School Athletic Field. (Ref'd 10/24/13) (17)

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

This meeting adjourned @ 10:30 p.m.

ATTEST:

Clerk of Committees