



# **Council Meeting** – Minutes

## **CITY COUNCIL CALENDAR**

Chambers of the City Council Municipal Building

**Thursday, January 23, 2014 – 7:06 p.m.**

View Agenda

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

LATE: Councillor Bousquet (7:26 p.m.)

ABSENT: No One.

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Council President Lopes called the meeting to order and presided.

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Reverend Leona Fisher, Pastor in the name of Jesus Church led the Assembly in Prayer.

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Kerry Winterson, Councillor Ward Five led the Assembly in the Pledge of Allegiance to the Flag.

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COMMUNICATION, Councillor Bousquet, to Members of the City Council, informing that he will be late to the City Council Meeting on Thursday, January 23, 2014, due to a work commitment.

Received and Placed on File. (#0050)

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CITATION, Council President Lopes and Councillor Gomes, honoring DONNA LAPAN WILDE in recognition of her selection as Executive Woman of the Year by the National Association of Professional Women in the field of Jewelry and Design.

Adopted. (#0051)

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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.

Tabled until February 13, 2014. (#0052)

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The following was presented to Terry Wolkowicz by Councillor Coelho.

CITY OF NEW BEDFORD

IN CITY COUNCIL

JANUARY 23, 2014

**RESOLUTION HONORING TERRY WOLKOWICZ STANDARD-TIMES 2013 NEW  
BEDFORD WOMAN OF THE YEAR.**

**WHEREAS**, A native of New Jersey, Terry Wolkowicz married Dr. Christopher Wolkowicz in 1999, they reside in New Bedford, Massachusetts and have three children; and

**WHEREAS**, Terry Wolkowicz graduated from the New England Conservatory of Music in 1986, majoring in piano, taught elementary school music for a few years, then enrolled at Harvard University, obtaining a Master's Degree in Education in 1993; and

**WHEREAS**, Terry Wolkowicz works as a volunteer Education Director at the New Bedford Symphony Orchestra and is currently the volunteer President of the Symphony's Board of Trustees; and

**WHEREAS**, In addition to her work at the New Bedford Symphony Orchestra, Terry Wolkowicz has designed and brought her programs to forty-eight schools this year, from Falmouth, Massachusetts, to Rhode Island and has taught thousands of elementary school students in the various educational programs she has developed and directs; and

**WHEREAS**, Having undertaken the responsibility of teaching music to children, Terry Wolkowicz has also written a interdisciplinary and interactive elementary curriculum based on a musical concept and how it can be applied to math and art as well as to music; and

**WHEREAS**, Terry Wolkowicz was invited to attend the League of American Orchestras National Conference, held in St. Louis, Missouri in June 2013, and participated in discussions about arts integration and the Common Core Standards and also shared how the New Bedford Symphony Orchestra has used concept-based arts integration as a model for developing their educational programming that serves over thirty thousand children across the SouthCoast annually; and

**WHEREAS**, For her many years of volunteer work educating the children of the SouthCoast about music, her fundraising efforts on behalf of the New Bedford Symphony Orchestra and for having made a lasting impact on her students, Terry Wolkowicz has been selected the Standard-Times 2013 New Bedford Woman of the Year:

**NOW, THEREFORE, BE IT RESOLVED**, That the New Bedford City Council hereby honors **TERRY WOLKOWICZ, STANDARD-TIMES 2013 NEW BEDFORD WOMAN OF THE YEAR**, commends her for her commitment to providing innovative educational music programs to SouthCoast children, for her dedicated work on behalf of the New Bedford Symphony Orchestra and expresses their gratitude to her for her volunteerism and for her community service to the City of New Bedford and wishes her many more years of continued success.

Adopted.

(#0053)

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The following resolution was present to Reverend Lima by Councillor Coelho.

CITY OF NEW BEDFORD

IN CITY COUNCIL

JANUARY 23, 2014

**RESOLUTION HONORING REVEREND DAVID LIMA, EXECUTIVE MINISTER OF THE INTER-CHURCH COUNCIL AND PASTOR NEW SEASONS WORSHIP CENTER STANDARD-TIMES 2013 NEW BEDFORD MAN OF THE YEAR.**

**WHEREAS**, A lifelong resident of New Bedford, Massachusetts, Reverend David Lima is Executive Minister of the Inter-Church Council and Pastor of New Seasons Worship Center that he co-pastors with Reverend Joanne Lima, his wife of thirty-three years, they have three children and three grandchildren; and

**WHEREAS**, Over the years, the Reverend David Lima has served in a variety of leadership positions at the Inter-Church Council, including the Presidency from 2001-2005, he has been active in the Council's Clergy and Kids Lunch Program in New Bedford Elementary Schools and the Clergy Ride Along Ministry with the New Bedford Police Department; and

**WHEREAS**, For more than seventy years the Inter-Church Council of Greater New Bedford has united area Churches in service to the surrounding area, the Council is a strong faith collaborative committed to social, economic and racial justice and spiritual renewal with forty-six member Congregations from Westport to Wareham and a volunteer force of over one hundred and fifty leaders; and

**WHEREAS**, Under Reverend David Lima's guidance, The Inter-Church Council's Housing Programs serve more than four hundred low income elderly and disabled residents at Melville Towers and at The Young House, they work to end violence through community ministries, in Peace Marches through the City in areas which have been affected by violence in the past, gun exchanges for food and hands on ministries in the neighborhoods through a variety of Council sponsored events, in public schools with mentors and their "Healthy Choices Program", to help kids make good decisions when resolving problems with non-violence and respect; and

**WHEREAS**, Reverend David Lima's ministry continues outside of Church walls, reaching out to those around him who are in need of not only spiritual instruction, but guidance and friendship, demonstrating an unwavering commitment to helping others; and

**WHEREAS**, In honoring the accomplishments of long time clergy leader, the Reverend David Lima, who has served as a shining example of outstanding service, the Standard-Times has chosen a man who has demonstrated a remarkable dedication to public service and to his Church:

**NOW, THEREFORE, BE IT RESOLVED**, That the New Bedford City Council hereby honors **REVEREND DAVID LIMA, EXECUTIVE MINISTER OF THE INTER-CHURCH COUNCIL AND PASTOR NEW SEASONS WORSHIP CENTER, STANDARD-TIMES 2013 NEW BEDFORD MAN OF THE YEAR**, commends him for a life of service to others, expresses their gratitude to him for all his hard work and his dedication to his parishioners; the City Council further extends best wishes for many more years of happiness and success in his continued ministry.

Adopted.

(#0054)

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HEARING, on NSTAR ELECTRIC COMPANY for location of one (1) 4" Conduit, three (3) 4" Conduits and one (1) 45"x45"x36" Handhole in BEDFORD STREET, West of Greene 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. (#0055)

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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 27, 2014.

Approved January 27, 2014 (#0056)

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HEARING, on NSTAR ELECTRIC COMPANY for location of two (2) 4” Conduits in HERMAN MELVILLE BOULEVARD, Corner of Antonio L. Costa Boulevard.

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. (#0057)

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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 27, 2014.

Approved January 27, 2014. (#0058)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting AN APPROPRIATION of \$75,000.00 from ORDINARY REVENUE & MUNICIPAL RECEIPTS, to GENERAL GOVERNMENT UNCLASSIFIED, CHARGES & SERVICES.

Referred to the Committee on Finance. (#0059)

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ORDER,

Referred to the Committee on Finance. (#0060)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDINANCE, amending Chapter 19, Section 19-7 (c) the reclassification of the City Auditor, Assistant City Auditor and Library Director.

Referred to the Committee on Ordinances. (#0061)

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ORDINANCE,

Referred to the Committee on Ordinances. (#0062)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$15,000.00 from CITY COUNCIL, SALARIES & WAGES, to CITY COUNCIL, CHARGES & SERVICES.

Received and placed on file. (#0063)

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CITY OF NEW BEDFORD  
IN CITY COUNCIL  
JANUARY 23, 2014

ORDERED, that the sum of FIFTEEN THOUSAND DOLLARS (\$15,000.00) now standing to the credit of the account from CITY COUNCIL, SALARIES & WAGES be and the same is hereby transferred and appropriated to as follows:

CITY COUNCIL, CHARGES & SERVICES. . . . . \$15,000.00

To be certified and approved by the Department Head.

Adopted.

Presented to the Mayor for approval January 27, 2014.

Approved January 27, 2014. (#0064)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting a SEWER ABATEMENT REQUEST for MARK HARRINGTON, 14 Cottage Street, New Bedford, MA, Account Number 004470A, in the amount of \$153.55.

Abatement Granted.

Presented to the Mayor for approval January 27, 2014.

Approved January 27, 2014. (#0065)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting a SEWER ABATEMENT REQUEST for DONNA ROBERTS, 114 Tinkham Street, New Bedford, MA, Account Number 019327A, in the amount of \$41.50.

Abatement Granted.

Presented to the Mayor for approval January 27, 2014.

Approved January 27, 2014. (#0066)

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COMMUNICATION, Mayor Mitchell, to City Council, announcing the appointment of ERICK D'LEON as AIRPORT MANAGER and requesting that Mr. D'Leon's salary be approved at the second step of the Unit C Salary Schedule for Airport Manager which is \$74,025.00.

Salary Approved.

Rule 40 waived – Yeas 11, Nays 0.

Presented to the Mayor for approval January 24, 2014.

Approved January 30, 2014. (#0067)

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COMMUNICATION, Mayor Mitchell, to City Council, requesting a ONE YEAR WAIVER OF RESIDENCY for STEPHANIE HARRINGTON, Dartmouth, MA 02748, and Ms. Harrington has been working under the BSAS grant as Project Coordinator; this waiver will expire December 2014.

One – Year Waiver of residency Granted- Yeas 11, Nays 0.

Presented to the Mayor for approval January 27, 2014.

Approved January 27, 2014. (#0068)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of GONZALO MORALES, New Bedford, MA 02740, as a CONSTABLE.

Received and Placed on File. (#0069)

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APPLICATION, GONZALO MORALES, New Bedford, MA 02740, for APPOINTMENT as a CONSTABLE.

Confirmed - Yes 11, Nays 0. (#0069a)

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ORDINANCE, Rezoning of Map 31, Lot 234 located East of South Front Street, Rear from Industrial “B” to WATERFRONT INDUSTRIAL.

Passed to Second Reading-December 19, 2013.

Passed to be Ordained – Yeas 11, Nays 0.

Presented to the Mayor for approval January 27, 2014.

Approved January 27, 2014. (#2122)

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ORDINANCE, Amending Chapter 9, Section 1200 by updating the definition of Wireless Communication Service and amending Chapter 9, Section 4900 by revising and modernizing the requirements for future wireless communication facilities

Referred to the Committee on Ordinances and the Planning Board-November 14, 2013.

Passed to a Second Reading-December 19, 2013.

Passed to be Ordained – Yeas 11, Nays 0.

Presented to the Mayor for approval January 27, 2014.

Approved January 27, 2014. (#1883)

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WRITTEN MOTION, Councillor Gomes, requesting, that Mayor Mitchell, along with Dagny Ashley, Director, Tourism and Marketing, consider using the slogan this coming summer “Rediscover New Bedford A Destination” as we continue to market New Bedford’s cultural diversity, attractions, arts and much more.

Referred to Mayor Mitchell and the Director of Tourism and Marketing, Dagny Ashley.

Presented to the Mayor for approval January 27, 2014.

RETURNED UNSIGNED February 20, 2014. ( #0070)

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WRITTEN MOTION, Councillor Gomes, requesting, that the City Council go on record in support of Mayor Mitchell’s efforts to return the Coast Guard to the City of New Bedford, this request comes as the City continues to grow along the Waterfront area; and further, that letters be sent to our State and Federal Delegations requesting their support in returning the Coast Guard to the New Bedford Harbor.

Adopted . ( #0071)

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WRITTEN MOTION, Councillor Gomes, requesting, that the City Council go on record in support of Mayor Mitchell’s efforts to return the Coast Guard to the City of New Bedford, this request comes as the City continues to grow along the Waterfront area; and further, that letters be sent to our State and Federal Delegations requesting their support in returning the Coast Guard to the New Bedford Harbor.

Adopted . ( #0071)

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WRITTEN MOTION, Council President Lopes, requesting that the Traffic Commission approve the installation of three raised Crosswalks which would be located at the intersections of Brock Avenue and Ricketson Street, West Rodney French Boulevard and Valentine Street, and East Rodney French Boulevard and Nina Street.

Referred to the Traffic Commission and the Police Chief Provencher.

Presented to the Mayor for approval January 27, 2014.

RETURNED UNSIGNED February 20, 2014. ( #0072)

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WRITTEN MOTION, Councillors Coelho, Alves, Carney, Rebeiro and Gomes, requesting, that a representative from the Department of Planning and Community Development be invited to a Committee on Appointments and Briefings meeting to discuss what their intentions are for Spring and Summer to maintain the garden project at the Serenity Gardens (formerly Morse Twist Drill) and to ensure that this community garden project continues.

Referred to the Committee on Appointments and Briefings. ( #0073)

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WRITTEN MOTION, Councillor Rebeiro, requesting, on behalf of Geoffrey Smith, The Sightings, LLC, that the following street(s) be CLOSED: UNION STREET AND MACARTHUR DRIVE, proceeding along MacArthur Drive to Conway Street/right onto Hassey Street/right at Wright Street/left back to MacArthur Drive/proceed to Front Street, take a left onto Front Street, proceed along Front Street to Cove Street/right to the Traffic Light at the intersection of John F. Kennedy Highway, take a right turn on John F. Kennedy Highway/proceed along John F. Kennedy Highway to MacArthur Drive/take a right turn at the intersection of Potomska Street and another right turn onto MacArthur Drive, to finish at the Waterfront Park/Union Street area, ON SUNDAY, MARCH 09, 2014, FROM 7:00 A.M. TO 1:30 P.M., for the purpose of The Irish Hat, 5K Walk/Run.

Permission Granted.

Presented to the Mayor for approval January 27, 2014.

Approved January 27, 2014.

(#0074)

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WRITTEN MOTION, Councillors Coelho, Alves, Morad, Carney, Martins, Gomes and Bousquet, given that the New Bedford Harbor Trustee Council decided in 2010, to **NOT** fund recreational projects in the final round of its grants, projects like the \$2.1 million for Riverside Park in the City's North End, which included the restoration of the 1.5 miles of North End shoreline, the installation of a pedestrian walkway, a boat house and boat ramp among other projects, requesting, that members of the New Bedford Harbor Trustee Council be invited to a Committee on Appointments and Briefings meeting to discuss what, if any future plans or recommendations they have for that site and to update the City Council on said matter.

Referred to the Committee on Appointments and Briefings.

(#0075)

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WRITTEN MOTION, Councillor Alves, Council President Lopes, Councillors Martins, Winterson, Morad and Bousquet, in an effort to save over 32 City jobs and to insure local working families are not placed in a hardship situation due to un-tested or un-proven government intervention, that the City Council immediately send a letter, signed by ALL the members of the City Council, to the Regional Director of the United States Environmental Protection Agency (EPA), requesting that they withdraw and /or delay their pending order to Coyne Textile Services located in the City of New Bedford, that they install experimental controls estimated to cost an excess of "One Million Dollars" or that the Company stop laundering, and that the City Council request, no action be taken to endanger local jobs pending a review and evaluation of the situation which would determine if there is REALLY a danger in the air quality and a real danger to the employees, in light of the fact that the plant has operated in the City for over 50 years, made hundreds of thousands of dollars of investment in the facility, and employed hundreds of workers over that time without any history of medical danger, and that the City Council invite representatives of the EPA, Coyne Textile Services, Teamster Local 59

to a meeting of the Committee on Appointments and Briefings to see what the City can do to assist in keeping this plant open.

Referred to the Committee on Appointments and Briefings. (#0076)

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COMMUNICATION, Philip R. Sullivan, President and Business Representative, Teamsters Union Local No. 59, regarding the Notice of Temporary Layoffs Affecting Local 59 Plant Employees of Coyne Textile Services.

Referred to the Committee on Appointments and Briefings. (#0077)

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WRITTEN MOTION, Councillor Rebeiro, on behalf of concerned residents along Maxfield and Park Streets, requesting that the Traffic Commission consider making this intersection a "FOUR WAY STOP" to avoid further traffic accidents happening at said location.

Referred to the Traffic Commission. (#0078)

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WRITTEN MOTION, Councillor Rebeiro, requesting a "STOP SIGN" on Acushnet Avenue at the intersection of School Street, due to the electrical box on the corner, which makes it challenging for cars traveling along Acushnet Avenue and people exiting the Zeiterion Theatre Parking Garage.

Referred to the Traffic Commission. (#0079)

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WRITTEN MOTION, Councillor Rebeiro, on behalf of concerned handicapped residents of Boa Vista Housing located at 134 South Second Street, requesting that the Traffic Commission install a "NO PARKING" sign to the left of the Handicapped Accessible crosswalk and that violators be ticketed at a Code #24, in the amount of \$100.00, for parking at HP/DV space or in front of a Handicap ramp.

Referred to Traffic Commission. (#0080)

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WRITTEN MOTION, Councillor Rebeiro, on behalf of residents of Boa Vista Housing at 134 South Second Street, requesting that the Department of Public Infrastructure repaint the crosswalks located in front of said building as the crosswalks are barely visible.

Referred to the Department of Public Infrastructure.

Presented to the Mayor for approval January 27, 2014.

RETURNED UNSIGNED February 20, 2014. (#0081)

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WRITTEN MOTION, Councillor Alves and Coelho, requesting, that the City Council designate an appropriate memorial to recognize the commitment and leadership efforts of the late "James (Jim) Simmons" in cleaning up and saving the Acushnet River for future generations, it is because of his efforts and leadership the

local environmental organization "Hands Across the River" took on the challenge to fight the National Environmental Protection Agency to insist and require them to clean up the Acushnet River and to locate dredged PCB's to a location away from New Bedford; and further, that the Council consider designation of the overpass at the location of the historic march across the Acushnet River (former Fairhaven Bridge location near the Route 195 on-ramp) and that the Committee on Memorials and Dedications work with City Department of Public Infrastructure, the State Department of Public Works and Hands Across the River to establish such a memorial.

Referred to the Special Committee on Memorials and Dedications. (#0082)

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WRITTEN MOTION, Councillor Winterson, requesting that the Traffic Commission consider the installation of a STOP SIGN, on the north side of Page Street at the intersection of Hawthorn Street.

Referred to the Traffic Commission. (#0083)

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WRITTEN MOTION, Councillors Gomes and Winterson, requesting, that Chapter 90 monies be used for the purposes of resurfacing Grape Street, from Field Street east to Oak Street, continuing in a easterly direction on Oak Street to Dartmouth Street.

Referred to the Department of Public Infrastructure.

Presented to the Mayor for approval January 27, 2014.

RETURNED UNSIGNED February 20, 2014. (#0084)

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COMMUNICATION, New Bedford Historical Commission, to City Council, re: BUILDING DEMOLITION REVIEW, 475 UNION STREET, CIRCA 1915 ONE-STORY CONCRETE BLOCK COMMERCIAL STRUCTURE, advising that "the structure is not located in National Register Historic District, the structure is of no notable historic significance either recorded or found with the existing condition of the structure, the structure is in poor condition due to extensive deferred maintenance and Restoration or preservation efforts would be impractical due to the existing condition of the structure"; and therefore, "the NBHC has determined that the building is NOT a historically significant building or structure and not preferably preserved."

Demolition Granted.

Presented to the Mayor for approval January 27, 2014.

RETURNED UNSIGNED February 20, 2014. (#0085)

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COMMUNICATION, New Bedford Historical Commission, to City Council, re: BUILDING DEMOLITION REVIEW, 475 UNION STREET, CIRCA 1915 ONE-STORY CONCRETE BLOCK COMMERCIAL STRUCTURE, advising that "the structure is not located in National Register Historic District, the structure is of no notable historic significance either recorded or found with the existing condition of the

structure, the structure is in poor condition due to extensive deferred maintenance and Restoration or preservation efforts would be impractical due to the existing condition of the structure”; and therefore, “the NBHC has determined that the building is NOT a historically significant building or structure and not preferably preserved.”

Demolition Granted.

Presented to the Mayor for approval January 27, 2014.

RETURNED UNSIGNED February 20, 2014. (#0086)

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COMMUNICATION David J. Fredette, City Engineer, to City Council, submitting RECOMMENDATION OF ACCEPTANCE, for the **LAYOUT AND ACCEPTANCE of ARANEA CIRCLE, 50 feet wide, from Joy Road southerly 200.00 feet to terminus**; reporting that owner J&T Land Development, LLC, have conformed to all Rules & Regulations as required by City Code, Section 22-35, relative to the acceptance of new streets.

Received and Placed on File. (#0087)

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COMMUNICATION, David Fredette, City Engineer, to City Council, submitting REQUEST TO TAKE LAND, for the **LAYOUT AND ACCEPTANCE of ARANEA CIRCLE, 50 feet wide, from Joy Road southerly 200.00 feet to terminus** for easement of fee for highway purposes in land belonging to J&T Land Development, LLC. in accordance with City Code, Section 22-35.

Received and Placed on File. (#0088)

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COMMUNICATION, David Fredette, City Engineer, to City Council, submitting AWARD OF DAMAGES, for the **LAYOUT AND ACCEPTANCE of ARANEA CIRCLE, 50 feet wide, from Joy Road southerly 200.00 feet to terminus**, there is **NO DAMAGES PAYABLE** to the owner (J&T Land Development, LLC.) because the remainder has appreciated in value as a result of the layout to an amount which exceeds the value of the land dedicated and taken.

Received and Placed on File. (#0089)

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COMMUNICATION, David Fredette, City Engineer, to City Council, submitting **METES AND BOUNDS** for the **LAYOUT AND ACCEPTANCE of ARANEA CIRCLE, 50 feet wide, from Joy Road southerly 200.00 feet to terminus**

Received and Placed on File. (#0090)

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ORDER, for Hearing on THURSDAY, FEBRUARY 27, 2014 AT 7:00 P.M. in City Council Chambers, City Hall, for acceptance of proposed **ARANEA CIRCLE, 50 feet wide, from Joy Road southerly 200.00 feet to terminus**.

Adopted.

(#0091)

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AN ORDER, requesting the City Solicitor to prepare a LAYOUT ORDER for the layout and acceptance of contemplated proposed **ARANEA CIRCLE, 50 feet wide, from Joy Road southerly 200.00 feet to terminus.** (Hearing on said matter has been ordered for **THURSDAY, FEBRUARY 27, 2014, at 7:00 p.m.,** in City Council Chambers, City Hall.

Adopted.

(#0092)

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COMMUNICATION, David J. Fredette, City Engineer, to City Council, submitting RECOMMENDATION OF ACCEPTANCE, for the **LAYOUT AND ACCEPTANCE of a portion of JOY ROAD, 50 feet wide, from Station 7+25 (164.80 feet east of Charlotte Street) 780.81 feet westerly to Station 15+05.82 by east line of Nellie Road;** reporting that owner J&T Land Development, LLC, have conformed to all Rules & Regulations as required by City Code, Section 22-35, relative to the acceptance of new streets.

Received and Placed on File.

(#0093)

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COMMUNICATION, David J. Fredette, City Engineer, to City Council, submitting RECOMMENDATION OF ACCEPTANCE, for the **LAYOUT AND ACCEPTANCE of a portion of JOY ROAD, 50 feet wide, from Station 7+25 (164.80 feet east of Charlotte Street) 780.81 feet westerly to Station 15+05.82 by east line of Nellie Road;** reporting that owner J&T Land Development, LLC, have conformed to all Rules & Regulations as required by City Code, Section 22-35, relative to the acceptance of new streets.

Received and Placed on File.

(#0094)

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COMMUNICATION, David Fredette, City Engineer, to City Council, submitting AWARD OF DAMAGES, for the **LAYOUT AND ACCEPTANCE of a portion of JOY ROAD, 50 feet wide, from Station 7+25 (164.80 feet east of Charlotte Street) 780.81 feet westerly to Station 15+05.82 by east line of Nellie Road ,** there is **NO DAMAGES PAYABLE** to the owner (J&T Land Development, LLC.) because the remainder has appreciated in value as a result of the layout to an amount which exceeds the value of the land dedicated and taken.

Received and Placed on File.

(#0095)

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COMMUNICATION, David Fredette, City Engineer, to City Council, submitting **METES AND BOUNDS** for the **LAYOUT AND ACCEPTANCE of a portion of JOY ROAD, 50 feet wide, from Station**

**7+25 (164.80 feet east of Charlotte Street) 780.81 feet westerly to Station 15+05.82 by east line of Nellie Road.**

Received and Placed on File. (#0096)

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ORDER, for Hearing on THURSDAY, FEBRUARY 27, 2014 AT 7:00 P.M. in City Council Chambers, City Hall, for acceptance of proposed **of a portion of JOY ROAD, 50 feet wide, from Station 7+25 (164.80 feet east of Charlotte Street) 780.81 feet westerly to Station 15+05.82 by east line of Nellie Road.**

Adopted. (#0097)

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ORDER, requesting the City Solicitor to prepare a LAYOUT ORDER for the layout and acceptance of contemplated proposed **of a portion of JOY ROAD, 50 feet wide, from Station 7+25 (164.80 feet east of Charlotte Street) 780.81 feet westerly to Station 15+05.82 by east line of Nellie Road.** (Hearing on said matter has been ordered for **THURSDAY, FEBRUARY 27, 2014, at 7:00 p.m.**, in City Council Chambers, City Hall.)

Adopted. (#0098)

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COMMUNICATION, Councillor Gomes, to Captain Kondratowicz, USCG – Southeast Sector New Bedford, regarding gifting one of their surplus 47' Motor Lifeboats to New Bedford's Port Security Unit.

Received and Placed on File. (#0099)

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The following will be presented to Megan Sylvia at a later date by Councillors Martins and Morad.

CITY OF NEW BEDFORD  
IN CITY COUNCIL  
JANUARY 23, 2014

**RESOLUTION HONORING MEGAN SYLVIA MISS NEW BEDFORD'S OUTSTANDING TEEN 2013**

**WHEREAS**, Megan Sylvia is a sixteen year-old resident of New Bedford, Massachusetts, and is a Sophomore at Greater New Bedford Regional Vocational Technical High School, she is currently studying to become a Medical Assistant with plans to eventually become an Obstetrician; and

**WHEREAS**, In addition to her studies, Megan Sylvia is on her school's volleyball, basketball and lacrosse teams, is a talented vocalist, and is active in local children's theatre; and

**WHEREAS**, During her year as Miss New Bedford's Outstanding Teen, Megan Sylvia has promoted her platform, "She's Got Skillz: Empowering Girls" which emphasizes various skills for leadership and success, in addition to her platform, Megan Sylvia has served as a positive role model for young girls in the Greater New Bedford area; and

**WHEREAS**, Megan Sylvia was Second Runner-up to Miss Massachusetts' Outstanding Teen 2013, and has made over fifty appearances throughout the Commonwealth, where she sang at the New Bedford Half-Marathon, the New Bedford Bay Sox games, and on a float in the Veterans Day Parade alongside Jillian Zucco, Miss New Bedford 2014; and

**WHEREAS**, Megan Sylvia has volunteered her time for the Soup Bowl Supper to raise funds for the Neediest Families Fund, has read to school age children, and participated in the American Heart Association's Annual Red Dress Event:

**NOW, THEREFORE, BE IT RESOLVED**, That the New Bedford City Council hereby honors **MEGAN SYLVIA**, thanks her for her year of service as **MISS NEW BEDFORD'S OUTSTANDING TEEN 2013**, and for representing our City so well, congratulates her on her many individual accomplishments and wishes her much luck and success in the future.

Adopted, to be presented at a later date. (#0100)

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WRITTEN MOTION, Councillor Martins, requesting, on behalf of St. Kilian's Church, located at 306 Ashley Boulevard, New Bedford, MA, that the current "Bus Stop" location be moved from the corner to the middle of the sidewalk (in front of Church), due to the multiple accidents that have happened at the corner, the present location of the "Bus Stop" at the corner blocks the view of motorists.

Referred to SRТА. (#0101)

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WRITTEN MOTION, Councillor Alves, requesting, that Veteran Agent Christopher Gomes provide or check with the Main Library as to why no American flag has been issued to the Howland Green Public Library to replace the torn and tattered flag that was removed, and why no flag is currently being flown at that library on a daily basis.

Referred to Veterans Agent Christopher Gomes.  
Presented to the Mayor for approval January 27, 2014.

RETURNED UNSIGNED February 20, 2014. (#0102)

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WRITTEN MOTION, Councillor Alves, requesting, that Michele Paul, Environmental Stewardship and Ronald Labelle, Commissioner, Department of Public Infrastructure repair/replace the fence at the City-owned former Elco Dress Company site on the Collette Street side of that property, the downed fence allows access to the property and vandals are using this access point to enter the property and to damage the property of the privately owned business which abuts the former Elco Dress Company sit.

Referred to Michele Paul, Environmental Stewardship and Ronald Labelle, Commissioner, Department of Public Infrastructure.

Presented to the Mayor for approval January 27, 2014.

RETURNED UNSIGNED February 20, 2014. (#0103)

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ANNUAL REPORT, Greater New Bedford Regional Vocational Technical High School, submitting Annual Report for 2013.

Received and Placed on File. (#0104)

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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. (#0105)

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MINUTES, Historical Commission, submitting MINUTES of meetings held on July 15, August 05, September 04, 16 and 23, October 07 and 21, November 04 and December 02, 2013.

Received and Placed on File. (#0106)

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MINUTES, Board of Assessors, submitting MINUTES of a meeting held on January 09, 2014.

Received and Placed on File. (#0107)

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MINUTES, Conservation Commission, submitting MINUTES of a meeting held on July 31, 2013.

Received and Placed on File. (#0108)

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APPLICATION, **W.C. Smith & Son, Inc.**, for permission to maintain a STREET OBSTRUCTION on **46 State Street** provisionally granted by the City Clerk on January 10, 2014 subject to ratification by the Mayor and City Council as follows

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval January 27, 2014.

Approved January 27, 2014. (#0109)

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APPLICATION, **W.C. Smith & Son, Inc.**, for permission to maintain a STREET OBSTRUCTION on **116 Rockdale Avenue** provisionally granted by the City Clerk on January 10, 2014 subject to ratification by the Mayor and City Council as follows:

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval January 27, 2014.

Approved January 27, 2014. (#0110)  
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APPLICATIONS, **Mirra Company, Inc.** for permission to maintain a STREET OBSTRUCTION **95 William Street** provisionally granted by the City Clerk on January 13, 2014 subject to ratification by the Mayor and City Council as follows:

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval January 27, 2014.

Approved January 27, 2014. (#0111)

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APPLICATION, **Mirra Company, Inc.** for permission to maintain a STREET OBSTRUCTION **166 William Street** provisionally granted by the City Clerk on January 14, 2014 subject to ratification by the Mayor and City Council as follows:

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval January 27, 2014.

Approved January 27, 2014. (#0112)

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APPLICATION, **Unlimited Removal & Demolition, Inc.** for permission to maintain a STREET OBSTRUCTION on **4 Marcotte Street**, provisionally granted by the City Clerk on January 15, 2014 subject to ratification by the Mayor and City Council as follows:

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval January 27, 2014.

Approved January 27, 2014. (#0113)

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APPLICATION, **R.J.Canessa Excavating, Inc.** for permission to maintain a STREET OBSTRUCTION on **1 Monmouth Street**, provisionally granted by the City Clerk on January 17, 2014 subject to ratification by the Mayor and City Council as follows:

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval January 27, 2014.

Approved January 27, 2014. (#0114)

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APPLICATION, **W.C. Smith & Son, Inc.** to DISTURB THE SURFACE, of **46 State Street**, provisionally granted by the City Clerk on January 10, 2014, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval January 27, 2014.

Approved January 27, 2014. (#0115)

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APPLICATION, **W.C. Smith & Son, Inc.** to DISTURB THE SURFACE, of **116 Rockdale Avenue**, provisionally granted by the City Clerk on January 10, 2014, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval January 27, 2014.

Approved January 27, 2014. (#0116)

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APPLICATION, **Mirra Company, Inc.** to DISTURB THE SURFACE, of **95 William street**, provisionally granted by the City Clerk on January 13, 2014, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval January 27, 2014.

Approved January 27, 2014. (#0117)

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APPLICATION, **Mirra Company, Inc.** to DISTURB THE SURFACE, of **166 William street**, provisionally granted by the City Clerk on January 13, 2014, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval January 27, 2014.

Approved January 27, 2014. (#0118)

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APPLICATION, **Unlimited Removal & Demolition, Inc.** to DISTURB THE SURFACE, of **4 Marcotte Street**, provisionally granted by the City Clerk on January 15, 2014, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval January 27, 2014.

Approved January 27, 2014. (#0119)

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APPLICATION, **R.J. Canessa Excavating, Inc.** to DISTURB THE SURFACE, of **1 Monmouth Street**, provisionally granted by the City Clerk on January 17, 2014, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval January 27, 2014.

Approved January 27, 2014. (#0120)

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APPLICATIONS, **NSTAR Gas Company**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on January 10, 2014 subject to ratification by the Mayor and City Council as follows:

343 Purchase Street (#0121)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval January 27, 2014.

Approved January 27, 2014.

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APPLICATIONS, **NSTAR Gas Company**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on January 23, 2014 subject to ratification by the Mayor and City Council as follows:

518 County Street (#0122)

929-933 Brock Avenue (#0123)

57 Bay Street (#0124)

57 Bay Street (#0125)

43 Jouvette Street (#0126)

799 Shawmut Avenue (#0127)

212 Summer Street (#0128)

159-161 Buchanan Street (#0129)

367 State Street (#0130)

27 Nash Road (#0131)

63 Clifford Street (#0132)

209 Aquidneck Street (#0133)

Park Street, South of Kempton Street (#0134)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval January 27, 2014.

Approved January 27, 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, Councillors Coelho and Martins, requesting, that the Mayor's Office and the Chief of Police look at increasing Police patrols along Phillips Avenue, above and below Acushnet Avenue, due to the increase in prostitution in that area, there have been reports by neighbors of intoxicated women walking in the middle of the street, putting themselves and motorists at risk; and further, there has been an increase in gang related graffiti in the same area, including the former Sunbeam Bread building.

Rule 42, Waived – Yeas 11, Nays 0.

Referred to the Mayor's office and Chief of Police.

Presented to the Mayor for approval January 27, 2014.

RETURNED UNSIGNED February 20, 2014.

(#0135)

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On a motion, the Council then adjourned at 8:18pm.

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ATTEST:

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