



# ***Council Meeting*** - Minutes

## **CITY COUNCIL CALENDAR**

Chambers of the City Council Municipal Building

***Thursday, March 27, 2014 – 7:05 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: No One

ABSENT: No One.

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Council President Lopes called the meeting to order and presided.

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Prayer Led By: Reverend Kenneth Beres, from the First Congregational Church/Lund's Corner.

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Council President Lopes asked for a Moment of Silence for Boston Fire Department Lieutenant Ed Walsh and Firefighter Michael Kennedy.

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Members of the New Bedford Fire Department led the Assembly in the Pledge of Allegiance to the flag.

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CITATIONS, Councillor Martins, honoring New Bedford High School Engineering Academy's Robotics Class Students, DAQUARI BRIDGES, MATHEW HAWK, JR., ANDY CRUZ, ANDREW GUILLOTTE, VICTORIA HATHAWAY, CAMEO LOBO, RICARDO MATIAS and KATHLEEN SPRING-CORNELL, in recognition of their winning the Massachusetts State Championship for FIRST Robotics Challenge - 2014.

Adopted.

(#0369)

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CITATION, Councillor Martins, honoring New Bedford High School Teacher, CHRISTOPHER PARKER, in recognition of his Dedication and Mentoring of his Students, resulting in winning the Massachusetts State Championship for FIRST Robotics Challenge - 2014.

Adopted.

(#0370)

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CITATION, Councillor Martins, honoring MIKE DESOUSA, in recognition of his Dedication and Mentoring of the Students, of New Bedford High School in the win of the Massachusetts State Championship for FIRST Robotics Challenge - 2014.

Adopted. (#0371)

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CITATION, Councillor Martins, honoring WILLIAM FERREIRA, in recognition of his Dedication and Mentoring of the Students, of New Bedford High School in the win of the Massachusetts State Championship for FIRST Robotics Challenge - 2014.

Adopted. (#0372)

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CITATION, Councillor Martins, honoring CANDIDA DESJARDINS, in recognition of her Dedication and Hard Work on behalf of the Students of New Bedford High School Engineering Academy's Robotics Class and New Bedford Public Schools.

Adopted. (#0373)

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CITATION, Councillors Winterson, Bousquet, Council President Lopes, and Councillor Rebeiro, honoring JAYDEN BURGO, for recognition of his calling of 911 which saved the lives of his mother and brother during a house fire on March 08, 2014.

Adopted (#0374)

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CITATIONS, Council President Lopes, Councillors Winterson, Bousquet and Rebeiro, honoring FIRE DEPARTMENT LT. MARK RAPOSA AND FIREFIGHTER MATHEW FORAND, in recognition of their heroic actions during a house fire on March 8, 2014 which resulted in the saving of two lives.

Adopted. (#0375)

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CITATIONS, Council President Lopes, Councillors Winterson, Bousquet and Rebeiro, honoring FIRE DEPARTMENTS, ENGINE 6, ENGINE 1, ENGINE 11, ENGINE 7, LADDER 3, LADDER 1, UNIT 2 AND UNIT 1, in recognition of their contributions and actions during a house fire on March 8, 2014.

Adopted. (#0376)

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CITATIONS, Council President Lopes, Councillors Winterson, Bousquet and Rebeiro, honoring POLICE DEPARTMENT DETECTIVE ANTHONY ESTEVES, POLICE OFFICERS JUSTIN FRIAS, DANIEL SWEENEY, NORMAN DUCHESNEAU, PAUL SILVA AND JAMIE WOTTON, in recognition of their contributions and actions as Law Enforcement Officials during a house fire on March 8, 2014.

Adopted. (#0377)

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CITATIONS, Council President Lopes, Councillors Winterson, Bousquet and Rebeiro, honoring POLICE DEPARTMENT DISPATCHER ANNE MARIE DASILVA, in recognition of her role as dedicated public servants during a house fire on March 8, 2014, which resulted in the saving of two lives.

Adopted. ( #0378)

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CITATIONS, Council President Lopes, Councillors Winterson, Bousquet and Rebeiro, honoring NEW BEDFORD PARAMEDICS JENNIFER CABRAL and WILLIAM SULLIVAN and ALERT AMBULANCE COMPANY PARAMEDICS, TODD CORREIA and TIFFANY ANDRE, in recognition of their role as a dedicated public servant during a house fire on March 8, 2014 which resulted in the saving of two lives.

Adopted. ( #0379)

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The following resolution commemorating Vietnam Veteran’s Day and the Thirty-Ninth Anniversary of the End of the Vietnam War, was presented by Councillors Alves and Oliveira.

CITY OF NEW BEDFORD  
IN CITY COUNCIL  
MARCH 27, 2014

**COMMEMORATING VIETNAM VETERAN’S DAY AND  
THE THIRTY-NINTH ANNIVERSARY OF THE END OF THE VIETNAM WAR**

**WHEREAS**, The Vietnam Veterans of America, Chapter 499, will be hosting their annual “RECOGNITION DAY CEREMONY” commemorating Vietnam Veteran’s Day of Remembrance and the THIRTY-NINTH ANNIVERSARY of the End of the Vietnam War, to show support for our once neglected heroes, enabling a now grateful public, to separate the War from the Warriors, to finally give them the recognition and “homecoming” they deserve; and

**WHEREAS**, The Ceremony is scheduled to take place on Saturday, March 29, 2014, at 1:00 p.m., at the Kennedy Building, Fort Taber Park, and offers everyone the opportunity to visit the Fort Taber Military Museum directly following the Ceremony to view the prominently displayed 43 photographs of our Vietnam Veterans who made the ultimate sacrifice by giving their “ALL” for their Country and its Citizens; and

**WHEREAS**, New Bedford’s original Vietnam Veteran’s Memorial Monument is a plaque located outside of City Hall; however, through the efforts of Chapter 499 POW-MIA Vietnam Veterans, the City’s Legislators and Administration, departments and workforce, as well as public fundraisers and support, the stunning granite “Welcome Home” Memorial was dedicated on September 17, 2006, at this beautiful site facing Clark’s Cove in Fort Taber Park, where everyone may visit more freely and where it serves as a fitting tribute for all Vietnam Veterans; and

**WHEREAS**, Along with our own Vietnam Welcome Home Memorial, there are now many tributes to our Vietnam Veterans, namely, the Vietnam Veterans Memorial Wall in Washington, D.C., honoring the nearly 58,200 Americans who died or were declared Missing in Action by having each and every name inscribed on

the Wall, the half-size replica “Moving Wall,” which has been crisscrossing the Country for over 20 years, built by Vietnam Veteran Volunteers who were deeply touched by the positive power of “THE WALL” and vowed to share that experience with those who could not go to Washington, D.C. to view the original, the traveling tributes known as the “Quilts of Tears,” made by loved ones to honor and remember our Vietnam Veterans who still suffer, or have lost their lives, as a result of their tour of duty in Vietnam AFTER they returned home and many others – all of which when viewed provide a truly heartbreaking and moving experience, but serve to honor the men and women who served when their Nation called; and

**WHEREAS,** The American people have finally acknowledged the sacrifices made by our servicemen and women in Vietnam, and, on this Vietnam Veterans Day, we take the time to honor all Vietnam and Vietnam-era Veterans for their courage and loyalty to God and Country during turbulent times, and to those who are or were Prisoners of War, to those still Missing in Action and to those soldiers who loved peace, but willingly laid down their lives to protect and preserve freedom throughout the world, as well as honoring and respecting those who still suffer the remnants of the war, be it physically or psychologically and offer them support, gratitude and respect for their pain and sacrifice; and

**WHEREAS,** The Veterans of the Vietnam War have formed a “Band of Brothers” to show their support for our present-day Veterans, especially those serving in active combat, and to ensure that they are given the welcome home and tributes so greatly deserved by all our fighting forces; and the New Bedford City Councillors also try to ensure that the treatment the Vietnam Veterans received is NEVER repeated, by honoring and showing their appreciation to returning New Bedford Servicemen and Servicewomen, citing them for their service at City Council meetings, at the City’s LIGHTS FOR PEACE events and at this now annual “RECOGNITION DAY CEREMONY;” and

**WHEREAS,** The Veterans of the Vietnam War deserve our gratitude and respect for the time, effort and dedication they have given in the service of our Country, and, on this THIRTY-NINTH ANNIVERSARY of the Vietnam Veterans Day of Remembrance, may we always deeply appreciate and never forget the men and women who gave have given so much to ensure our freedom that no words, no standing ovation, no ceremony, no ribbon, no medal could adequately honor them and their service in Vietnam, even as we seek to by using their inspiring and popular slogan “ALL GAVE SOME, SOME GAVE ALL:”

**NOW, THEREFORE BE IT RESOLVED,** That the New Bedford City Council proudly Salutes our **VIETNAM VETERANS** and those who have passed into eternity, Commemorates the **THIRTY-NINTH ANNIVERSARY OF THE END OF THE VIETNAM WAR** and the **VIETNAM VETERANS DAY OF REMEMBRANCE**, sends its best wishes for a once again well-attended and successful “**RECOGNITION DAY CEREMONY**,” by our own **VVA, CHAPTER 499**, at the beautiful “**WELCOME HOME MEMORIAL**,” in Fort Taber Park, and sincerely hopes that all Citizens of the world will never forget that our freedom does not come free, but with the sacrifices that were made by those who fought, and continue to fight, so valiantly to preserve our way of life.

Adopted, to be Presented at a later date.

(#0380)

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The following resolution honoring Thomas G. Davis presented by Councillor Coelho, Council President Lopes, Councillors Alves, Gomes, Martins, Winterson, Bousquet, Rebeiro, Carney, Oliveira and Morad.

CITY OF NEW BEDFORD

IN CITY COUNCIL

MARCH 27, 2014

**RESOLUTION HONORING THOMAS G. DAVIS, EXECUTIVE DIRECTOR OF  
THE GREATER NEW BEDFORD INDUSTRIAL FOUNDATION  
ON THE OCCASION OF HIS RETIREMENT**

**WHEREAS**, Thomas G. Davis is a Native of Montpelier, Vermont and grew up in Bethesda, Maryland and Evanston, Illinois; and

**WHEREAS**, Among his many Academic Achievements are an Undergraduate Degree in Business and History from the University of Michigan where he was an Evans Scholar, an MBA in Finance from Northwestern University where he was a Continental Grain Scholar, along with Post Graduate Studies at the John F. Kennedy School of Government at Harvard University and the Brookings Institute in Washington, D.C.; and

**WHEREAS**, Among his prior Business Achievements are a Long Term Career at Exxon Corporation, where he held Senior Management Positions in Cargo Trading, Supply and Transportation, Strategic Planning, Finance, Foreign Affiliate Management and Public Affairs and a subsequent Position as President of an Investment Company involved in Venture Capital Funds, Leveraged Buyouts and the Restructuring of Domestic and International Energy Companies; and

**WHEREAS**, Thomas G. Davis retired early and along with his wife Elizabeth moved to their Summer House in Dartmouth, Massachusetts; and

**WHEREAS**, Thomas G. Davis wanted to continue to work and sought a job in the Public Service Area and was hired as Executive Director of the Greater New Bedford Industrial Foundation, a non-profit job creation trust focused on increasing employment in the Greater New Bedford area by convincing new companies to locate here and by causing existing companies to expand here rather than somewhere else; and

**WHEREAS**, As the Developer, Manager and Marketer of the New Bedford Business Park, Thomas G. Davis developed and implemented a Major Plan to Modernize and Beautify every aspect of the Park; and

**WHEREAS**, Mr. Davis's efforts over the last sixteen years resulted in an increase in the number of companies in the Park, from eighteen to forty-five and a tripling of good paying jobs, from fifteen hundred to forty-five hundred and the catapulting of the New Bedford Business Park to become the second largest Industrial Park in Massachusetts in terms of jobs; and

**WHEREAS**, Thomas G. Davis is also very active in Education in New Bedford, including the Founding of the Global Learning Charter School and serving as its Chair or Treasurer for ten years and participating in Multiple Other School Improvement Initiatives and Advocacy Efforts; and

**WHEREAS**, For his efforts in bringing together educators, business leaders and local elected officials as well as leading the turnaround effort that resulted in the New Bedford Business Park's expansion and success, producing thousands of new jobs for area residents, Thomas G. Davis was selected as Southcoast Man of the Year in 2001 by the Standard-Times:

**NOW, THEREFORE, BE IT RESOLVED**, That the New Bedford City Council hereby honors **THOMAS G. DAVIS, EXECUTIVE DIRECTOR OF THE GREATER NEW BEDFORD INDUSTRIAL FOUNDATION ON THE OCCASION OF HIS RETIREMENT FROM THE INDUSTRIAL FOUNDATION**, recognizes his many accomplishments and achievements, thanks him for his many years of hard work on behalf of the residents of this City and extends its best wishes for many years of happiness and success and hopes that he will continue to remain involved in Economic Development and School Improvement Initiatives in New Bedford.

Adopted.

(#0381)

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The following resolution honoring, Marlene Cerritos-Rivas was presented by Council President Lopes.

CITY OF NEW BEDFORD

IN CITY COUNCIL

MARCH 27, 2014

**RESOLUTION HONORING MARLENE CERRITOS-RIVAS  
OUTSTANDING STUDENT AWARD RECIPIENT 2014  
GREATER NEW BEDFORD REGIONAL VOCATIONAL TECHNICAL HIGH SCHOOL**

**WHEREAS**, Marlene Cerritos-Rivas, Greater New Bedford Regional Vocational Technical High School's Outstanding Student Award Recipient for 2014, was born in El Salvador, her parents emigrated to the United States, leaving Marlene behind for six years, then brought her to the United States at the age of nine; and

**WHEREAS**, Within two years of her arrival, Marlene Cerritos-Rivas had become fluent in English; and

**WHEREAS**, As a student at Greater New Bedford Regional Vocational Technical High School, Marlene Cerritos-Rivas enrolled in the Nursing Assisting Vocational Program because of her interest in medicine, Marlene hopes to major in Biochemistry and attend Medical School, becoming a Surgeon who will bring affordable treatment to underprivileged communities in disadvantaged Countries; and

**WHEREAS**, Marlene Cerritos-Rivas received a Certificate of Achievement for Race Relations from Princeton University, after developing an interest in assisting the undocumented community who are being affected by deportation and inhumane immigration laws; and

**WHEREAS**, Soon after joining the Student Immigrant Movement, Marlene Cerritos-Rivas completed two internships during the Summers of 2012 and 2013, at Livingstone's Neurobiology Laboratory at Harvard Medical School and from the Student Immigrant Movement as part of UCLA's Dream Summer Program; and

**WHEREAS**, Marlene Cerritos-Rivas also volunteers at the Children's Education Alliance, a non-profit organization that sponsors education for children in Guinea, Africa; and

**WHEREAS**, Marlene Cerritos-Rivas currently leads a chapter of undocumented students in New Bedford as part of the Student Immigrant Movement, her work focuses on changing New Bedford High School and Greater New Bedford Regional Vocational Technical High School's policies towards undocumented students aiming to provide additional support during the College process concerning their immigration status:

**NOW, THEREFORE, BE IT RESOLVED**, That the New Bedford City Council hereby honors **MARLENE CERRITOS-RIVAS, GREATER NEW BEDFORD REGIONAL VOCATIONAL TECHNICAL HIGH SCHOOL'S OUTSTANDING STUDENT AWARD RECIPIENT 2014**, commends her for her impressive academic accomplishments, thanks her for the many hours of volunteer work she has performed for the benefit of others and wishes her continued success with all her future plans and endeavors.

Adopted.

(#0382)

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HEARING, on NSTAR ELECTRIC COMPANY, for location of two (2) 4" Conduits in MILL ROAD, North of Jireh 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. (#0383)

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AN ORDER,

Adopted and ordered recorded in Book of Location Order Records.

Presented to the Mayor for approval March 31, 2014.

Approved April 03, 2014. (#0384)

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COMMUNICATION, DPI Commissioner Ronald Labelle, to NSTAR Electric Company, granting permission to start the work before City Council approval to install an underground connection below Mill Road and its right-of-way onto the Buzzards Bay Coalition Property to restore a former industrial site into a conservation property on the Acushnet River.

Received and Placed on File. (#0385)

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HEARING, on VERIZON NEW ENGLAND, INC. & NSTAR ELECTRIC COMPANY, for joint location of one (1) Pole in HATHAWAY ROAD. 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. (#0386)

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AN ORDER,

Adopted and ordered recorded in Book of Location Orders Records

Presented to the Mayor for approval March 31, 2014.

Approved April 03, 2014. (#0387)

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RELATED MOTION, Councillor Morad, requesting that the City Council send a request to the DPI Commissioner, Ronald Labelle, asking him to justify the reason he granted approval of an installation of an underground connection below Mill Road prior to the City Council public hearing and authorization.

Adopted. (#0388)

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REPORT, Committee on Ordinances, recommending to the City Council, ADOPTION of AN ORDINANCE amending Chapter 23 – TRAFFIC, which is for the establishment of a Downtown Parking Enterprise Fund and a dedicated account for Acushnet Avenue parking improvements.

Recommendation Followed. (#0389)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER authorizing the City to enter into a Net Metering Power Purchase Agreement with Future Generation Wind, LLC for the purpose of purchasing wind-generated electricity at 10.8 cents per kWh for the next twenty years.

Referred to the Committee on Ordinances. (#0390)

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AN ORDER,

Referred to the Committee on Ordinances. (#0391)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER granting an Easement to Verizon New England, Inc. and NSTAR Electric Company to locate poles 1255/1 and 1255/2 at Sullivan’s Ledge, 458 Hathaway Road, which will be used to transmit electricity generated by the solar array to its various intended points of delivery.

Received and Placed on File. (#0392)

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CITY OF NEW BEDFORD

IN CITY COUNCIL

MARCH 27, 2014

ORDERED, that the City of New Bedford hereby grants to NSTAR Electric Company and Verizon New England, inc. with Quitclaim Covenants: The right and easement for utility pole 1255/1 and 1255/2, primary wire, underground lines for distribution of electricity, and lines for control, relay and communication purposes over, across, upon and under a certain parcel of land owned by the City of New Bedford located at 458 Hathaway Rd. New Bedford, Massachusetts, as more particularly described on the attached document entitled “EASEMENT”

And the plan entitled “Exhibit A” attached thereto.

Adopted.

Presented to the Mayor for approval March 31, 2014.

Approved April 03, 2014 (#0393)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER authorizing the Mayor to execute a Deed on behalf of the City of New Bedford to Finigan Property, LLC for \$75,000.00 in substantially the same form as attached hereto, for property located at 109 Hillman Street, shown as Lot 157 on City of New Bedford Assessor’s Map 58

Tabled. (#0394)

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AN ORDER,

Tabled.

(#0395)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$8,500.00 from TREASURER, CHARGES & SERVICES, to TREASURER, SALARIES & WAGES.

Received and Placed on File.

(#0396)

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CITY OF NEW BEDFORD  
IN CITY COUNCIL  
MARCH 27, 2014

ORDERED, that the sum of **EIGHT THOUSAND FIVE HUNDRED DOLLARS (\$8,500.00 )** now standing to the credit of the account from **TREASURER CHARGES AND SERVICES** be and the same is hereby transferred and appropriated to as follows:

**TREASURER SALARIES AND WAGES.....\$8,500.00**

To be certified and approved by the Department Head.

This transfer accommodates the reestablishment of the Tax Title Attorney in the Treasurer’s budget and will cover the period from March 31, 2014 through June 30, 2014.

Adopted.

Presented to the Mayor for approval March 31, 2014.

Approved April 03, 2014.

(#0397)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting copy of DRAFT of Fiscal Year 2014 Office of Housing and Community Development Action Plan, which sets forth activities to be funded through the Community Development Block Grant (CDBG) Program, the Home Investment Partnership (HOME) Program, and the Emergency Solutions Grant (ESG) Program for the period **July 01, 2014 through June 30, 2015.** (Copies provided to all Councillors 03/19/2014.)

Received and Placed on File.

(#0398)

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BOOKLET, Fiscal Year 2014 DRAFT Action Plan & Certifications.

Received and Placed on File.

(#0399)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting to approve DR. ELIZABETH ARNETT-CHINN, as Veterinarian, at a Grade of M9, Step 7 of the Unit C Salary schedule \$62,369.00.

Grade, Step and Salary Approved.

Rule 40 Waived – Yeas 11, Nays 0.

Presented to the Mayor for approval March 28, 2014.

Approved March 28, 2014.

(#0400)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting a ONE-YEAR WAIVER OF RESIDENCY for EMS Paramedic KEVIN PORTER, Mattapoisett, MA; Mr. Porter has been a per diem New Bedford Paramedic since February 2009.

One- Year Waiver of Residency GRANTED.

Presented to the Mayor for approval March 31, 2014.

Approved April 03, 2014.

(#0401)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting a ONE-YEAR WAIVER OF RESIDENCY for DR. ATHENA XIFARAS, Dartmouth, MA to the Board of Health; this waiver will expire on the last day of March 2015.

One-Year waiver of Residency GRANTED.

Presented to the Mayor for approval March 31, 2014.

Approved April 03, 2014.

(#0402)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of DR. ATHENA XIFARAS, Dartmouth, MA, to the BOARD OF HEALTH; this term will expire in February 2017.

Rule 38 Waived and Reappointment Approved – All Ayes.

(#0403)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of DIANA HENRY, New Bedford, MA, to the HISTORICAL COMMISSION; this term will expire February 2017.

Rule 42 Waived and Reappointment Approved – All Ayes.

(#0404)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of JILL MACLEAN, New Bedford, MA, to the HISTORICAL COMMISSION; this term will expire February 2017.

Rule 42 Waived and Reappointment Approved – All Ayes.

(#0405)

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COMMUNICATION, Jill Maclean, City Planner, to City Council regarding her reappointment to the Historical Commission on the March 27, 2014 City Council Agenda, and that she will be unable to attend the meeting because of a Zoning Board of Appeals meeting the same night.

Received and Placed on File.

(#0406)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of JILL HORTON-SIMS, New Bedford, MA, to the LIBRARY BOARD OF APPEALS, replacing Dr. Joseph Silva, Jr., whose term has expired; this term will expire April 2017.

Referred to the Committee on Appointments and Briefings. (#0407)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of SHAUN MACFARLAND, New Bedford, MA, as a SPECIAL POLICE OFFICER.

Received and Placed on File. (#0408)

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APPLICATION, SHAUN MACFARLAND, New Bedford, MA 02740, for APPOINTMENT as a SPECIAL POLICE OFFICER.

Appointment made and confirmed. (#0409)

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REPORT, Committee on Appointments and Briefings, recommending to the City Council to Grant the APPLICATION of U-HAUL INTERNATIONAL, INC., for the SPECIAL PERMIT for MOTOR VEHICLES SALES & RENTALS, at 99 Rockdale Avenue, New Bedford, MA 02740

Recommendation Followed. (#0410)

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APPLICATION, of U-HAUL International, Inc. Petition for a Special Permit **FOR MOTOR VEHICLES - SALES AND RENTALS** at 99 Rockdale Avenue New Bedford, MA. 02740. IN COMMITTEE ON APPOINTMENTS AND BRIEFINGS FOR PUBLIC HEARING TO BE HELD ON 03/18/14, Hearing held and Recommends APPROVAL of the application for Special Permit, Motor Vehicles- Sales & Rentals

Special Permit Granted.

Presented to the Mayor for approval March 31, 2014

Approved April 03, 2014. (#0411)

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REPORT, Committee on Appointments and Briefings, recommending to the City Council APPROVAL of the REAPPOINTMENT of JOHN RADCLIFFE, New Bedford, MA 02740, to the CONSERVATION COMMISSION, this term will expire June 2016; and the APPROVAL of the APPOINTMENT of ROBERT J. SCHILLING, New Bedford, MA 02740, to the ZONING BOARD OF APPEALS, replacing Jennifer Smith who has resigned; this term will expire December 2018.

Server John Radcliffe Reappointment and Referred back to the Committee on Appointments and Briefings- Yeas 9, Nays 1. ( Councillor Carney OPPOSED: Councillor Oliveira not present for vote.)

Appointment Approved for Robert J. Schilling – All Ayes. (#0412)

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REPORT, Committee on Appointment and Briefings, recommending to the City Council that it go on record in opposition to the United States Postal Services' attempt to either close or relocate the Downtown New Bedford Post Office.

Recommendation Followed. (#0413)

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REPORT, Committee on Ordinances, recommending to the City Council, that it request from the Planning Board an explanation as to how a decision can be made to change the type of street lighting across the city without some type of briefing to the New Bedford City Council beforehand.

Recommendation Followed and requesting response within 30 days of receipt of request.

Presented to the Mayor for approval March 31, 2014.

RETURNED UNSIGNED April 22, 2014. (#0414)

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REPORT, Committee on Ordinances, forwarding the Ordinance, amending Chapter 19, Section 19-7 (c) the reclassification of the City Auditor, Assistant City Auditor and Library Director to the City Council without a recommendation.

Received and Placed on File. (#0415)

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WRITTEN MOTION, Councillor Rebeiro, requesting, on behalf of the United Way of Greater New Bedford and Mayor Mitchell, that the following street(s) be CLOSED: WILLIAM STREET, from North Sixth Street to Pleasant Street, ON FRIDAY, MAY 02, 2014, FROM 7:00 A.M. TO 9:00 A.M., for the purpose of the United Way's 20<sup>th</sup> Annual Youth Day of Caring Event on the Main Library's Steps and Parking for the Student's Buses.

Permission Granted.

Presented to the Mayor for approval March 31, 2014.

Approved April 03, 2014. (#0416)

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WRITTEN MOTION, Councillors Winterson and Morad, requesting, on behalf of the Humane Coalition for Animals of Greater New Bedford, that the following street(s) be CLOSED: LT. WALTER P. FULLER MEMORIAL PARKWAY, from Rockdale Avenue West to the Monument, ON SUNDAY, MAY 18, 2014, FROM 8:00 A.M. TO 4:00 P.M., for the purpose of their 15<sup>th</sup> Annual Dog Walk and Pet Fest in Buttonwood Park.

Permission Granted.

Presented to the Mayor for approval March 31, 2014.

Approved April 03, 2014. (#0417)

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WRITTEN MOTION, Council President Lopes, requesting, on behalf of the Cove Street Neighborhood Association that the following street(s) be CLOSED: RUTH STREET, from Salisbury Street to Ashley Street, ON SATURDAY, JUNE 21, 2014, FROM 7:00 A.M. TO 4:00 P.M., for their Annual Family Fun Day.  
Permission Granted. (#0418)

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WRITTEN MOTION, Council President Lopes, requesting, on behalf of Javier Rojas, that the following street(s) be CLOSED: RIVET STREET, between South Second Street and Acushnet Avenue, ON SATURDAY, MAY 03, 2014, FROM 9:00 A.M. TO 12:00 A.M., (MIDNIGHT) for the purpose of The Cinco De Mayo Celebration.

Permission Granted.

Presented to the Mayor for approval March 31, 2014.

Approved April 03, 2014. (#0419)

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WRITTEN MOTION, Council President Lopes, requesting, that the following street(s) be CLOSED: CLEVELAND STREET, from David Street to Rodney Street, ON SUNDAY, MAY 18, 2014, FROM: 7:30 A.M. TO 12:30 A.M., for the purpose of the 35<sup>TH</sup> ANNUAL HAZELWOOD WOMEN'S 5K RUN/WALK.

Permission Granted.

Presented to the Mayor for approval March 31, 2014.

Approved April 03, 2014. (#0420)

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WRITTEN MOTION, Councillor Gomes, requesting a cost evaluation of the security cameras and door lock system recently installed in City Hall be provided to the City Council. (To be Referred to the Mayor and the Department of Facilities and Fleet Management.)

Adopted.

Presented to the Mayor for approval March 31, 2014.

RETURNED UNSIGNED April 22, 2014. (#0421)

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WRITTEN MOTION Council President Lopes, Councillors Alves, Winterson, Morad, Oliveira, Martins and Bousquet, requesting that the Mitchell Administration provide the New Bedford City Council with any and all information and reports generated by City Stat.

Adopted.

Presented to the Mayor for approval March 31, 2014.

RETURNED UNSIGNED April 22, 2014. (#0422)

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WRITTEN MOTION, Councillors Bousquet, Gomes, Winterson, Morad, Alves, Coelho and Council President Lopes, requesting, that the Committee on Ordinances consider drafting an Ordinance governing " pop up" or " roadside" memorials, the intent of the Ordinance is to make it known publicly that these memorials are appropriate for a short time only, thirty to sixty days perhaps, but beyond that time frame are often not maintained and become an eyesore in many cases. (To be Referred to the Committee on Ordinances.)

Referred to the Committee on Ordinances. (#0423)

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WRITTEN MOTION, Councillors Winterson, Rebeiro and Bousquet, requesting, that the Trial Court Community Service Program be asked to maintain on a regular basis, whether it be monthly, or every other month, the area starting at Rt. 6 and Pleasant Street, heading East to the exit that merges Rt. 18 North to Rt. 6 East towards Fairhaven, and Rt. 18 North, from Elm Street to Coggeshall Street, in collaboration with District 5 MassDOT Highway Division, this location is covered with litter and debris and needs to be addressed regularly.

Adopted. (#0424)

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WRITTEN MOTION, Councillor Gomes, requesting, that a joint letter be drafted from the City Council and Mayor Mitchell to His Holiness Pope Francis, requesting that the Pope consider a visit to the City of New Bedford during his visit to the United States, the letter should contain a description of the cultural diversity and of some of the problems facing our City, detailing everything from immigration to poverty, to how we struggle to regain a sense of pride and also, the possible reopening of St. John the Baptist Church; and further, requesting that a short Mass and Blessing on our City be held on the green at Buttonwood Park; and further, the letter should detail any other points of interest which would be given consideration for a visit from the Holy Father Pope Francis.

Adopted and Rule 40 Waived – Yeas 10, Nays 0. (#0425)

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WRITTEN MOTION, Councillor Rebeiro, requesting, that the Department of Public Infrastructure which maintains the street lights provide the City Council with a report on the annual cost of upkeep including labor and materials; and further, whether it would be more cost efficient to contract the work to a private firm should be included in said report.

Tabled. (#0426)

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WRITTEN MOTION, Councillor Gomes, requesting, that the Committee on Appointments and Briefings meet with Dr. Michael J. Langworthy and a representative from the Mayor's office, representatives from the School Committee, a representative from the University of Massachusetts/Dartmouth and a representative from Sea Lab, for the purposes of discussing a possible venture project of education and research

with Dr. Langworthy and the Mars Project upon his research vessel to be docked here in the City of New Bedford.

Adopted. (#0427)

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WRITTEN MOTION, Councillors Carney and Gomes, requesting that the Mayor make a decision by the close of business on Friday, March 28, 2014, to allow the Whaling City Festival to operate until 9 p.m.

Adopted – Yeas 11, Nays 0.

Rule 40 Waived – Yeas 11, Nays 0.

Presented to the Mayor for approval March 28, 2014.

RETURNED UNSIGNED April 22, 2014. (#0428)

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RELATED MOTION, Councillor Carney, requesting that the 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.

Adopted. (#0429)

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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 discuss about the festivals happening in our City; and further, that the Committee review all policies and Ordinances associated with City parks.

Adopted. (#0430)

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RELATED MOTION, Councillor Gomes, on behalf of the Whaling City Festival, requesting, that the Park Board and the Mayor allow Mark Fanelli from Fanelli Traveling Amusement Park to set up at Buttonwood Park on Monday evening, July 07, 2014, which would give Mr. Fanelli adequate time for set up before his inspection on Thursday morning, July 10, 2014.

Adopted.

Presented to the Mayor for approval March 31, 2014.

RETURNED UNSIGNED April 22, 2014. (#0431)

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COMMUNICATION, State Representative Antonio F.D. Cabral, to City Council, responding to a Written Motion from the City Council Meeting held on February 27, 2014 submitted by Councillor Martins regarding the incorrect wait times displayed on the RMV’s website. (Copy all Councillors 03/17/2014.)

Received and Placed on File. (#0432)

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WRITTEN MOTION, Councillor Bousquet, requesting, that the Traffic Commission please restore the “STOP SIGN” at the corner of Pamela Drive and Sandstone Street.

Referred to the Traffic Commission. (#0433)

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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.

Referred to the Committee on Appointments and Briefings. (#0434)

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MINUTES, Board of Assessors, submitting MINUTES of meetings held on March 06, 14 and 20, 2014. Received and Placed on File. (#0435)

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MINUTES, Council on Aging Advisory Board, submitting MINUTES of a meeting held on February 13, 2014.

Received and Placed on File. (#0436)

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MINUTES, Bristol County Public Health Emergency Preparedness Coalition, submitting MINUTES of meetings held on March 18, 2014.

Received and Placed on File. (#0437)

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MINUTES, Licensing Board, submitting MINUTES of a meeting held on February 24, 2014. Received and Placed on File. (#0438)

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APPLICATION, **P. Gioisio & Sons, Inc.** for permission to maintain a STREET OBSTRUCTION at, **211 Union Street**, provisionally granted by the City Clerk on March 14, 2014, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval March 31, 2014.

Approved April 03, 2014. (#0439)

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APPLICATION, **Paul J. Rogan Company, Inc.** for permission to maintain a STREET OBSTRUCTION at, **674-2 Purchase Street (Zeiterion Theatre)** , provisionally granted by the City Clerk on March 24, 2014, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval March 31, 2014.

Approved April 03, 2014. (#0440)

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APPLICATION, **JLC Construction** for permission to maintain a STREET OBSTRUCTION at, **102 Potomska Street** , provisionally granted by the City Clerk on March 14, 2014, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval March 31, 2014.

Approved April 03, 2014. (#0441)

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APPLICATION, **Morgado Company, Inc.** for permission to maintain a STREET OBSTRUCTION at, **194 Bonney Street**, provisionally granted by the City Clerk on March 19, 2014, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval March 31, 2014.

Approved April 03, 2014. (#0442)

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APPLICATION, **JLC Construction**, to DISTURB THE SURFACE, of **102 Potomska Street**, provisionally granted by the City Clerk on March 14, 2014, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval March 31, 2014.

Approved April 03, 2014. (#0443)

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APPLICATION, **Morgado Company Inc**, to DISTURB THE SURFACE, of **194 Bonney Street**, provisionally granted by the City Clerk on March 19, 2014, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval March 31, 2014.

Approved April 03, 2014. (#0444)

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APPLICATIONS, **NSTAR Gas Company**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on March 14, 2014, subject to ratification by the Mayor and City Council as follows:

- 392 West Rodney French Boulevard (#0445)
- 18-20 Sherman Street (#0446)
- 556 Purchase Street (#0447)
- 853 Pine Hill Drive (#0448)
- 162 North Street (#0449)
- Lot 346 Lucy Street (#0450)
- 227 Irvington Street (#0451)
- 110 Fruit Street (#0452)
- 51 Deane Street (#0453)
- 128 Cottage Street (#0454)

Received and Action of the City Clerk Ratified.  
 Presented to the Mayor for Approval March 31, 2014.  
 Approved April 03, 2014.

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APPLICATIONS, **NSTAR Gas Company**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on March 18, 2014, subject to ratification by the Mayor and City Council as follows:

- 161 Osborne Street (#0455)
- 30 Jarry Street (#0456)
- 202 Maywood Street (#0457)

Received and Action of the City Clerk Ratified.  
 Presented to the Mayor for Approval March 31, 2014.  
 Approved April 03, 2014.

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APPLICATION, **NSTAR Gas Company**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on March 18, 2014, subject to ratification by the Mayor and City Council as follows:

- 28 Metropolitan Street (#0458)

Received and Action of the City Clerk Ratified.  
 Presented to the Mayor for Approval March 31, 2014.  
 Approved April 03, 2014.

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APPLICATIONS, **ABC Disposal Service**, for permission to maintain a STREET OBSTRUCTION, provisionally granted by the City Clerk on April 11, 2012, subject to ratification by the Mayor and City Council as follows:

255 Rivet Street (#0459)

347 Orchard Street (#0460)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval March 31, 2014.

Approved April 03, 2014.

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On a motion, the Council then adjourned at 9:34pm.

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ATTEST:

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