



Council Meeting – Minutes

CITY COUNCIL CALENDAR

Chambers of the City Council Municipal Building

Thursday, October 23, 2014 – 7:09 p.m.

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

LATE: No One.

ABSENT: No One.

Council President Lopes called the meeting to order and presided.

Prayer Led By: Reverend David Lima, Pastor and Executive Minister Inter-Church Council of Greater New Bedford.

Councilor at Large Linda Morad led the Assembly in the Pledge of Allegiance to the flag.

CITATION, Councillors Martins and Morad, honoring LAUREN KUHN, Mass Massachusetts 2014, in recognition of her fourth place finish in the Miss America Pageant and her successful year representing our Commonwealth and Miss Massachusetts with many thanks.

Tabled. (1737)

CITATION, Councillor Martins and Council President Lopes, honoring SUZANNE RICHARD, Chief Photographer, New Bedford Cable Network, in recognition of her First Place Award in the Music and Performance Category, for the Music Video “Be A Hero” at the Annual Alliance for Community Media Regional Video Festival.

Adopted. (1738)

CITATION, Councillor Martins and Council President Lopes, honoring BEVERLY TAVARES, New Bedford Public Schools Educator, in recognition of her First Place Award in the Music and Performance Category, for the Music Video “Be A Hero”, which she also wrote, at the Annual Alliance for Community Media Regional Video Festival.

Adopted. (1739)

CITATIONS, Councillor Martins and Council President Lopes, honoring DAN CABRAL, SUZANNE RICHARD, KEVIN VIDINHA, ETHAN LOPEZ, KAITLYN MEDEIROS and ALEXANDRA SIEGEL, New Bedford Cable Network, in recognition of their First Place Award in the Sports Programming Category for their coverage of the 37th Annual New Bedford Half-Marathon at the Annual Alliance for Community Media Regional Video Festival.

Adopted. (1740)

CITATION, Councillor Martins and Council President Lopes, honoring DANA DEBARROS, Videographer, New Bedford Cable Network, in recognition of his Third Place Award in the Community Impact Category for his New Bedford High School Graduate Profiles, highlighting the wide variety of career choices available to New Bedford High School Graduates.

Adopted. (1741)

CITATION, Councillors Martins and Morad, honoring LAUREN KUHN, Miss Massachusetts 2014, in recognition of her fourth place finish in the Miss America Pageant and her successful year representing our Commonwealth and Miss Massachusetts with many thanks.

Tabled.
Removed from the Table and Adopted. (1737)

CITATIONS, Councillor Carney, honoring MARISSA PEREZ-DORMITZER, DIANE A. BERUBE, RUSS WOTTON, BRIAN WOTTON, ANNE WHITING, MARIANNE PHILLIPS and KELLI MUNROE, in recognition of their commitment and dedication to Operation Clean Sweep.

Adopted. (1742)

The following resolution honoring Lynn Coish was presented by Councillor Carney

CITY OF NEW BEDFORD
IN CITY COUNCIL
OCTOBER 23, 2014

RESOLUTION HONORING LYNN COISH AND HER DEDICATION TO OPERATION CLEAN SWEEP.

WHEREAS, Lynn Coish is a lifelong resident of New Bedford, with care, concern and pride for her City and a passion for a clean environment; and

WHEREAS, Lynn Coish envisioned that a collaboration of residents, government leaders and City businesses could work together to help make New Bedford's neighborhoods free of litter; and

WHEREAS, With her civic-minded commitment and dedication to improve the quality of life for New Bedford residents, Lynn submitted a proposal to former Mayor Scott W Lang with ideas on how to implement a way to clean New Bedford's streets and hence, Operation Clean Sweep was born; and

WHEREAS, In 2006, Lynn Coish made a commitment to serve the City of New Bedford by performing community service through Operation Clean Sweep; and

WHEREAS, Lynn Coish is one of the founders and the current Team Leader of Operation Clean Sweep, works at the Buzzards Bay Coalition as an Administrative Assistant/Volunteer Coordinator; the Buzzards Bay Coalition works to restore clean water and protect watershed lands; and

WHEREAS, Operation Clean Sweep is an all-volunteer anti-litter campaign formed in 2006, with the assistance of former Mayor Scott W. Lang, and Citizens concerned about the amount of trash and litter throughout their New Bedford neighborhoods, and

WHEREAS, Every spring Operation Clean Sweep organizes a series of neighborhood cleanups with the help of hundreds of civic minded volunteers and the support of City services, and in-kind donations from local businesses and donors; and

WHEREAS, Since Operation Clean Sweep's inception in 2006, an estimated 5,500 volunteers have performed close to seventeen thousand hours of community service and have collected and cleaned up over sixty-six tons of trash from New Bedford's neighborhood streets; and

WHEREAS, Education is a key component of Operation Clean Sweep and creates awareness through classroom presentations and community service learning and

WHEREAS, The Operation Clean Sweep Education Team Members have met with over four thousand students in New Bedford with the goal of teaching our youth about the negative impact of litter on our health and the environment and the importance of environmental stewardship in any community; and

WHEREAS, Lynn Coish has had a long history of volunteerism throughout the community with causes that are important to the environment and will continue to make a difference for many years to come:

NOW, THEREFORE, BE IT RESOLVED, That the New Bedford City Council hereby honors **LYNN COISH** for her many years of **DEDICATION TO OPERATION CLEAN SWEEP**, commends her for her dedication and commitment to a cleaner City and a healthier environment, and for leading by example and raising awareness of the health and environmental risks posed by litter and we The City Council offers her our best wishes for many more years of continued success.

Adopted.

(#1743)

The following resolution honoring the Inter-Church Council of Greater New Bedford was presented by Councillors Alves, Bousquet, Carney, Coelho, Gomes, Council President Lopes, Councillors Martins, Morad, Oliveira, Rebeiro and Winterson.

CITY OF NEW BEDFORD

IN CITY COUNCIL

OCTOBER 23, 2014

RESOLUTION HONORING THE INTER-CHURCH COUNCIL OF GREATER NEW BEDFORD ON THE OCCASION OF THE CELEBRATION OF THEIR 75TH ANNIVERSARY

WHEREAS, The Inter-Church Council of Greater New Bedford is one of the oldest continuing inter-denominational ecumenical organizations in the Northeastern United States and serves the ethnically and culturally diverse population of the New Bedford area, the sixth largest City in Massachusetts; and

WHEREAS, The Inter-Church Council was originally founded as the "Federation of Churches and Christian Organizations and Workers in New Bedford and Vicinity" and later became known as the New Bedford Council of Churches, the Federation merged in the spring of 1939, with the New Bedford Council of Religious Education and the Inter-Church Council was created with fifteen founding member Churches; and

WHEREAS, The constitution of the new organization declared the mission of the Council should be to engage the Churches of the area, commonly interested in rendering such Christian service as can best be done cooperatively, and to promote in the community educational, moral, social and spiritual growth within the Council's ministry; and

WHEREAS, Over the years, The Council has grown, adding member Churches and establishing committees on Social Action, Christian Education, Youth and Special Projects, hired an Executive Secretary and formed a non-profit housing corporation, known as the Inter-Church Council Services Corporation, to build and administer a middle income housing project for retired people; and

WHEREAS, The Council continues to lead our community to make a difference in the lives of the homeless, young adults and our youth with the creation of the Pastor's Emergency Fund, the ECHO Program, Clergy Lunch Program, the Jericho Prayer Walks, the Clergy Ride-Along Program, and the Gun Buy Back Program; and

WHEREAS, The Council extends the ministry of the spiritual needs of our community beyond the walls of the area Churches through the Hospital Chaplains initiative, which serves patients at both St. Luke's Hospital and Tobey Hospital, making over 3,500 visits in one year to minister to the sick and to comfort the families; and

WHEREAS, Over the past seventy-five years, the Inter-Church Council has been blessed with deeply dedicated and humble men serving the organization in the role of Executive Ministers, beginning with Reverend Sydney Adams, and including Lawrence Van Heerden, Reverend William Cate, Reverend John Douhan, Reverend Dr. Edward Dufresne, and the current Executive Minister, Reverend David A. Lima, all of whom have dedicated many years of service and leadership, with a vision to expand the Inter-Church Council's ministry and provide spiritual service to the community; and

WHEREAS, To continue the mission of collaborative spiritual, educational and social opportunities, The Inter-Church Council is inviting all member congregations, as well as our community partners in education, health care, law enforcement and government to join them in celebrating 75 years of ministry, with an evening of dinner and worship on Sunday, November 02, 2014:

NOW, THEREFORE, BE IT RESOLVED, That the New Bedford City Council hereby honors the **INTER-CHURCH COUNCIL OF GREATER NEW BEDFORD ON THE CELEBRATION OF THEIR 75TH ANNIVERSARY**, humbly thanks and commends them for their many decades of Christian ministry, fellowship and religious celebration in the Greater New Bedford community.

Given this Second Day of November in the Year 2014.

Adopted, to be presented at a later date. (#1744)

WRITTEN MOTION, Council President Lopes, Councillors Martins, Morad, Alves, Winterson, Rebeiro and Bousquet, requesting that the City of New Bedford make the much needed improvements to our newly updated City of New Bedford website to include ADA compliance for our City residents that have physical disabilities, and are unable to use the services that our website provides.

Referred to the Committee on Appointments and Briefings. (#1745)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$500.00 from **ASSESSORS, SALARIES & WAGES,** to **ASSESSORS, SUPPLIES & MATERIALS.**

Received and Placed on File. (#1746)

CITY OF NEW BEDFORD
IN CITY COUNCIL
OCTOBER 23, 2014

ORDERED, that the sum of **FIVE HUNDRED DOLLARS (\$500.00)** now standing to the credit of the account from **ASSESSORS SALARIES AND WAGES** be and the same is hereby transferred and appropriated to as follows:

ASSESSORS SUPPLIES AND MATERIALS.....\$500.00

To be certified and approved by the Department Head.

Adopted.

Presented to the Mayor for approval October 27, 2014.

Approved November 3, 2014. (#1747)

COMMUNICATION, Mayor Mitchell, to City Council, requesting a ONE-YEAR WAIVER OF RESIDENCY for ELIZABETH TREADUP PIO, Acushnet, MA, Elizabeth has been employed in the Mayor's Office since 2006 and is a dedicated employee, who as a Public Information Officer, makes invaluable contributions to the operation of the office and the City. (Current Waiver expires October 2014.)

One-Year Waiver of Residency Granted – Yeas 10, Nays 0. (Council President Lopes not present for vote.)

Presented to the Mayor for approval October 27, 2014.

Approved November 3, 2014. (#1748)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of ARTHUR B. TRUNDY, IV, New Bedford, MA 02740, as a CONSTABLE.

Received and Placed on File. (#1749)

AN APPLICATION, ARTHUR B. TRUNDY IV, New Bedford, MA 02740, for APPOINTMENT as a CONSTABLE.

Confirmed. (#1750)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of DONALD CARPENTER, Rehoboth, MA 02769, as a SPECIAL POLICE OFFICER.

Received and Placed on File. (#1751)

AN APPLICATION, DONALD CARPENTER, New Bedford, MA 02740, for APPOINTMENT as a SPECIAL POLICE OFFICER

Appointment made and confirmed. (#1752)

REPORT, Committee on Appointments and Briefings, recommending to the City Council APPROVAL of the APPOINTMENT of JENNIFER CLARKE, Dartmouth, MA, as ASSISTANT CITY PLANNER, at M9, Step 7, \$62,369.00 and APPROVAL of a SIX-MONTH WAIVER OF RESIDENCY to relocate to the City.

Appointment Confirmed and 6 Month Waiver Granted – Yeas 10, Nays 0. (Councillor Gomes not present for vote.)

Rule 40 Waived – Yeas 10, Nays 0. (Councillor Gomes not present for vote.)

Presented to the Mayor for approval October 24, 2014.

Approved October 24, 2014. (#1753)

WRITTEN MOTION, Councillor Rebeiro, requesting, on behalf of AHA! New Bedford, that the following street(s) be CLOSED: CENTRE STREET, from North Water Street to Front Street, FROM 4:00 P.M. TO 9:00 P.M., ON THURSDAY, NOVEMBER 13, 2014, for the purpose of AHA! Homecomings.

Permission Granted.

Presented to the Mayor for approval October 27, 2014.

Approved November 3, 2014.

(#1754)

WRITTEN MOTION, Councillor Carney, requesting that the Traffic Commission install “NO PARKING HERE TO CORNER” signs on the north side of Tobey Street and Acushnet Avenue, on the side of Our Lady of Fatima Church, due to parishioners parking their cars too close to the corner and obstructing vehicular traffic. (To be Referred to the Traffic Commission.)

Adopted – FAILED - Yeas 2, Nays 9. (Councillors Carney and Rebeiro IN FAVOR.)

(#1755)

WRITTEN MOTION, Councillors Carney, requesting that the Traffic Commission consider changing the speed limit on Coffin Avenue around Taber Mills, 217 Deane Street, from 30 mph to 20 mph for the safety of elderly residents in the area. (To be Referred to the Traffic Commission.)

Referred to the State Delegation.

(#1756)

RELATED MOTION, Councillor Alves on behalf of the residents of Taber Mills who expressed their concerns to Councillors at a recent meeting at Taber Mills, requesting that DPI Commissioner, Ronald Labelle review and evaluate the wattage and brightness of the streetlights in the vicinity of Taber Mills to make the roadway safe , specifically for the Seniors trying to call the street from the parking lot to the building; and further, that Commissioner Labelle consider taking immediate action to paint crosswalks in said area.

Adopted – Yeas 8, Nays 2. (Councillors Morad and Oliveira OPPOSED.)

Presented to the Mayor for approval October 27, 2014.

RETURNED UNSIGNED November 10, 2014.

(#1757)

WRITTEN MOTION, Councillor Winterson, requesting, that a representative from NSTAR Gas Company, Inc., be invited to the Committee on Appointments and Briefings meeting to discuss the possibility of installing gas lines in Tanglewood Drive, so that the homeowners on that street may heat their homes with gas, as residents on nearby streets do, oil heat is the only method at the present time that the residents of Tanglewood Drive have available to them and the cost is prohibitive.

Referred to the Committee on Appointments and Briefings.

(#1758)

WRITTEN MOTION, Council President Lopes, Councillors Winterson and Gomes, requesting that the Committee on Appointments and Briefing review 501 Code of Massachusetts Regulations (CMR) Executive Office of Public Safety and Security, to allow for the establishment of the New Bedford Harbor Master under the New Bedford Police Department, and allow for the duties and responsibilities of the New Bedford Harbor Master to follow under the direction of the Director of the New Bedford Police Department’s Port Security Unit, said consolidation will ensure the continuity in the Chief Law Enforcement entity in the City, under the control and authority of the Chief of Police.

Referred to the Committee on Appointments and Briefings.

(#1759)

WRITTEN MOTION, Councillors Bousquet and Winterson, requesting, on behalf of the management of the Whaling City Golf Course, that Johnson Golf Management submit a letter to the City Council detailing their plan for reinvestment in the City's premiere leased facility, since the City has invested in a new roof, the constituency would like to see some basic upgrade planning, like carts, bathrooms and lockers, etc. (To be Referred to the Mayor, the City Solicitor and Johnson Golf Management.)

Adopted and requesting a response within 30 days of receipt of said motion.

Presented to the Mayor for approval October 27, 2014.

RETURNED UNSIGNED November 10, 2014. (#1760)

RELATED MOTION, Councillor Morad requesting that DFFM Director Kenneth Blanchard and CFO Ari Sky, provide the Committee on Finance, from what line item the funds were charged for the installation of a new roof at the Whaling City Golf Course's Club House; and further, supply the Committee Members with a detailed expenditure of the total cost of said roof installation.

Referred to the Committee on Finance. (#1761)

WRITTEN MOTION, Councillor Gomes, requesting, that two light poles be installed on Pleasant Street, between Wing and Bedford Streets, this area is located at the former Morse Twist Drill location, the ground connections were installed when demolition took place on that site, this request comes from residents in the area looking to keep the neighborhood a safe place and to deter criminal activity.

Referred to the Department of Public Infrastructure and NSTAR Electric.

Presented to the Mayor for approval October 27, 2014.

RETURNED UNSIGNED November 10, 2014 (#1762)

WRITTEN MOTION, Councillor Gomes, requesting, that the Committee on Appointments and Briefings meet with a representative from the Mitchell administration, along with Department of Community Services Director Wallquist, to discuss whether the City has formulated a plan to address and deal with the homelessness and vagrants across New Bedford; and further, if there is a plan in place, to please submit said plan to the City Council and to also include how much money the City has received to deal with the homeless problem.

Referred to the Committee on Appointments and Briefings. (#1763)

WRITTEN MOTION, Council President Lopes, requesting that the Superintendent of Schools and the Interim Business Manager provide a detailed breakdown of all the text books that were ordered, as well text books delivered to the New Bedford Public Schools for the 2014/2015 school year with proceeds from the FY 2015 School Budget; and further requesting, that the New Bedford Public School provide the New Bedford City Council with a detailed reconciliation of funds allocated versus funds spent for textbook purchases for FY 2015. (To be Referred to the Committee on Finance.)

Referred to the Committee on Finance – Yeas 11, Nays 0. (#1764)

WRITTEN MOTION, Councillor Gomes, requesting, on behalf of Bonnie White, 112 Peckham Road, Acushnet, MA, that the Committee on City Property consider changing the name of Kathleen Street, from Acushnet Avenue to its

terminus, to SPOONER FARM DRIVE in honor of the late Mr. & Mrs. Spooner who lived on Kathleen Street; and further, that said name change would be a great honor to their memory and to the family. (To be Referred to the Committee on City Property.)

Referred to the Committee on City Property. (#1765)

COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of **GABRIEL DAROSA, 56 Westwood Drive, North Dartmouth, MA 02747, d/b/a BLUEBIRD TRANSPORTATION, 1551 Purchase Street, New Bedford, MA 02740**, hereby submit a copy of the Application requesting a **RENEWAL of a Private Livery License**, under the provisions of M.G.L. Chapter 159A, Section 1 and amendments thereto, and M.G.L. Chapter 270, Section 22 (Smoke Free Workplace Law) and all other laws applicable to such operation, to carry passengers for hire over the streets of New Bedford. **(Current License expired October 10, 2014.)**

Renewal Granted.

Presented to the mayor for approval October 27, 2014.

Approved November 3, 2014. (#1766)

COMMUNICATION, Governor Patrick, to City Clerk Farias, responding to a letter dated September 16th and the City Council's motion of September 11th, regarding the name change of the New Bedford Marine Commerce Terminal. (Copy all Councillors 10/17/2014.)

Received and Placed on File. (#1767)

COMMUNICATION, State Representative Markey, to City Clerk Farias, responding to a letter regarding the name change of the New Bedford Marine Commerce Terminal. (Copy all Councillors 10/20/2014.)

Received and Placed on File. (#1768)

COMMUNICATION, State Representative Markey, to City Clerk Farias, responding to a letter, requesting that Mass/DOT monitor the property around the overpasses and the State Highway Rt. 18, behind the Car Barn and in the vicinity of Logan and Weld Streets for illegal behavior. (Copy all Councillors 10/21/2014.)

Received and Placed on File. (#1769)

COMMUNICATION, State Representative Markey, to City Clerk Farias, responding to a letter, regarding roadway maintenance of exits, entering and exiting the City of New Bedford, off of Rt. 195, east and west and Route 18, north and south. (Copy all Councillors 10/21/2014.)

Received and Placed on File. (#1770)

COMMUNICATION, Buzzards Bay Coalition, to David Lederer, U.S. EPA Region 1, regarding the status of air quality monitoring for the New Bedford Lower Harbor CAD Cell. (Copy all Councillors 10/09/2014.)

Received and Placed on File. (#1771)

COMMUNICATION, Department of Environmental Protection Waterways Regulation Program, giving public notice of a waterways application by the New Bedford Department of Public Infrastructure to construct and maintain a replacement storm drain at 20 Howard Avenue. (Copy all Councillors 10/14/2014.)

Received and Placed on File. (#1772)

COMMUNICATION, Councillor Morad, to Councillor Alves, Chairman, Committee on Appointments and Briefings regarding her anticipated absence or possible tardiness to the Committee on Appointments and Briefings held on Tuesday, October 14, 2014

Received and Placed on File. (#1773)

WRITTEN MOTION, Councillor Alves, requesting, on behalf of the owner of 110 Brigham Street, that the Department of Public Infrastructure/Forestry Division, schedule within the next week (or sooner if possible) a crew to address and trim the City tree in front of 110 Brigham Street, the City tree has grown to the extent that it is touching the house, presenting a potential for damage to the property and a potential liability to the City, with branches that may cause damage to the utility wires. (To be Referred to the Department of Public Infrastructure/Forestry Division.)

Referred to the Department of Public Infrastructure/Forestry Division.

Presented to the Mayor for approval October 27, 2014.

RETURNED UNSIGNED November 10, 2014. (#1774)

PETITION/INDEMNITY AGREEMENT, FRONT STREET FINE ARTS LLC, for Permission to Erect and Maintain a Projecting Sign at 48 North Water Street, New Bedford, MA 02740. Provisionally Granted, subject to approval of the Building Commissioner and subject to ratification by Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval October 27, 2014.

Approved November 3, 2014. (#1775)

CONSTABLE BOND, RENALD RUSSO III, New Bedford, MA 02745, with The Hanover Insurance Group in the amount of \$5,000.00.

Approved.

Presented to the Mayor for approval October 27, 2014.

Approved November 3, 2014. (#1776)

MINUTES, Bristol County Public Health Emergency Preparedness Coalition, submitting MINUTES of a meeting held on September 16, 2014.

Received and Placed on File. (#1777)

MINUTES, Board of Assessors, submitting MINUTES of a meeting held on October 07, 2014.

Received and Placed on File. (#1778)

MINUTES, Greater New Bedford Regional Refuse Management District, submitting MINUTES of meetings held on May 14, June 18, September 11, 2014 and Executive Session Meetings.

Received and Placed on File. (#1779)

MINUTES, Council on Aging, submitting MINUTES of a meeting held on September 11, 2014.

Received and Placed on File. (#1780)

MINUTES, Conservation Commission submitting MINUTES of meetings held on April 01, May 20, June 03, and July 15, 2014.

Received and Placed on File. (#1781)

APPLICATION, **W.C. Smith & Son, Inc.** for permission to maintain a STREET OBSTRUCTION at **48 Townsend Street**, provisionally granted by the City Clerk on October 23, 2014 subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval October 27, 2014.

Approved November 3, 2014. (#1782)

APPLICATION, **Joseph E. Dupre, Inc.** for permission to maintain a STREET OBSTRUCTION at **195 Maryland Street**, provisionally granted by the City Clerk on October 22, 2014 subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval October 27, 2014.

Approved November 3, 2014. (#1783)

APPLICATION, **W. C. Smith & Son, Inc.** to DISTURB THE SURFACE, of **48 Townsend Street**, provisionally granted by the City Clerk on October 20, 2014 subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval October 27, 2014.

Approved November 3, 2014. (#1784)

APPLICATION, **Joseph E. Dupre, Inc.** to DISTURB THE SURFACE, of **195 Maryland Street**, provisionally granted by the City Clerk on October 22, 2014, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval October 27, 2014.

Approved November 3, 2014. (#1785)

APPLICATIONS, **NSTAR Gas Company** to DISTURB THE SURFACE, provisionally granted by the City Clerk on October 20, 2014, subject to ratification by the Mayor and City Council.

- 998 Belleville Avenue (#1786)
- 41 Highland Street (#1787)
- 71 Highland Street (#1788)
- 113 Austin Street (#1789)
- 85 Austin Street (#1790)
- 68 Oneida Street (#1791)
- 982 Homestead Street (#1792)
- 4045 Acushnet Avenue (#1793)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval October 27, 2014.

Approved November 3, 2014.

APPLICATIONS, **NSTAR Electric Company** to DISTURB THE SURFACE, provisionally granted by the City Clerk on October 20, 2014, subject to ratification by the Mayor and City Council.

- Roosevelt Street, off David Street (#1794)
- Rodney Street, off Cleveland Street/Norman Street, off Cleveland Street (#1795)
- Bayview Street, off Rodney French Boulevard (#1796)
- Nelson Street, off South Second Street/Jouvette Street, off County Street (#1797)
- Harbor Street, off Gifford Street/Social Street, off McGurk Street (#1798)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval October 27, 2014.

Approved November 3, 2014.

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.

WRITTEN MOTION, Councillor Alves, requesting, on behalf of The Greater New Bedford Veterans Council and the Mayor's Veterans Advisory Board, that the following street(s) be CLOSED: ROCKDALE AVENUE, from 9:00 A.M. to 1:00 P.M., ON TUESDAY, NOVEMBER 11, 2014, for the purpose of The Setup for Veteran's Day Parade.

Rule 42 waived – Yeas 11, Nays 0.

Permission Granted.

Presented to the Mayor for approval October 27, 2014.

Approved November 3, 2014. (#1799)

WRITTEN MOTION, Councillor Martins, requesting that the City Council hold a meeting to examine the response plans and procedures in the City of New Bedford regarding the Ebola virus, since there is no known vaccination for the Ebola virus, Healthcare providers caring for Ebola patients and family in close contact with the infected patients pose the highest risk of contracting the virus, since the outbreak the Center for Disease Control and Prevention has provided training opportunities for healthcare providers; and further, that the residents of the City of New Bedford should be aware of the City's procedures and policies in place in handling the Ebola virus in order to reduce the risk to healthcare personnel including protective equipment, oversight, monitoring, enhanced training and response plans; and further, that this informational meeting be held in the Committee on Public Safety and Neighborhoods, along with New Bedford Health Department, Public Safety personnel, Representative from the Southcoast Hospitals Group and other interested parties wishing to attend.

Rule 42 Waived – Yeas 11, Nays 0.

Referred to the Committee on Public Safety and Neighborhoods. (#1800)

WRITTEN MOTION, Council President Lopes and Councillor Morad, requesting that New Bedford School Committee Co-Chairperson Jack Livramento and a member of the School Department Financial Team, appear before the Committee on Finance to discuss why the Fiscal Year/2015 General Expense Budget Report, dated October 16, 2014, reflects 10 of 18 Departmental Budgets and 28 of 28 School Budgets as having spent in excess of 50% of the total budget less than four months into the Fiscal Year.

Rule 42 Waived – Yeas 11, Nays 0.

Referred to the Committee on Finance. (#1801)

COMMUNICATION, Council President Lopes, submitting copy of letter from Mr. Phil Zukas, New Bedford, MA, relative to possible improvements to the City of New Bedford Website rendering said website fully compliant with ADA guidelines.

Rule 42 Waived – Yeas 11, Nays 0.

Referred to the Committee on Appointments and Briefings. (#1802)

COMMUNICATION, Council President Lopes, submitting paperwork from the New Bedford Cultural Council asking for the City Council's participation in their "Deck the Windows" exhibit event from December 4th – January 2nd.

Rule 42 Waived – Yeas 11, Nays 0.

Received and Placed on File. (#1803)

REPORT, Committee on Ordinances, recommending to the City Council ADOPTION of AN ORDER that the City Council and Mayor hereby approve the policy entitled "Investment of City Funds" for the purpose of establishing a policy for management of the City's investments.

Rule 42 Waived – Yeas 11, Nays 0.

Recommendation Followed. (#1804)

IN CITY COUNCIL

OCTOBER 23, 2014

ORDERED, that the City Council and Mayor hereby approve the policy entitled “Investment of City Funds” for the purposing of establishing a policy for management of the City’s investments, as presented to the Council on August 21, 2014.

Referred to the Committee on Ordinances-August 21, 2014.

Rule 42 Waived – Yeas 11, Nays 0.

Adopted.

Presented to the Mayor for approval October 27, 2014.

Approved November 3, 2014. (#1277)

REPORT, Committee on Ordinances, recommending to the City Council APPROVAL of the Rezoning of the NS of Shawmut Avenue, Assessor’s Plot 124, Lots 150, 48, 34, 162, 161 and 160 from Mixed-Use Business to Residential B.

Rule 42 Waived – Yeas 11, Nays 0.

Recommendation Followed. (#1805)

AN ORDINANCE,

Rule 42 Waived – Yeas 11, Nays 0.

Passed, to a Second Reading. (#1806)

REPORT, Committee on Ordinances, recommending to the City Council ADOPTION of the ORDINANCE, AS AMENDED, Relative to Roadside Memorials by adding in Chapter 22 of the Code of Ordinances after Section 22-73, the following new Section 22-74 – Exception – Roadside Memorials.

Rule 42 Waived – Yeas 11, Nays 0.

Recommendation Followed. (#1807)

AN ORDINANCE,

Rule 42 Waived – Yeas 11, Nays 0.

Passed, to a Second Reading. (#1808)

REPORT, Committee on Ordinances, recommending to the City Council ADOPTION of the ORDINANCE, AS AMENDED, Amending Chapter 9 of the City Code of Ordinances, Relative to Family Day Care Facilities, by inserting after Section 4800A, Sections 4900A, 4910A, 4920A and 4930A.

Rule 42 Waived – Yeas 11, Nays 0.

Recommendation Followed. (#1809)

AN ORDINANCE,

Rule 42 Waived – Yeas 11, Nays 0.

Allow for Substitute Ordinance – All Ayes. (#1810)

COMMUNICATION, Legislative Counsel Gerwatowski, submitting an Ordinance relative to Family Day Care Facilities and requesting that the City Council substitute the submitted Ordinance in place of the Ordinance approved by the Committee on Ordinances.

Rule 42 waived – Yeas 11, Nays 0.

Referred to the Committee on Ordinances and the Planning Board. (#1811)

AN ORDINANCE, Amending Chapter 9, RELATIVE TO FAMILY DAY CARE FACILITIES. (To be substituted for Ordinance approved by Committee on Ordinances and Referred to the Planning Board and the Committee on Ordinances.)

Rule 42 Waived – Yeas 11, Nays 0.

Referred to the Committee on Ordinances and the Planning Department. (#1812)

WRITTEN MOTION, Councillor Rebeiro, requesting that the Committee on Public Safety and Neighborhoods invite Emanuel Maciel, Animal Control Officer, to discuss the trapping and euthanasia of feral cats and also to discuss the possibility of a catch and neuter release program.

Rule 42 Waived – Yeas 11, Nays 0.

Referred to the Committee on Public Safety and Neighborhoods. (#1813)

WRITTEN MOTION, Councillor Rebeiro, in light of the families living on steps of the Church of County Street, requesting that the Committee on Appointments and Briefings, invite Reverend Russ Chamberlain, Mercy Meals and More; Kristine Arsenault, Mayor’s Office; Department of Community Services Director, Cynthia Wallquist and Reverend David Lima, Chair, Homeless Service Provider’s Network to discuss the possibility of extending the Mercy Meals breakfast program to a day program that could direct people to much needed services.

Rule 42 Waived – Yeas 11, Nays 0.

Referred to the Committee on appointments and Briefings. (#1814)

On a motion, the Council then adjourned at 9:50pm.

ATTEST:

DENNIS W. FARIAS, CITY CLERK/
CLERK OF THE CITY COUNCIL