



Council Meeting – Agenda

CITY COUNCIL CALENDAR

Chambers of the City Council Municipal Building

Thursday, January 08, 2015 – 7:00 p.m.

OPENING OF SESSION BY: CITY COUNCIL PRESIDENT BRIAN K. GOMES

**PRAYER LED BY: REVEREND DAVID LIMA, PASTOR
NEW SEASONS WORSHIP CENTER**

PLEDGE OF ALLEGIANCE

CITATIONS

1. CITATION, Councillors Lopes and Rebeiro, honoring ERMELINDA BOTELHO MADEIRA, Alfred J. Gomes Elementary School, in recognition of her using what she had learned in the New Bedford Fire Department's Fire Safety Program which saved the lives of her family and neighbors.
2. CITATIONS, Council President Gomes and Councillor Lopes, honoring KYLE J. CABRAL, NATHAN AVELAR, JEAN M. LOPEZ, SEAN A. NICHOLS, ERIC A. CARDOSO, JORDAN Z. DASILVA and BRUCE E. SZYNDLAR, JR., in recognition of their appointments as New Bedford Police Officers.
3. CITATIONS, Council President Gomes, honoring the 2014 Game Changers, MARCO DEBRITO, New Bedford High School Football Coach, BONZIE COLSON, New Bedford High School Boys Basketball Coach, JORDAN PINA, New Bedford High School Girls Basketball Coach, ISIAH HOUTMAN, New Bedford High School Track Coach, RICHARD GOMES, Greater New Bedford Regional Vocational Technical High School Volleyball Coach and RUDY BULGER, Fairhaven High School Football Coach, THOMAS TARPEY, New Bedford High School Athletic Director, DANIEL CONCEICIO, New Bedford Bears/Pop Warner Football Team Coach, and BENEVIDO "BUTCH" SILVA, Our Lady of the Assumption Church Boys and Girls Basketball Coach, in recognition of their many years of success in the field of high school athletics and their continuing dedication to their community.
4. CITATION, Council President Gomes, honoring 2014 Game Changer MARQUES HOUTMAN, University of Massachusetts Dartmouth Athletic Hall of Fame Inductee, in recognition of his many years of success in the field of athletics and his continuing dedication to his community.
5. CITATION, Council President Gomes, honoring JAMIE DIAS, in recognition of his longtime commitment and dedication to the Cape Verdean Community with thanks and appreciation.
6. CITATION, Council President Gomes, Councillors Carney and Rebeiro, honoring HELENA ALMEIDA, Commander of the Cape Verdean-American Veterans Association, in recognition of her being the first woman selected as Commander of the Cape Verdean-American Veterans Association, New Bedford, Massachusetts.
7. CITATIONS, Councillors Martins and Lopes, honoring JOHN V. NICASTRO, SHANNON NICASTRO, OLIVIA NICASTRO and ROMAN NICASTRO, in recognition of their tribute to the men and women of the New Bedford Police Department by providing them with flowers and thank you cards acknowledging their hard work and dedicated public service.

8. CITATIONS, Council President Gomes, Councillors Carney and Rebeiro, honoring WILLIAM TILDEN, TONI M. BAILEY, DOLORES W. O'NEALE, PATRICK S. O'NEALE, RONALD ROCK, RAYMOND ROSE and KIM CORAZZINI, in recognition of their commitment and dedication to the 2014 Santa Sightings 5K Fun Run Holiday event.

9. CITATION, Council President Gomes, Councillors Carney and Rebeiro, honoring GEOFFREY SMITH, in recognition of his commitment and dedication to the 2014 Santa Sightings 5K Fun Run Holiday event and his Holiday Spirit.

10. CITATIONS, Council President Gomes and Councillor Bousquet, honoring New Bedford Fire Department Ladder 1 Firefighters, CAPTAIN BRIAN ARRUDA, CARLOS COSTA, TRAVIS REBELLO and ERIC BRITTO, in recognition of their heroic rooftop rescue of a man and his dog on December 29, 2014.

RESOLUTIONS

11. RESOLUTION, Councillors Coelho, Alves, Carney, Council President Gomes, Councillors Bousquet, Morad, Oliveira, Martins, Rebeiro, Lopes and Winterson, honoring The New Bedford Cultural Council for "Deck the Windows".

HEARINGS

12. HEARING, on NSTAR ELECTRIC COMPANY for location of one (1) 4" Conduit in GIFFORD STREET.

12a. AN ORDER,

13. HEARING, on NSTAR ELECTRIC COMPANY & VERIZON NEW ENGLAND, INC., for joint location of one (1) Pole in GIFFORD STREET.

13a. AN ORDER,

MAYOR'S PAPERS

M1. COMMUNICATION, Mayor Mitchell, to City Council, submitting a SEWER ABATEMENT REQUEST for MCDONALD'S, 141 Coggeshall Street, New Bedford, MA 02740, Account No. 032194A, in the amount of \$2730.70.

CHARTER RULED ITEM

CR. COMMUNICATION, Mayor Mitchell, to City Council, submitting a LOAN ORDER, appropriating \$950,000.00 for Phase I of the Ashley Park/Sagamore Street Improvement Project. (Charter Ruled 12/18/2014.)

CR1a. LOAN ORDER, (Charter Ruled 12/18/2014.)

NEW BUSINESS

14. LOAN ORDER, appropriating \$4,970,000.00 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. (Passed to a Second Reading AS AMENDED 12/18/2014.)

15. AN ORDINANCE, amending Chapter 9 RELATIVE TO FAMILY DAY CARE FACILITIES. (Passed to a Second Reading 12/18/2014.)

16. WRITTEN MOTION, Councillor Martins, requesting, Buddy Andrade, Derek Santos, and any other member of the Economic Development Council be invited to the next Special Committee on Employment Opportunities Meeting to discuss updates on the offshore wind industry and to discuss jobs in the City of New Bedford.

17. WRITTEN MOTION, Councillors Oliveira, Alves, Bousquet, Lopes, Winterson, Martins, Morad, Council President Gomes, Coelho, Rebeiro and Carney, requesting, that Pat O'Connor, owner of the New

Bedford Bay Sox be invited to a Committee on Appointments and Briefings meeting to inform the Council of the New Bedford Bay Sox challenges and opportunities in the upcoming 2015 season, and to support the team and keep them in the City of New Bedford in future years to come.

18. WRITTEN MOTION, Council President Gomes, requesting, that the Committee on Appointments and Briefings meet with all parties responsible for the New Year's Eve celebration in Downtown New Bedford, for the purpose of bringing back the First Night concept to Downtown New Bedford on New Year's Eve; and further, to discuss bringing back many activities after 9:00 p.m. to the Downtown and Historical area which will benefit businesses and bring back the festive concept that Downtown New Bedford once had on New Year's Eve.

19. WRITTEN MOTION, Councillor Winterson, requesting, that a representative from NSTAR Gas Company, Inc., contact this Councillor regarding 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.

20. WRITTEN MOTION, Councillors Lopes, Winterson, Martins, Rebeiro, Carney, Oliviera, requesting, that the New Bedford City Council go on the record in opposition to the proposed NSTAR Gas Company 8.6% increase, which would go into effect in 2016. (To be Referred to the Massachusetts Department of Public Utilities and NSTAR Gas Company.)

21. WRITTEN MOTION, Councillors Coelho and Lopes, requesting, that the Department of Parks, Recreation and Beaches address the Ashley Park Warming House and remove the graffiti which is on the back side of the building, and that the litter and debris also be removed from that location.

22. WRITTEN MOTION, Council President Gomes, requesting, that the City Council and the Mayor go on record in complete support of New Bedford Police Department and the men and women of the department who do a very dangerous job protecting the City and its Citizens each and every day; and further, that the Citizens of the City join us in showing support for Police Department by placing a blue light on your front porch, or in your windows as a sign of support, for the remaining days of the month of January; and further, asking our School Department and students from every middle school and elementary school to draw posters of support, and post them in the windows of every school across the City and that every school be recognized for its efforts and award three students from every school with Citations for the best post of support, which will be awarded by the Councillor from each Ward and at large Councillors; and further, that the Committee on Public Safety and Neighborhoods meet with Police Chief Provencher, Police Union President Hank Turgeon, Vice-President Jimmy Estrella and Sgt. Josh Fernandes, to discuss measures that can be implemented to make a better relationship between the Citizens and young people across the City; and further, that the Police Department consider creating a Young Police Cadet Program, these initiatives will improve relationships across the City.

23. WRITTEN MOTION, Councillors Carney and Rebeiro, requesting, on behalf of Reverend Irma Thibodeaux and Parishioners of the Bethel African Methodist Episcopal Church, 532 County Street, that two (2) handicap parking spaces be installed on Mill Street, adjacent to said Church; and further, enclosed is letter from Reverend Thibodeaux requesting said handicap spaces. (To be Referred to the Traffic Commission.)

24. COMMUNICATION, Attorney Donald R. Perry, representing Irmandade do Espirito Santo das Nove Ilhas Dos Acores, Inc, to City Council, requesting a ONE YEAR EXTENSION of a Special Permit granted on December 19, 2013, to locate a non-profit Organization at 199 Bonney Street, due to a closing that did not take place because of the inability to complete construction work required by Inspectional Services. (Letter date stamped December 18, 2014; Copy all Councillors via email December 19, 2014.)

25. COMMUNICATION, City Clerk/Clerk of the City Council Dennis W. Farias, submitting letter from Daniel P. Collins, Chief of Staff, Department of Public Utilities, responding to a letter concerning a Motion on the City Council Agenda of November 13, 2014, about the proposed increase by NSTAR Electric and the Council's opposition to said increase. (Copy all Councillors 12/29/14.)

TABLED BUSINESS

01/23/2014 CITATION, Councillor Rebeiro, honoring **REVEREND RUSS CHAMBERLAIN**, Mercy Meals and More, in recognition of his hard work and dedication to the homeless during the recent snow storm of January 2 and 3, 2014.

03/27/2014 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.

08/21/2014 CITATIONS, Councillors Martins and Bousquet, honoring **NEIGHBORHOODS UNITED** and **JERRY PINTO**, President of Neighborhoods United, in recognition of their planning and organizing **NATIONAL NIGHT OUT 2014** held at Riverside Park on August 05, 2014.

08/21/2014 CITATION, Councillor Alves, honoring **LARRY ABREU JACQUES**, President – 100th Feast of the Blessed Sacrament, in recognition of his commitment and dedication to preserving the cultural traditions of our Madeiran Ancestors and in acknowledgment of his hard work and a successful 100th Feast.

09/11/2014 WRITTEN MOTION, Councillor Martins, requesting, that the Attorney General and our City Solicitor, look into "Just Energy", who have a bad reputation in Massachusetts for harassing people about their services, representatives from "Just Energy" are ringing door bells and telling people they are from the electric company, "Just Energy" has a troubled past in Massachusetts and in several other States, where they faced allegations of deceptive practices, convincing people to switch over once pressured and once people sign up, they are committed for five years and rates can change every month; and further, requesting, that "Just Energy" be seriously investigated and until they are, they should be banned from New Bedford to better protect our constituents.

12/18/2014 CITATIONS, Council President Lopes, Councillors Winterson and Gomes, honoring the New Bedford Police Youth Baseball Team Players, **GIOVANNI ARZUAGA**, **JONAH CASTELO**, **AUSTIN DEFREITAS**, **C.J. DUNSTON**, **BEN FRIAS**, **DAISEAN HENSLEY**, **ZACHARY MEDEIROS**, **ANGEL QUINONES**, **BEN SAUNDERS**, **TYLER SANTOS** and **RYDEL VELASQUEZ**, for their successful, undefeated 2014 Championship season, winning both the SEYAA and the New Bedford City Championships in September 2014.

12/18/2014 CITATIONS, Council President Lopes, Councillors Winterson and Gomes, honoring the New Bedford Police Youth Baseball Team Manager **BOB ROSE**, Coaches **MIKE FRIAS**, **JOSE CASTELO**, **MANNY SANTOS** and **ROSS GRACE**, for their dedication and commitment to the boys of the New Bedford Police Youth Baseball Team and their successful, undefeated 2014 Championship season, winning both the SEYAA and the New Bedford City Championships in September 2014.

12/18/2014 COMMUNICATION, Mayor Mitchell, to City Council, submitting the following individuals for confirmation by the City Council as New Bedford Police Officers: **KYLE J. CABRAL**, **NATHAN AVELAR**, **JEAN M. LOPEZ**, **SEAN A. NICHOLS**, **ERIC A. CARDOSO**, **JORDAN Z. DASILVA** and **BRUCE E. SZYNDLAR, JR.**