



Council Meeting – Agenda

CITY COUNCIL CALENDAR

Chambers of the City Council Municipal Building

Thursday, January 22, 2015 – 7:00 p.m.

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

PRAYER LED BY: REVEREND SUDHIR NAYAK, OUR LADY OF ASSUMPTION PARISH

PLEDGE OF ALLEGIANCE

CITATIONS

1. CITATION, Councillor Lopes, honoring DAGO, K9 OFFICER, New Bedford Police Department, in recognition of his retirement after eight years of service to the Citizens of New Bedford, Massachusetts.
2. CITATION, Council President Gomes and Councillor Alves, honoring ANGELA NATHO, Director, Labor Relations and Personnel, in recognition of her forty years of committed and dedicated service to the City of New Bedford with appreciation and gratitude.
3. CITATIONS, Council President Gomes and Councillor Lopes, honoring New Bedford Police Officers SEAN NICHOLS and SHAWN ROBERT, in recognition of their generosity to their fellow Citizens in a time of need and their dedication to their careers as New Bedford Police Officers.
4. CITATION, Councillor Martins, honoring JARRID TANSEY, in recognition of his strong work ethic and his determination to always do what is right.

RESOLUTIONS

5. RESOLUTION, Councillors Coelho, Alves, Carney, Council President Gomes, Councillors Oliveira, Martins, Rebeiro, Lopes and Winterson, honoring CORINN WILLIAMS, Executive Director, Community Economic Development Center, Standard-Times 2014 New Bedford Woman of the Year.
6. RESOLUTION, Councillors Martins and Morad, honoring OLIVIA MARQUES, Miss New Bedford's Outstanding Teen 2014.

MAYOR'S PAPERS

M1. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDINANCE amending Chapter 2 of the City Code by inserting Section 2-241 COMMUNITY PRESERVATION COMMITTEE.

M1a. AN ORDINANCE,

M2. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDINANCE, amending Chapter 9, Section 5000 Administration and Procedures, which allows the City to be able to use the Chapter 40U process to collect various unpaid municipal fines, including those related to the creation or maintenance of nuisances; the failure to register of vacant property; zoning violations, and litter/solid waste violations.

M2a. AN ORDINANCE,

M3. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDINANCE, amending Chapter 6, BUILDINGS AND OTHER STRUCTURES by amending Sections 6-122 (d); 6-124 (b); 6-124 (d) and Section 6-150.

M3a. AN ORDINANCE,

M4. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDINANCE, amending Chapter 12, HEALTH AND SANITATION by amending Section 12-47 Penalties.

M4a. AN ORDINANCE,

M5. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDINANCE, amending Chapter 17 Offenses and Miscellaneous Provisions, by adding Section 17-28 Chapter 40U of the Massachusetts General Laws.

M5a. AN ORDINANCE,

M6. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the establishment of an AIRPORT STABILIZATION FUND.

M6a. AN ORDER,

M7. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$183,200.00 from AIRPORT FREE CASH, to AIRPORT, Charges & Services in the amount of \$30,000.00; AIRPORT, Capital Outlay in the amount of \$15,000.00 and AIRPORT, Other Charges in the amount of \$138,200.00.

M7a. AN ORDER,

M8. COMMUNICATION, Mayor Mitchell, to City Council, submitting a SIX-MONTH WAIVER OF RESIDENCY for full-time Staff Planner, CONSTANCE BRAWDERS, Middleboro, MA 02346 at a salary placement of M-4, Step 6, \$48,142.00.

M9. COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of ROBERT BROMLEY, New Bedford, MA, to the VETERANS ADVISORY BOARD; this term will expire December 2017.

M10. COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of TIMOTHY DESOUZA, New Bedford, MA, to the VETERANS ADVISORY BOARD; this term will expire December 2017.

M11. COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of NELSON OSTIGUY, New Bedford, MA, to the VETERANS ADVISORY BOARD; Mr. Ostiguy will be replacing Tim Gregoire whose has expired; this term will expire December 2017.

M12. COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of KEVIN LAVOIE, Swansea, MA, as a SPECIAL POLICE OFFICER.

M12a. APPLICATION,

NEW BUSINESS

7. WRITTEN MOTION, Councillor Rebeiro, requesting, on behalf of Geoffrey Smith, The Sightings, LLC, that the following street(s) be CLOSED: UNION STREET AND MACARTHUR DRIVE, proceeding along MacArthur Drive to Conway Street/right onto Hassey Street/right at Wright Street/left back to MacArthur Drive/proceed to Front Street, take a left onto Front Street, proceed along Front Street to Cove Street/right to the Traffic Light at the intersection of John F. Kennedy Highway, take a right turn on John F. Kennedy Highway/proceed along John F. Kennedy Highway to MacArthur Drive/take a right turn at the intersection of Potomska Street and another right turn onto MacArthur Drive, to finish at the Waterfront Park/Union Street area on, SUNDAY, MARCH 01, 2015, FROM 8:00 A.M. TO 1:00 P.M., for the purpose of The Ireland, 5K Walk/Run.

8. COMMUNICATION/DEMOLITION, New Bedford Historical Commission, to City Council, re: BUILDING DEMOLITION REVIEW, 24 NORTH FRONT STREET, Map 79, Parcel 4: “the building was constructed as an icehouse circa 1845, the icehouse is constructed of cut granite and rubble stone, most likely quarried from Marsh Island in the Acushnet River, the same stone was used to construct Wamsutta Mills #1 and #2; in 1862, the building was purchased by the New Bedford Copper Works, supplying sheathing for ship hulls and other maritime uses; the building and assets were purchased from Grinnell Manufacturing in 1936 by Revere Copper and Brass; in 2008, Revere Copper ceased operations in New Bedford, selling off its equipment and leaving the building vacant; the applicant applied for a demolition permit in 2006, was denied by City Council, the building continues to deteriorate; the subject building is located in the Hicks-Logan-Sawyer Interim Planning Overlay District (IPOD) established by the City Council in 2008 and the subject building is the last icehouse remaining in the City of New Bedford” and therefore, “the NBHC has determined that 24 North Front Street is a historically significant structure and preferably preserved.” (Copy all Councillors via email 01/13/2015.)

9. COMMUNICATION/DEMOLITION, New Bedford Historical Commission, to City Council, re: BUILDING DEMOLITION REVIEW, 26 MADEIRA AVENUE, Map 104, Parcel 6: constructed in 1918, the Sarah D. Ottiwell School was designed by locally known architect, Louis E. Destremps in the Italian Renaissance style; typical of the Italian Renaissance style, the building has a stucco finish and a false roof overhang that showcases the style’s typical tile roofing and brackets, the west façade elevation on Madeira Avenue is a relatively simple arch doorway accented by classical columns, Fresco panels can be found above the door entries, the frescoes feature children, befitting of a school building in which they inhabited; the subject building was named in honor of Sarah D. Ottiwell, a New Bedford educator who devoted her life to the education of children in the community for sixty years and the building is in a deteriorated condition and the original windows have been replaced” and therefore, “the NBHC has determined that 26 Madeira Avenue is a historically significant structure but not preferably preserved.” (Copy all Councillors via email 01/13/2015.)

10. COMMUNICATION, DANIEL MCCARTHY, RACE COORDINATOR - NEW BEDFORD HALF-MARATHON/FRIENDLY SONS OF SAINT PATRICK, to City Council/City Clerk, Requesting THE CLOSING/OBSTRUCTION OF: WILLIAM STREET, at Sixth Street, MIDDLE STREET, at Sixth Street, MARKET STREET, at Sixth Street, PLEASANT STREET, at Union Street, ELM STREET, at Acushnet Avenue and SOUTH SECOND STREET, from Union Street to School Street, FROM: 8:00 A. M. TO: 3:30 P. M. ON SUNDAY, MARCH 15, 2015 FOR THE PURPOSE OF: THE 2015 NEW BEDFORD HALF-MARATHON (COMMENCING AT 11:00 A.M.) ALSO REQUESTING:- that they be allowed to place cones on the centerline of HATHAWAY ROAD from Mt. Pleasant Street West to Rockdale Avenue, creating two-way traffic on the WESTBOUND LANE; - that the Police close ROCKDALE AVENUE, from Hathaway Road South to Potter Street, for approximately 30 MINUTES, or until the runners have passed; - that two-way traffic on ROCKDALE AVENUE, South from Grape Street to Cove Road, be stopped, and cones be placed in the middle of ROCKDALE AVENUE and COVE ROAD, to create a lane for runners on South Side; - that the WEST LANE of WEST RODNEY FRENCH BOULEVARD and the EAST LANE of EAST RODNEY FRENCH BOULEVARD, be blocked to traffic, except at intersections where autos must cross - horses or cones will be placed at WEST RODNEY FRENCH BOULEVARD and Portland, Hudson, Seymour, Bayview, Rodney French Boulevard and Brock Avenue and SOUTH-BOUND TRAFFIC at SEYMOUR STREET will be BLOCKED to prevent autos from entering the race course; - that WESTBOUND traffic on COVE ROAD be directed NORTH onto Orchard Street, then if they choose, be detoured WEST on SWIFT STREET, again detoured SOUTH onto BOLTON STREET, to eventually cross ROCKDALE AVENUE and continue SOUTH; - that COUNTY STREET be closed to two-way traffic from COVE STREET, NORTH to Kempton Street; - that KEMPTON STREET be closed to all EASTERLY traffic, from County Street EAST to Pleasant Street, and cones be placed in the South corridor of the Octopus intersection, preventing traffic entrance to SIXTH STREET, and guiding runners to Pleasant Street; - that SIXTH STREET be closed to traffic at Kempton Street; and- that DETOUR SIGNS be installed directing EASTERLY traffic on KEMPTON STREET to detour traffic NORTH on COUNTY STREET, then EAST on HILLMAN STREET, then SOUTH on PURCHASE STREET, thus allowing EASTERLY TRAFFIC access to the New Bedford/Fairhaven Bridge. (Submitted by Councillor Ward Four Dana Rebeiro.)

11. COMMUNICATION, City Clerk/Clerk of the City Council, Dennis W. Farias, submitting letter from Timothy J. King, Town Administrator, Westport, MA, responding to a letter concerning a Motion on the City

Council Agenda of December 18, 2014, relative to the creation of a “Temporary Issue Lottery Ticket” to raise monies to assist in funding the development of the South Coast Rail. (Copy all Councillors 01/16/15.)

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.