



Council Meeting - Minutes

CITY COUNCIL CALENDAR

Chambers of the City Council Municipal Building

Thursday, November 13, 2014 – 7:00 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 Dalton Said, of St. Luke's Hospital Religious Ministries.

Moment of Silence for the Former Mayor of Boston Thomas Menino.

Councilor at Large Naomi Carney led the Assembly in the Pledge of Allegiance to the flag.

CITATION, Councillors Martins and Coelho, honoring CIERRA VICENTE, Junior, New Bedford High School, in recognition of her creating "Here for a Purpose" a teen suicide prevention program with the slogan "Giving Youth the Drive to Stay Alive."

Adopted.

(#1815)

The following resolution recognizing November as Pancreatic Cancer Awareness Month was presented by Council President Lopes, Councillors Bousquet and Carney.

CITY OF NEW BEDFORD

IN CITY COUNCIL

NOVEMBER 13, 2014

RESOLUTION RECOGNIZING NOVEMBER AS PANCREATIC CANCER AWARENESS MONTH

WHEREAS, According to the Pancreatic Cancer Action Network, an estimated 39,590 Americans will die of pancreatic cancer in 2014, approximately 920 of whom live in Massachusetts; and

WHEREAS, To date, pancreatic cancer is the fourth leading cause of cancer death in the United States and by the year 2020, is expected to move from fourth to being the second leading cause of cancer-related death in this Country; and

WHEREAS, Pancreatic cancer is the only major cancer with a five-year relative survival rate in

the single digits at just six percent; and

WHEREAS, When symptoms of pancreatic cancer first present themselves, it is generally at late stage, 73 percent of pancreatic cancer patients die within the first year of their diagnosis, while 94 percent of pancreatic cancer patients die within the first five years; and

WHEREAS, In 2012, the Recalcitrant Cancer Research Act was signed into law, important legislation requiring that the National Cancer Institute develop a scientific framework, or strategic plan, for battling this deadly cancer and provide the direction and guidance needed to make true progress against this disease; and

WHEREAS, It will be very difficult to leverage the opportunities that come out of the scientific framework developed as a result of the Recalcitrant Cancer Research Act unless sustained and adequate funding is provided to the National Institutes of Health and National Cancer Institute, Federal funding for medical research is critical to job protection and creation in Massachusetts; and

WHEREAS, The Pancreatic Cancer Action Network is the National organization serving the pancreatic cancer community in New Bedford and offers a comprehensive approach that includes public policy, research funding, patient services, public awareness and education related to developing effective treatments and a cure for pancreatic cancer; and

WHEREAS, The Pancreatic Cancer Action Network and its affiliates in New Bedford support those patients currently battling pancreatic cancer, as well as to those who have lost their lives to the disease, and are committed to nothing less than a cure; and

WHEREAS, The good health and well-being of the residents of New Bedford are enhanced as a direct result of increased awareness about pancreatic cancer and research into early detection, causes and effective treatments and the observance of November as Pancreatic Cancer Awareness Month will help raise public awareness of this disease, to develop treatments and early detection tools for this and other deadly cancers:

NOW, THEREFORE, BE IT RESOLVED, That the New Bedford City Council hereby recognizes **NOVEMBER** as **PANCREATIC CANCER AWARENESS MONTH**, bringing much needed attention to this deadly disease, commends all those who have dedicated their lives to caring for patients afflicted with pancreatic cancer and researching a cure for this and all cancers.

Adopted. (#1816)

COMMUNICATION, Mayor Mitchell, to City Council, submitting TWO ORDERS, authorizing the Mayor to execute on behalf of the City, a Termination of Notice of Activity and Use Limitation and Notice of Activity and Use Limitation for Walsh Field, Map 63/Lots 2, 48 and 92.

Referred to the Special Committee on Environmental Affairs. (#1817)

AN ORDER,

Referred to the Special Committee on Environmental Affairs. (#1818)

AN ORDER, Notice of Activity and Use Limitation

Referred to the Special Committee on Environmental Affairs. (#1819)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, authorizing the Mayor to execute on behalf of the City, a Confirmatory Activity and Use Limitation for the new Andre McCoy Field, Map 63/Lots 85 and 91.

Referred to the Special Committee on Environmental Affairs. (#1820)

AN ORDER,

Referred to the Special Committee on Environmental Affairs. (#1821)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, authorizing the Mayor to execute on behalf of the City, a Confirmatory Activity and Use Limitation for the east side of Liberty Street, Map 76/Lot 256 and Map 70/Lot 227.

Referred to the Special Committee on Environmental Affairs. (#1822)

AN ORDER,

Referred to the Special Committee of Environmental Affairs. (#1823)

COMMUNICATION, Mayor Mitchell, to City Council, submitting LOAN ORDER, appropriating \$5,920,000.00 for the purpose of making critically-needed repairs to City-owned buildings, including, but not limited to, projects for the repair and renovation of public safety facilities, school buildings, recreational facilities and general office space.

Referred to the Committee on Finance. (#1824)

LOAN ORDER, (FY2015 City's Capital Improvement Program update.)

Referred to the Committee on Finance. (#1825)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$3,000.00 from COMMUNITY SERVICES, SALARIES & WAGES, to COMMUNITY SERVICES, CHARGES & SERVICES.

Received and Placed on File. (#1826)

CITY OF NEW BEDFORD

IN CITY COUNCIL

NOVEMBER 13, 2014

ORDERED, that the sum of **THREE THOUSAND DOLLARS (\$3,000.00)** now standing to the credit of the account from **COMMUNITY SERVICES SALARIES AND WAGES** be and the same is hereby transferred and appropriated to as follows:

COMMUNITY SERVICES CHARGES AND SERVICES.....

\$3,000.00

To be certified and approved by the Department Head.

Adopted.

Presented to the Mayor for approval November 17, 2014.

Approved November 17, 2014. (#1827)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$2,500.00 from COMMUNITY SERVICES, OTHER CHARGES, to COMMUNITY SERVICES, CHARGES & SERVICES.

Received and Placed on File. (#1828)

CITY OF NEW BEDFORD

IN CITY COUNCIL

November 13, 2014

ORDERED, that the sum of **TWO THOUSAND FIVE HUNDRED DOLLARS (\$2500.00)** now standing to the credit of the account from **COMMUNITY SERVICES OTHER CHARGES** be and the same is hereby transferred and appropriated to as follows:

COMMUNITY SERVICES CHARGES AND SERVICES.....\$2,500.00

To be certified and approved by the Department Head.

Adopted.

Presented to the Mayor for approval November 17, 2014.

Approved November 17, 2014. (#1829)

COMMUNICATION, Mayor Mitchell, to City Council, submitting a SEWER ABATEMENT REQUEST for TIM KATZ, 1115 Pleasant Street, New Bedford, MA, Account Number 004195A, in the amount of \$315.40.

Abatement Granted.

Presented to the Mayor for approval November 17, 2014.

Approved November 17, 2014. (#1830)

COMMUNICATION, Mayor Mitchell, to City Council, submitting a renewal of a ONE-YEAR WAIVER OF RESIDENCY for NIBRS Administrator, KERI A. LEBEAU, Tiverton, RI; Ms. Lebeau has been

a member of the New Bedford Police Department since December 2006. (Current Waiver expired October 2014.)

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

Presented to the Mayor for approval November 17, 2014.

Approved November 17, 2014. (#1831)

COMMUNICATION, Mayor Mitchell, to City Council, submitting a renewal of a ONE-YEAR WAIVER OF RESIDENCY for Director of Grants and Finance, JAMES HOUGHTON, Franklin, MA 02038; Mr. Houghton has been a member of the New Bedford Police Department since January 2005. (Current Waiver expired October 2014.)

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

Presented to the Mayor for approval November 17, 2014.

Approved November 17, 2014. (#1832)

COMMUNICATION, Mayor Mitchell, to City Council, submitting a renewal of a ONE-YEAR WAIVER OF RESIDENCY for Counsel II, SHANNON C. SHREVE, Sandwich, MA; Mr. Shreve has been a Solicitor’s Office employee since November 2007. (Current Waiver expired October 2014.)

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

Presented to the Mayor for approval November 17, 2014.

Approved November 17, 2014. (#1833)

COMMUNICATION, Mayor Mitchell, to City Council, submitting a renewal of a ONE-YEAR WAIVER OF RESIDENCY for Administrative Assistant, CATHERINE VERDADEIRO, Fall River, MA; Ms. Verdadeiro has worked for Community Services since 2001. (Current Waiver will expire November 2014.)

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

Presented to the Mayor for approval November 17, 2014.

Approved November 17, 2014. (#1834)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of JOSHUA AMARAL, New Bedford, MA 02740, to the COMMISSION FOR CITIZENS WITH DISABILITIES, replacing Lorraine Phenix, whose term has expired; this term will May 2017.

Rule 38 Waived and Appointment Confirmed – Yeas 11, Nays 0. (#1835)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of GREGORY S. KAMON, Fairhaven, MA 02719, as a CONSTABLE.

Received and Placed on File. (#1836)

APPLICATION, GREGORY S. KAMAN, New Bedford, MA 02719, for REAPPOINTMENT as a
CONSTABLE.

Confirmed. (#1837)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of AMEER R.
LINDSEY, Fall River, MA 02724, as a CONSTABLE.

Received and Placed on File. (#1838)

APPLICATION, APPLICATION, AMEER R. LINDSEY, New Bedford, MA 02740, for
APPOINTMENT as a CONSTABLE.

Confirmed. (#1839)

AN ORDINANCE, Amending Chapter 22 of the City Code of Ordinances, RELATIVE TO
ROADSIDE MEMORIALS. (Passed, to a Second Reading, October 23, 2014.)

Rule 42 Waived – Yeas 11, Nays 0.

Passed to a Second Reading-October 23, 2014.

Passed to be Ordained – Yeas 9, Nays 2. (Councillors Martins and Rebeiro OPPOSED.)

Rule 40 Waived – Yeas 9, Nays 2. (Councillors Martins and Rebeiro OPPOSED.)

Presented to the Mayor for approval November 14, 2014.

RETURNED UNSIGNED December 3, 2014. (#1808)

AN ORDINANCE, Rezoning of Plot 124, Lots 150, 48, 34, 162, 161 and 160 (NS of Shawmut Avenue)
from Mixed-Use Business to RESIDENTIAL B. (Passed, to a Second Reading, October 23, 2014.)

Rule 42 Waived – Yeas 11, Nays 0.

Passed, to a Second Reading October 23, 2014.

Passed to be Ordained – Yeas 11, Nays 0.

Rule 40 Waived – Yeas 11, Nays 0.

Presented to the Mayor for approval November 14, 2014.

Approved November 24, 2014. (#1806)

WRITTEN MOTION, Councillor Gomes, requesting, on behalf of the New Bedford High School Class
of 2015, that the following street(s) be CLOSED: LT. WALTER E. FULLER MEMORIAL PARKWAY, from
Rockdale Avenue to the Monument in Veteran's Memorial Buttonwood Park, ON WEDNESDAY,
NOVEMBER 26, 2014, FROM: 6:00 P.M. THROUGH 9:00 P.M., for the purpose of the New Bedford High

School Thanksgiving Rally and Bonfire; also requesting, that the Traffic Commission post “No Parking” Signs because fire engines and floats will be parked on this section of Fuller Memorial Parkway. (Please Note: Parade Route from New Bedford High School to Buttonwood Park via Hathaway Boulevard, to Rockdale Avenue, to Buttonwood Park.)

Permission Granted.

Presented to the Mayor for approval November 17, 2014.

Approved November 17, 2014. (#1840)

WRITTEN MOTION, Councillor Rebeiro, requesting, on behalf of Downtown New Bedford Inc., that the following street(s) be CLOSED: PLEASANT STREET, from Union Street to Elm Street; MARKET STREET, from North Sixth Street to Pleasant Street; WILLIAM STREET, from North Sixth Street to Water Street and WATER STREET, from Union Street to Elm Street, ON SATURDAY, DECEMBER 06, 2014, FROM 4:00 P.M. TO 6:00 P.M., for the purpose of The Downtown Christmas Tree Lighting.

Permission Granted.

Presented to the Mayor for approval November 17, 2014.

Approved November 17, 2014. (#1841)

WRITTEN MOTION, Councillor Rebeiro, requesting, on behalf of The Santa Sightings Fun Run/Geoffrey Smith, that the following street(s) be CLOSED: PLEASANT STREET AT CITY HALL, North to Octopus/Route 6 intersection proceeding along Purchase Street toward Clasky Common Park/left on Pope Street to County Street/left on County Street, left on Pearl Street/right at Pleasant Street to Maxfield Street/right at Purchase Street heading towards the Octopus/right onto Kempton Street to the intersection of County Street, left on County Street to School Street/left on South Water Street to North Water Street/left on Elm Street, right on Acushnet Avenue/left on Middle Street, left on Pleasant Street, returning to CITY HALL, ON SUNDAY, DECEMBER 14, 2014, FROM 6:00 A.M. TO 3:00 P.M., for the purpose of The Santa Sightings 5K Road Race.

Permission Granted.

Presented to the Mayor for approval November 17, 2014.

Approved November 17, 2014. (#1842)

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 FRIDAY, DECEMBER 05, 2014, FROM 5:00 P.M. TO 9:30 P.M., for the purpose of their Annual Christmas Tree Lighting.

Permission Granted.

Presented to the Mayor for approval.

Approved November 17, 2014.

(#1843)

WRITTEN MOTION, Council President Lopes, Councillors Winterson, Morad, Carney, Martins, Gomes, Alves, Oliveira, Coelho and Rebeiro, requesting, that the City Council go on record and voice their support of the Greater New Bedford Regional Vocational Technical High School's objections to the policy changes made by the Massachusetts Board of State Examiners of Plumbers and Gas Fitters, relative to the On-the-Job Training Programs for students which would require a Licensed Plumbing Instructor to travel to Boston to meet with the Board before a Permit can be issued and would also require a change in the teacher to student ratio which has been in place at the school since 2008, with excellent results. (To be Referred to our State Legislative Delegation.)

Adopted.

(#1844)

WRITTEN MOTION, Councillors Winterson and Gomes, requesting that Patrick Sullivan, Director, Department of Planning, Housing and Community Development, look into securing monies from the Community Block Grant program for vests and stop signs for our School Crossing Guards; and further, requesting that CFO Ari Sky look into securing funds on a long-term basis for our School Crossing Guard Program.

Adopted and rule 40 waived – Yeas 10, Nays 0. (Councillor Oliveira not present for vote.)

Presented to the Mayor for approval November 17, 2014.

RETURNED UNSIGNED December 3, 2014.

(#1845)

COMMUNICATION, Councillor Winterson submitting copy of an Article that appeared in the Standard-Times on November 01, 2014, entitled "New Bedford Parents fill in as crossing guards to keep children safe."

Received and Placed on File.

(#1846)

WRITTEN MOTION, Councillors Coelho, Martins, Alves, Gomes and Carney, requesting that Police Chief Provencher, a Representative of the Mayor's Office and a Representative of the Women's Center, be invited to a Committee on Public Safety and Neighborhoods meeting, to discuss the increase of prostitution in the City, especially on Acushnet Avenue, between Coggeshall and Sawyer Streets, including the side streets, and on North Front Street and Ashley Boulevard, which is affecting the quality of life in these neighborhoods; said discussion should include ways to stop this violent attack on the self worth of women are struggling to survive in this City.

Referred to the Committee on Public Safety and Neighborhoods. (#1847)

WRITTEN MOTION, Councillor Alves, requesting, on behalf of Seth Jorge, 1332-1336 Pleasant Street, that the Traffic Commission consider the installation of a FOUR-WAY STOP SIGN at the intersection of Pleasant Street and Austin Street; and further, as a major safety issue for his children, neighborhood children and all the pedestrians in the area, that the Traffic Commission review the number of accidents at that intersection, including the accident in which a vehicle drove into his house and the numerous car accidents, including one that involved two Police vehicles.

Referred to the Traffic Commission. (#1848)

WRITTEN MOTION, Councillor Gomes, requesting, that the Committee on Public Safety and Neighborhoods meet with Police Chief Provencher and a representative from the Administration, for the purpose of discussing the purchase of a new device that is available to public safety responders which interprets different languages, making it easier to respond to and address the cultural diversity which makes up the City of New Bedford; and further, once we look into this device, that we consider the possibility of purchasing it for the Fire Department and Emergency Medical Services and depending on the price per unit, that we consider purchasing them for departments throughout the City, to be able to communicate better with all cultures throughout the City.

Referred to the Committee on Public Safety and Neighborhoods. (#1849)

WRITTEN MOTION, Councillors Gomes and Oliveira, requesting, that the Police Department/Traffic Division conduct a sting operation at pedestrian crosswalks across the City due to the fact that, at many intersections, pedestrians are not being recognized by motorists when they are walking in crosswalks; and further, that the Police Department/Traffic Division conduct a speed check along Acushnet Avenue, from Tarkiln Hill Road to the Ashley Boulevard split by Pa Raffa's Restaurant, due to the numerous complaints by residents about the speeding along this stretch of road; and further requesting, that the Police Department/Traffic Division install blinking Speed Limit signage reminding motorists that the speed limit is 30 MPH in this area.

Adopted.

Presented to the Mayor for approval November 17, 2014.

RETURNED UNSIGNED December 3, 2014. (#1850)

WRITTEN MOTION, Councillor Alves, requesting, that representatives of "South Coast Fair Housing, Inc." appear before the Committee on Appointments and Briefings to outline and explain the details of the

recently awarded "Fair Housing Initiatives Program - Education and Outreach" Grant they received from the U. S. Department of Housing and Urban Development, this is the first time Bristol County has been the beneficiary of this grant program, and describing what benefit can it be to our constituents and the residents of our community, expanding fair housing knowledge and encouraging practices that affirmatively further fair housing throughout the Region. (To be Referred to the Committee on Appointments and Briefings.)

Referred to the Committee on appointments and Briefings. (#1851)

COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of **PAUL RODRIGUES, 10 Shirley Street, #C3, New Bedford, MA, 02746 d/b/a ROGER LIVERY, 10 Shirley Street #C3, New Bedford, MA, 02746**, hereby submits a copy of the Application requesting a **NEW 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.

Referred to the Committee on Appointments and Briefings. (#1852)

COMMUNICATION, City Clerk/Clerk of the City Council Dennis W. Farias, submitting letter from Timothy J. King, Town Administrator, Westport, MA, relative to letter from New Bedford City Council requesting support in banning the sale of synthetic drugs in this region. (Copy all Councillors 11/06/14.)

Received and Placed on File. (#1853)

COMMUNICATION, City Clerk/Clerk of the City Council Dennis W. Farias, submitting letter from Robert Espindola, Chairman, Office of the Selectmen, Fairhaven, MA, relative to letter from New Bedford City Council requesting support in banning the sale of the synthetic drug sometimes referred to as "Cloud 9". (Copy all Councillors 11/06/14.)

Received and Placed on File. (#1854)

COMMUNICATION, City Clerk/Clerk of the City Council Dennis W. Farias, submitting letter from Jean C. Fox, Project Manager, SouthCoast Rail, MassDOT and Victor Negrete, Regional Planning Manager, Executive Office of Housing and Community Development, relative to the awarding of \$20,000 to the City of New Bedford to update its Housing Needs Assessment and Housing Market Analysis using recent Census data. (Copy all Councillors 10/24/14.)

Received and Placed on File. (#1855)

CITATION, Councillor Gomes, honoring AVIS BRITTO, in recognition of the celebration of her 80th Birthday and in acknowledgment of her 55 years of dedication to her career in the hairstyling profession.

Adopted. (#1856)

CITATION, Councillor Gomes, honoring The KENNEDY-DONOVAN CENTER, INC., in recognition of their hard work to better the lives of those who live with disabilities in the Greater New Bedford Area.

Adopted. (#1857)

CITATION, Councillor Gomes, honoring THE FREITAS FAMILY, in recognition of their honoring the memory of their beautiful daughter Jennifer Lee by their continuing commitment to the children of the Kennedy-Donovan Center, Inc.

Adopted. (#1858)

CITATIONS, Councillor Gomes, honoring HEIDI PEREIRA, STEPHANIE AVILA and KAREN DOBBINS, in recognition of their hard work on behalf of the 6th Annual Jennifer Lee Freitas Memorial Dinner and their dedication to the children of the Kennedy-Donovan Center, Inc.

Adopted. (#1859)

CITATION, Councillor Gomes, honoring KARI ROSSI, RN, Southcoast Hospitals Group, in recognition of her thirty-two years of dedicated and committed healthcare service to the Greater New Bedford community.

Adopted. (#1860)

CITATION, Councillor Gomes, honoring NANCY A. PEQUITA, RN, Southcoast Hospitals Group, in recognition of her forty-one years of dedicated and committed healthcare service to the Greater New Bedford community.

Adopted. (#1861)

WRITTEN MOTION, City Council President, requesting, on behalf of The Zeiterion Theatre, that the following street(s) be CLOSED: PURCHASE STREET, between School Street and Spring Street, ON FRIDAY, OCTOBER 31, 2014, FROM 4:00 P.M. TO 12:00 A.M. (MIDNIGHT), for the purpose of a performance of the Rocky Horror Picture Show.

GRANTED PROVISIONALLY BY THE CITY COUNCIL PRESIDENT JOSEPH P. LOPES, ON TUESDAY, OCTOBER 28, 2014, TO BE RATIFIED BY THE CITY COUNCIL ON THURSDAY, NOVEMBER 13, 2014.

Received and Action of the City Council President Ratified.

Presented to the Mayor for approval November 17, 2014.

Approved November 17, 2014. (#1862)

WRITTEN MOTION, Councillor Alves, requesting, on behalf of the residents in the area of Pine Hill Park, that the Department of Public Infrastructure/Forestry Division trim and cut back the bushes and thorns that are growing out into the sidewalk at the Pine Hill Park property, the overgrowth makes it difficult and even dangerous for children walking to the Park and forces parents with baby carriages into the street in order to pass the area; and further; residents in motorized chair seats are forced off the sidewalk and cannot pass without problems on the sidewalk between Holly Tree Lane and Lauren Street. (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 November 17, 2014.

RETURNED UNSIGNED December 3, 2014. (#1863)

WRITTEN MOTION, Councillor Alves, requesting, on behalf of the homeowner of the property at 36 Kearsarge Street, that the Department of Public Infrastructure/Forestry Division trim the branches around the wires in front of the home before the winter snow season, the owner is worried about the safety of the branches and the potential loss of power. (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 November 17, 2014.

RETURNED UNSIGNED December 3, 2014. (#1864)

WRITTEN MOTION, Councillor Carney, requesting, on behalf Ms. Norma Ferro, tenant of 147 Belleville Road, that a “NO PARKING EXCEPT HANDICAP VEHICLE” Sign be installed at 1771 Acushnet Avenue, Ms. Norma Ferro is handicapped and a tenant at 147 Bellville Road, the property owner, Maria P. DeMelo has a driveway, but utilizes the driveway herself because she is also handicapped. (Enclosed is letter from owner of 1771 Acushnet Avenue allowing installation of Handicap Parking Sign.) (To be Referred to the Traffic Commission.)

Referred to the Traffic Commission. (#1865)

WRITTEN MOTION, Councillor Alves, requesting, on behalf of the residents of 162 Elm Street and 170 Elm Street, that the Traffic Commission install a “NO PARKING” Sign in the area between the two driveways of both properties, people working Downtown or visiting the Veteran’s Clinic, park at the undersized curb area and block the driveways making it both dangerous and difficult for tenants to get in and out of the driveways safely. (To be Referred to the Traffic Commission.)

Referred to the Traffic Commission. (#1866)

WRITTEN MOTION, Councillor Martins, requesting, on behalf Mr. Roy S. Veara, tenant of 11 Desautels Street, New Bedford, MA, that the Traffic Commission install a “NO PARKING EXCEPT

HANDICAP VEHICLE” Sign at said address. (Copy of Handicap Placard and letter from owner of building allowing installation of Handicap Parking Sign enclosed.) (To be Referred to the Traffic Commission.)

Referred to the Traffic Commission. (#1867)

CONSTABLE BOND, ARTHUR B. TRUNDY IV, 248 County Street, New Bedford, MA 02740 in the amount of \$5,000.00, with Massachusetts Bay Insurance Company.

Approved.

Presented to the Mayor for approval November 17, 2014.

Approved November 24, 2014. (#1868)

MINUTES, Airport Commission, submitting MINUTES of a meeting held on September 17, 2014.

Received and Placed on File. (#1869)

MINUTES, Historical Commission, submitting MINUTES of a meeting held on October 06, 2014.

Received and Placed on File. (#1870)

MINUTES, Board of Assessors, submitting MINUTES of a meeting held on October 16, 2016.

Received and Placed on File. (#1871)

APPLICATION, **Bay State Restoration, LTD.**, for permission to maintain a STREET OBSTRUCTION at **133 William Street**, provisionally granted by the City Clerk on November 06, 2014, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval November 17, 2014.

Approved November 17, 2014. (#1872)

APPLICATION, **W.C. Smith and Son, Inc**, for permission to maintain a STREET OBSTRUCTION at **17 Holly Street**, provisionally granted by the City Clerk on October 29, 2014, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval November 17, 2014.

Approved November 17, 2014. (#1873)

APPLICATION, **Vareika Construction, Co.**, for permission to maintain a STREET OBSTRUCTION at **165 Fillmore Street**, provisionally granted by the City Clerk on October 29, 2014, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval November 17, 2014.

Approved November 17, 2014. (#1874)

APPLICATION, **Unlimited Removal and Demolition**, for permission to maintain a STREET OBSTRUCTION at **4 Marcotte Street**, provisionally granted by the City Clerk on October 30, 2014, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval November 17, 2014.

Approved November 17, 2014. (#1875)

APPLICATION, **Able Asphalt, Inc.**, for permission to maintain a STREET OBSTRUCTION at **1030-1032 Pequot Street**, provisionally granted by the City Clerk on November 05, 2014, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval November 17, 2014.

Approved November 17, 2014. (#1876)

APPLICATION, **Able Asphalt, Inc.**, for permission to maintain a STREET OBSTRUCTION at **990 Hillcrest Road**, provisionally granted by the City Clerk on November 05, 2014, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval November 17, 2014.

Approved November 17, 2014. (#1877)

APPLICATION, **Cardoso Contracting, Inc.**, for permission to maintain a STREET OBSTRUCTION at **332 Ashley Boulevard**, provisionally granted by the City Clerk on November 06, 2014, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval November 17, 2014.

Approved November 17, 2014. (#1878)

APPLICATION, **W.C. Smith and Son, Inc.**, for permission to maintain a STREET OBSTRUCTION at **11 Nye Street**, provisionally granted by the City Clerk on November 07, 2014, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval November 17, 2014.

Approved November 17, 2014.

(#1879)

APPLICATION, **JLC Construction**, for permission to maintain a STREET OBSTRUCTION at **1 Johnny Cake Hill**, provisionally granted by the City Clerk on November 07, 2014, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval November 17, 2014.

Approved November 17, 2014.

(#1880)

APPLICATION, **Farland Corp, Inc.** for permission to maintain a STREET OBSTRUCTION at **717 County Street**, provisionally granted by the City Clerk on November 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 November 17, 2014.

Approved November 17, 2014.

(#1881)

APPLICATION, **Farland Corp, Inc.** for permission to maintain a STREET OBSTRUCTION at **53 South Sixth Street**, provisionally granted by the City Clerk on November 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 November 17, 2014.

Approved November 17, 2014.

(#1882)

APPLICATION, **Farland Corp. Inc.** for permission to maintain a STREET OBSTRUCTION at **1066 Pleasant Street**, provisionally granted by the City Clerk on November 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 November 17, 2014.

Approved November 17, 2014.

(#1883)

APPLICATION, **W.C. Smith and Son, Inc.,** for permission to maintain a STREET OBSTRUCTION at **336 Davis Street**, provisionally granted by the City Clerk on November 12, 2014, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval November 17, 2014.

Approved November 17, 2014.

(#1884)

APPLICATION, **W.C. Smith and Son, Inc.**, to DISTURB THE SURFACE, of **17 Holly Street**, provisionally granted by the City Clerk on October 29, 2014, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval November 17, 2014.

Approved November 17, 2014. (#1885)

APPLICATION, **Vareika Construction, Co.**, to DISTURB THE SURFACE, of **165 Fillmore Street**, provisionally granted by the City Clerk on October 29, 2014, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval November 17, 2014.

Approved November 17, 2014. (#1886)

APPLICATION, **Unlimited Removal and Demolition**, to DISTURB THE SURFACE, of **4 Marcotte Street**, provisionally granted by the City Clerk on October 30, 2014, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval November 17, 2014.

Approved November 17, 2014. (#1887)

APPLICATION, **Able Asphalt, Inc.** to DISTURB THE SURFACE, of **1030-1032 Pequot Street**, provisionally granted by the City Clerk on November 05, 2014, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval November 17, 2014.

Approved November 17, 2014. (#1888)

APPLICATION, **Able Asphalt, Inc.** to DISTURB THE SURFACE, of **990 Hillcrest Road**, provisionally granted by the City Clerk on November 05, 2014, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval November 17, 2014.

Approved November 17, 2014. (#1889)

APPLICATION, **Cardoso Contracting, Inc.** to DISTURB THE SURFACE, of **332 Ashley Boulevard**, provisionally granted by the City Clerk on November 06, 2014, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval November 17, 2014.

Approved November 17, 2014. (#1890)

APPLICATION, **W.C. Smith and Son, Inc.** to DISTURB THE SURFACE, of **11 Nye Street**, provisionally granted by the City Clerk on November 07, 2014, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval November 17, 2014.

Approved November 17, 2014. (#1891)

APPLICATION, **JLC Construction** , to DISTURB THE SURFACE, of **1 Johnny Cake Hill** , provisionally granted by the City Clerk on November 07, 2014, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval November 17, 2014.

Approved November 17, 2014. (#1892)

APPLICATION, **Farland Corp, Inc.**, to DISTURB THE SURFACE, of **717 County Street**, provisionally granted by the City Clerk on November 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 November 17, 2014.

Approved November 17, 2014. (#1893)

APPLICATION, **Farland Corp, Inc.**, to DISTURB THE SURFACE, of **53 South Sixth Street**, provisionally granted by the City Clerk on November 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 November 17, 2014.

Approved November 17, 2014. (#1894)

APPLICATION, **Farland Corp, Inc.**, to DISTURB THE SURFACE, of **1066 Pleasant Street**, provisionally granted by the City Clerk on November 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 November 17, 2014.

Approved November 17, 2014. (#1895)

APPLICATION, **W.C. Smith and Son, Inc.** to DISTURB THE SURFACE, of **336 Davis Street**, provisionally granted by the City Clerk on November 12, 2014, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval November 17, 2014.

Approved November 17, 2014. (#1896)

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

743 Hathaway Road (#1897)

163 Pleasant Street (#1898)

1999 Shawmut Avenue (#1899)

80 Dartmouth Street (#1900)

113 Hillman Street (#1901)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval November 17, 2014.

Approved November 17, 2014.

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

160 State Street (#1902)

45 State Street (#1903)

273 and 275 State Street (#1904)

163 Pleasant Street (#1905)

27 Clarendon Street (#1906)

56 Mt. Vernon Street (#1907)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval November 17, 2014.

Approved November 17, 2014.

APPLICATIONS, **NSTAR Gas Company**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on October 29, 2014, subject to ratification by the Mayor and City Council as follows:

511 Kirby Street (#1908)

552 Kirby Street (#1909)

223 Princeton Street (#1910)

234 Princeton Street (#1911)

238 Princeton Street (#1912)

6 Richmond Street (#1913)

21 Richmond Street (#1914)

37 Richmond Street (#1915)

79-81 Richmond Street (#1916)

167 Richmond Street (#1917)

10 Austin Court (#1918)

118 Fruit Street (#1919)

2009 Purchase Street (#1920)

12 Ashley Street (#1921)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval November 17, 2014.

Approved November 17, 2014.

APPLICATIONS, **NSTAR Gas Company**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on November 03, 2014, subject to ratification by the Mayor and City Council as follows:

202 Hemlock Street (#1922)

202 Hemlock Street (#1923)

1453 Morton Avenue (#1924)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval November 17, 2014.

Approved November 17, 2014.

APPLICATION, **S & L Roll-Off Service**, for permission to maintain a STREET OBSTRUCTION, provisionally granted by the City Clerk on October 23, 2014, subject to ratification by the Mayor and City Council as follows:

20 Maple Street

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval November 17, 2014.

Approved November 17, 2014. (1925)

APPLICATIONS, **ABC Disposal Service. Inc.**, for permission to maintain a STREET OBSTRUCTION, provisionally granted by the City Clerk on October 23, 2014, subject to ratification by the Mayor and City Council as follows:

36 Liberty Street (1926)

511 North Front Street (1927)

58 Hazard Street (1928)

2309 Acushnet Avenue (1929)

2309 Acushnet Avenue (1930)

25 Arch Street (1931)

109 Reynolds Street (1932)

45 Tallman Street (1933)

55 Tallman Street (1934)

271 Austin Street (1935)

155 Summer Street (1936)

19 Tisbury Street (1937)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval November 17, 2014.

Approved November 17, 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, Councillors Martins, Alves, Bousquet, Carney, Coelho, Gomes, Council President Lopes, Councillors Morad, Oliveira, Rebeiro and Winterson requesting due to the Governor's \$325 million budget deficit, that a letter be sent to our Local State Delegation, asking them to oppose any proposal that imposes mid-year cuts to unrestricted General Government Aid and Chapter 70 Education Aid: and further

,that since 2009 the unrestricted Municipal Aid has been below average, about \$400 million and any cuts would be painful for New Bedford and for other cities and Towns across the Commonwealth.

Rule 42 Waived – Yeas 11, Nays 0.

Rule 17 Waived – Yeas 11, Nays 0.

Adopted.

(#1938)

WRITTEN MOTION, Councillors Gomes and Winterson, requesting, that the City Council go on record in opposition to the 29% increase proposed by NSTAR Electric; and further, that a letter be sent to Company officials, expressing not only our opposition to this increase, but our concern about the burden the 29% increase would be on residential customers; and further, that letters be sent to Attorney General Martha Coakley, and the Department of Public Utilities expressing our concerns and requesting that they both look into the matter of this increase and that NSTAR Electric officials be requested to meet before the Committee on Appointments and Briefings to explain this increase.

Rule 42 Waived – Yeas 11, Nays 0.

Adopted.

Rule 40 Waived – Yeas 10, Nays 0. (Councillor Coelho not present for vote.) (#1939)

WRITTEN MOTION, Councillor Gomes, requesting that the Committee on Appointments and Briefings, or the Committee on City Property meet with the New Bedford Veterans Council along with Dog Tags Navigator Inc., the Commander of Andrews Dahill VFW Post 1531, and one of the founding members of the Veterans Council, for the purposes of accommodating their Outreach Veterans Program, and to also assist them with obtaining permission to use the Waldron Barracks located at Buttonwood Park, this Veterans Outreach Program assists thirty to forty Veterans families per month with VA benefit claims and this would give them a permanent location for their Outreach Program.

Rule 42 Waived – Yeas 11, Nays 0.

Adopted.

(#1940)

On a motion, the Council then adjourned at 8:23pm.

ATTEST:

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