



# ***Council Meeting*** – Minutes

## **CITY COUNCIL CALENDAR**

Chambers of the City Council Municipal Building

*Thursday, January 9, 2014 – 7:02 p.m.*

View Agenda

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PRESENT: Council President Lopes, Councillors Alves, Bousquet, Carney, Coelho, Gomes, Martins, Morad, Oliveira Rebeiro and Winterson.

LATE: No One.

ABSENT: No One.

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Council President Lopes called the meeting to order and presided.

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Reverend Pamela J. Cole, Greater New Bedford Chapter of Church Women United led the Assembly in Prayer.

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Brian K. Gomes, Councillor At Large led the Assembly in the Pledge of Allegiance to the Flag.

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CITATIONS, Councillor Martins, honoring New Bedford High School's MATT HAWK, ANDREW GUILLOTTE, CAMEO LOBO, ANDY CRUZ, KATHLEEN SPRING-CORNELL, RICARDO MATIAS, VICTORIA HATHAWAY, CHRISTIAN VAZ and DAQUARI BRIDGES, in recognition of their First Place Finish in the Underwater Robotics Competition at the Massachusetts State Sea Perch Challenge in the Open Class Category.

Adopted.

(#0010)

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CITATION, Councillor Martins, honoring New Bedford High School Teacher CHRISTOPHER PARKER, in recognition of his longtime Dedication and Commitment to his students and his First Place Finish at the Massachusetts Sea Perch Underwater ROV Competition in the Open Class Category.

Adopted.

(#0011)

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CITATION, Councillor Martins, honoring WILLIAM FERREIRA, in recognition of his longtime Dedication and Commitment to his students of New Bedford High School in the Massachusetts Sea Perch Underwater ROV Competition in the Open Class Category.

Adopted.

(#0012)

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CITATION, Councillor Martins, honoring MIKE DESOUSA, in recognition of his longtime Dedication and Commitment to his students of New Bedford High School in the Massachusetts Sea Perch Underwater ROV Competition in the Open Class Category.

Adopted.

(#0013)

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CITATIONS, Councillor Oliveira, honoring TAMMIE IRWIN, President, and LISA J. RODRIGUEZ, Vice-President, Atlantic Aviators – Women in Aviation, in recognition of their building the Aviation Themed Playground, the Matthew R. Rodriguez Playground at the Greater New Bedford Regional Airport.

Adopted.

(#0014)

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The following resolution honoring Michael Knabbe was presented by Councillors Oliveira, Council President Lopes, Councillors Alves, Martins, Gomes, Bousquet, Morad, Rebeiro, Carney, Winterson and Coelho.

CITY OF NEW BEDFORD  
IN CITY COUNCIL  
JANUARY 9, 2014

**RESOLUTION HONORING MICHAEL KNABBE, VICE-CHAIRMAN  
BOARD OF AIRPORT COMMISSIONERS, NEW BEDFORD, MASSACHUSETTS**

**WHEREAS**, Michael Knabbe joined the Airport Commission in March 2006; and

**WHEREAS**, Michael Knabbe recently completed eight years of one hundred percent attendance and service to the New Bedford Regional Airport Commission as its Representative who advocated for its General Aviation Pilots and Operators, ensuring that their interests were furthered by the Commission at each and every one of its meetings; and

**WHEREAS**, Michael Knabbe, while serving on the Airport Commission's Public Safety Committee advocated for and successfully instituted the New Bedford Police Canine Port Authority Sub Station, which continues to operate and provide a greater security presence with designated check-ins at the Airport to deter threats and security breaches; and

**WHEREAS**, Michael Knabbe has given his time, talent and personal resources to many charitable activities such as his Annual Pie Run for the Holidays, Toys for Flights for People Acting in Community Endeavors, as well as the Young Eagles Flights from 1993-1997, that was intended to introduce economically disadvantaged youth to the wonders of flying an aircraft; and

**WHEREAS**, Michael Knabbe spent the past five years advocating with the New Bedford Regional Airport Commission on behalf of the Atlantic Aviators to install an Aviation Themed Playground for the many children that visit the Airport and successfully brought the project to fruition on November 02, 2013, by donating his time, identifying local philanthropists, and providing personal financial donations to raise \$165,000.00, for the equipment and construction, that playground has been named the Matthew R. Rodriguez

Memorial Playground at the Greater New Bedford Regional Airport in honor of United States Marine LCPL Matthew R. Rodriguez who lost his life on December 11, 2013, in the Helmand Province, Afghanistan; and

**WHEREAS**, Michael Knabbe was elected by his peers on the New Bedford Regional Airport Commission to serve four consecutive terms as Vice-Chairman and Acting Chairman at a time where he attended all meetings and planning sessions to guide a successful application to the Federal Aviation Administration that garnered an \$18 million dollar grant award to install Runway Safety areas on the Airport's runways to further ensure the safe landing and takeoff of aircraft, and will also provide an opportunity to expand daily operations and create greater economic opportunity for the aviation community; and

**WHEREAS**, Michael Knabbe has spent the past eight years as an original organizer asking local pilots to donate their planes and fuel to offer rides intended to raise funds during the popular Airport Family Fun Day in May that benefitted the Atlantic Aviators Women in Aviation local chapter, to provide annual scholarships to young women entering the study of aviation; and

**WHEREAS**, Michael Knabbe served the New Bedford Regional Airport, Airport Commission and the City of New Bedford with distinction:

**NOW, THEREFORE, BE IT RESOLVED**, That the New Bedford City Council hereby honors and thanks **MICHAEL KNABBE, VICE-CHAIR, BOARD OF AIRPORT COMMISSIONERS**, for his service to the City of New Bedford, commends him for his dedication to his work and wishes him the best of luck in all his future plans and endeavors.

Adopted. ( #0015)

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HEARING, on NSTAR ELECTRIC COMPANY for location of one (1) 45"x45"x36" Handhole in PARK STREET, South of Kempton Street.

Donna Rosa-Gonsalves, Right of Way Representative of NSTAR Electric was present and in favor and answered questions.

No One Opposed; Hearing closed.

Petition Placed on File. ( #0016)

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ORDER,

Adopted and ordered recorded in Book of Location Order Records - Yeas 11, Nays 0.

Presented to the Mayor for approval January 13, 2014.

Approved January 16, 2014. ( #0017)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting a VETO of the ORDER, that the City accept Section 34 of Chapter 176 of the Acts of 2011, which allows for an increase in the stipend for Members of the New Bedford Retirement Board.

Received and Ordered Spread on the Records. ( #0018)

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IN CITY COUNCIL  
DECEMBER 19, 2013

**Ordered**, that the City accept Section 34 of Chapter 176 of the Acts of 2011, amending M.G.L. Chapter 32, Section 20 (6) which follows for an increase in the stipend for members of the New Bedford Retirement Board from \$3,000.00 to \$ 4,500.00 per year effective January 1, 2014.

Adopted and Rule 40 Waived- Yeas 11, Nays 0 – December 19, 2013.

Presented to the Mayor for approval December 23, 2013.

Veto Received by Mayor Mitchell January 2, 2014.

Received and Ordered Spread on the Records. (#2137)

REPORT, Committee on Ordinances, recommending to the City Council ADOPTION of AN ORDINANCE, amending Section 19-135.2 to establish EMS Rates that are equal to the Medicare National Fee Schedule +125% rate for ambulance services.

Recommendation Followed. (#0019)

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ORDINANCE, Amending Chapter 19, Section 19-135.2 (d) EMERGENCY MEDICAL SERVICES, to establish EMS rates that are equal to the Medical National Fee Schedule + 125% rate for the ambulance services.

Referred to the Committee on Ordinances and Passed to a Second Reading – September 12, 2013.

Passed to be Ordained – Yeas 11, Nays 0.

Presented to the Mayor for approval January 13, 2014.

Approved January 16, 2014. (#1485)

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WRITTEN MOTION, Councillor Alves, requesting, on behalf of the owner of 549 John Street, that the Department of Public Infrastructure prepare and schedule a work order to install a curb in front of the property restricting people from parking on the sidewalk area, which makes it difficult for people to walk on the sidewalk and is a danger for the elderly and young adults walking in the area.

Referred to the Department of Public Infrastructure.

Presented to the Mayor for approval January 13, 2014.

RETURNED UNSIGNED January 24, 2014. (#0020)

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WRITTEN MOTION, Councillors Bousquet and Morad, asking, that the Chief of Police explore the possibility of creating Field Training Officers within the department to help mentor, evaluate and train the newest New Bedford Police Officers, to ensure a formal evaluation process is being used to hire the best possible professionals to serve our Citizens. (To be Referred to the Mayor and the Chief of Police.)

Adopted.

Presented to the Mayor January 13, 2014.

RETURNED UNSIGNED January 24, 2014.

(#0021)

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WRITTEN MOTION, Council President Lopes, Councillors Bousquet, Oliveira, Alves, Martins, Coelho, and Morad, requesting, that the New Bedford City Council go on record in support of the twenty-three State Legislators who are calling for the creation of a State program to help promote and brand seafood caught by Massachusetts fishermen.

Rule 17 Waived – Yeas 11, Nays 0.

Adopted.

(#0022)

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WRITTEN MOTION, Councillors Gomes and Oliveira, requesting, that the Mayor and Police Chief along with the City take immediate action to post “NO TRESPASSING AT ANYTIME”, “NO LOITERING AT ANYTIME”, Signs at the Serenity Gardens, (formerly the Morse Twist Drill site), at the corner of Sixth Street and Bedford Street; and further, that the entire site be posted with signage on the South Sixth Street side, the Wing Street side and the Pleasant Street side, due to the criminal activity and damage to the site along with the drug paraphernalia, this request comes after several complaints from residents within the area who say the property is being used for criminal activity day and night; and further, that the Police increase patrols in that area.

Councillor Carney made a motion to strike the word ANYTIME and replace it with DUSK TO DAWN – FAILED – Yeas 4, Nays 7 (Councillors Alves, Carney Coelho and Rebeiro IN FAVOR.)

Adopted and Rule Waived – Yeas 9, Nays 2. (Councillors Carney and Rebeiro OPPOSED.)

Presented to the Mayor for approval January 10, 2014.

RETURNED UNSIGNED January 24, 2014.

(#0023)

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WRITTEN MOTION, Councillors Coelho and Winterson, requesting, that the Traffic Commission look into the possibility of granting one-time permanent parking stickers to property owners on Short Street, the current parking situation is causing a burden on the elderly/lifetime residents who are ticketed for not having renewed their residential parking stickers; and further, one option might be to include in their property tax bills the reminder to renew their residential parking stickers.

Adopted.

(#0024)

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WRITTEN MOTION, Councillor Bousquet, requesting, on behalf of the New Bedford Educators Association, that the following street(s) be CLOSED: WILLIAM STREET, from South Sixth Street to Purchase Street, ON FRIDAY, JANUARY 17, 2014, FROM 2:30 P.M. TO 6:00 P.M., for the purpose of A Rally! PLEASE NOTE: ALTERNATE WEATHER DATE: FRIDAY, JANUARY 24, 2014.

Permission Granted.

Presented to the Mayor for approval January 13, 2014.

Approved January 16, 2014. (#0025)

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COMMUNICATION, Kenneth Blanchard, Director, Department of Facilities and Fleet Management, to City Council, relative to the City's new trash and recycling collection program. (To be Referred to the Committee on Appointments and Briefings.)

Referred to the Committee on Appointments and Briefings. (#0026)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of JOHN RADCLIFFE, New Bedford, MA 02740, to the CONSERVATION COMMISSION, this term will expire June 2016.

Tabled - June 13, 2013.

Removed from the Table and Referred to the Committee on Appointments and Briefings.

(#1018)

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WRITTEN MOTION, Council President Duarte, requesting, on behalf of the Zeiterion Theatre, that the following street(s) be CLOSED: PURCHASE STREET, between School Street and Spring Street, ON TUESDAY, DECEMBER 31, 2013, FROM 3:00 P.M. TO 9:00 P. M., for the purpose of outdoor street entertainment for the New Year's Eve Celebration. GRANTED PROVISIONALLY BY THE CITY COUNCIL PRESIDENT BRUCE DUARTE, JR., ON MONDAY, DECEMBER 30, 2013, TO BE RATIFIED BY THE CITY COUNCIL ON THURSDAY, JANUARY 09, 2014.

Received and Action of the City Council President Ratified.

Presented to the Mayor for approval January 13, 2014.

Approved January 16, 2014. (#0027)

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WRITTEN MOTION, Councillor Alves, requesting, on behalf of the businesses in the area of the intersection of Sawyer Street and Acushnet Avenue, that the Department of Public Infrastructure prepare and schedule a work order to replace the overhead street lights in the area, for the safety of the public, both walking or driving in the area after dark.

Referred to the Department of Public Infrastructure.

Presented to the Mayor for approval January 13, 2014.

RETURNED UNSIGNED January 24, 2014. (#0028)

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WRITTEN MOTION, Councillor Alves, requesting, on behalf of the owner of 37 Covell Street, that the Department of Public Infrastructure prepare and schedule a work order to replace the sidewalk in front of the home that was damaged when the Department of Public Infrastructure repaired and installed a new line into the home in 2013, the street area in front has been repaired but to date the sidewalk has not been replaced, causing a dangerous situation for the residents in the area.

Referred to the Department of Public Infrastructure.

Presented to the Mayor January 13, 2014.

RETURNED UNSIGNED January 24, 2014. (#0029)

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ANNUAL REPORT, State Reclamation and Mosquito Control Board, submitting Annual Report for 2013.

Received and Placed on File. (#0030)

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MINUTES, Bristol County Public Health Emergency Preparedness Coalition, submitting MINUTES of a meeting held on December 17, 2013.

Received and Placed on File. (#0031)

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MINUTES, Board of Assessors, submitting MINUTES of meetings held on December 17 and 23, 2013.

Received and Placed on File. (#0032)

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APPLICATION, **Republic Services Inc.**, for permission to maintain a STREET OBSTRUCTION at **27 Acushnet Avenue**, provisionally granted by the City Clerk on December 30, 2013 subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval January 13, 2014.

Approved January 16, 2014. (#0033)

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APPLICATION, **Christopher Mendoza**, for permission to maintain a STREET OBSTRUCTION at **122 Potomska Street**, provisionally granted by the City Clerk on December 26, 2013 subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval January 13, 2014.

Approved January 16, 2014. (#0034)

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APPLICATION, **JLC Construction**, for permission to maintain a STREET OBSTRUCTION at **205 Princeton Street**, provisionally granted by the City Clerk on December 30, 2013 subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval January 13, 2014.

Approved January 16, 2014. (#0035)

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APPLICATION, **Christopher Mendoza**, to DISTURB THE SURFACE, of **122 Potomska Street**, provisionally granted by the City Clerk on December 26, 2013 subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval January 13, 2014.

Approved January 16, 2014. (#0036)

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APPLICATION, **JLC Construction**, to DISTURB THE SURFACE, of **205 Princeton Street** provisionally granted by the City Clerk on December 30, 2013 subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval January 13, 2014.

Approved January 16, 2014. (#0037)

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APPLICATIONS, **NSTAR Gas Company**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on December 23, 2013 subject to ratification by the Mayor and City Council as follows:

386 West Clinton Street (#0038)

232 Richmond Street (#0039)

Received and Action of the City Clerk Ratified.

Presented to the Mayor January 13, 2014.

Approved January 16, 2014.

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APPLICATIONS, **NSTAR Gas Company**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on December 26, 2013 subject to ratification by the Mayor and City Council as follows:

124 Collette Street (#0040)

11 Lincoln Street (#0041)

Received and Action of the City Clerk Ratified.

Presented to the Mayor January 13, 2014.

Approved January 16, 2014.

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APPLICATION, **NSTAR Gas Company**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on December 27, 2013 subject to ratification by the Mayor and City Council as follows:

62 Plymouth Street (#0042)

Received and Action of the City Clerk Ratified.

Presented to the Mayor January 13, 2014.

Approved January 16, 2014.

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APPLICATION, **NSTAR Gas Company**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on January 7, 2014 subject to ratification by the Mayor and City Council as follows:

73 Beech Street (#0043)

27 Ashley Street (#0044)

31 Ashley Street (#0045)

Received and Action of the City Clerk Ratified.

Presented to the Mayor January 13, 2014.

Approved January 16, 2014.

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PETITION/NSTAR Electric Company, Inc., for location of one (1) 4” Conduit, three (3) 4” Conduits and one (1) 45” x 45” x 36” Handhole in BEDFORD STREET, West of Greene Street.

RECEIVED AND HEARING ORDERED FOR THURSDAY, JANUARY 23, 2014.

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PETITION/NSTAR Electric Company, Inc., for location of two (2) 4” Conduits in HERMAN MELVILLE BOULEVARD, Corner of Antonio L. Costa Boulevard.

RECEIVED AND HEARING ORDERED FOR THURSDAY, JANUARY 23, 2014.

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IT WAS VOTED, on a motion made and duly seconded, Yeas 11, Nays 0, to waive Rule 42 in order to take up the late file items.

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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. (Petitions Enclosed.)

Rule 42 Waived – Yeas 11, Nays 0.

Referred to the Committee on Appointments and Briefings – Yeas 9, Nays 2. (Councillors Morad and Winterson OPPOSED.) (#0046)

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COMMUNICATION/DEMOLITION, New Bedford Historical Commission, to City Council, re: BUILDING DEMOLITION REVIEW OF 1771 ACUSHNET AVENUE, CIRCA 1916 ONE-STORY BRICK AND CONCRETE BLOCK STRUCTURE – advising that “the structure is not located in a National Register Historic District, the structure is of no notable historic significance, either recorded or found with the existing condition of the structure, therefore, “the NBHC has determined that 1771 Acushnet Avenue is NOT a historically significant building or structure and not preferably preserved”.

Rule 42 Waived – Yeas 11, Nays 0.

Demolition Granted – Yeas 11, Nays 0.

Presented to the Mayor January 13, 2014.

Approved January 16, 2014. ( #0047)

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WRITTEN MOTION, Councillor Gomes, requesting that the Committee on Appointment and Briefings meet with Constable, Joseph Morra of Fairhaven, MA regarding recent allegations of violence and that his Constable License be suspended immediately, pending the outcome of the Committee Meeting and that the Chief of Police notify Mr. Morra of his suspension and further, requesting that Mr. Morra surrender his firearms due to the nature of the recent allegations. (NOTE: Mr. Morra’s current Constable appointment expires May 24, 2015.)

Rule 42 Waived – Yeas 11, Nays 0.

SUBSTITUTE MOTION ALLOWED. ( #0048)

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SUBSTITUTE MOTION, Councillor Gomes, requesting that this Councillor will provide whatever information he has acquired about Constable Joseph Morra to the Mayor for appropriate action pursuant to Chapter 19, Section 19-99 of the City Code.

Rule 42 Waived – Yeas 11, Nays 0.

Adopted.

Rule 40 Waived – Yeas 11, Nays 0.

Presented to the Mayor for approval January 10, 2014.

RETURNED UNSIGNED January 24, 2014. ( #0049)

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On a motion, the Council then adjourned at 8:28 pm.

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ATTEST:

RITA D. ARRUDA, CITY CLERK/  
CLERK OF THE CITY COUNCIL