



Council Meeting – Agenda
CITY COUNCIL CALENDAR
Chambers of the City Council Municipal Building
Thursday, June 11, 2015 – 7:00 p.m.

OPENING OF SESSION BY:

The Very Reverend Father Constantine Bebis

CITATIONS

1. CITATIONS, Councillors Martins and Morad, honoring CAROLINE PARADIS, EDWARD ANTHES-WASHBURN, ASHLEY BENDIKSEN, SHELLEY CARDOOS and MICHAEL PATA CAO, in recognition of being honored as SOUTHCOAST 5 EMERGING LEADERS.
2. CITATIONS, Councillors Winterson and Lopes, honoring DINARTE PACHECO and SCOTT GOMES, in recognition of their heroic actions which saved the lives of two individuals during a difficult ordeal.
3. CITATIONS, Councillors Bousquet and Lopes, honoring BROWNIE TROOP 68111, Girls Scout of America, in recognition of their efforts in helping with the beach cleanup at Fort Taber.
4. CITATIONS, Councillors Bousquet and Carney, honoring the Greater New Bedford Regional Vocational Technical High School winners of the 2015 MASSACHUSETTS SKILLS USA COMPETITION.
5. CITATIONS, Councillors Bousquet and Carney, honoring Greater New Bedford Regional Vocational Technical High School students, in recognition of their success at the BUSINESS PROFESSIONALS OF AMERICA at the National competition.
6. CITATIONS, Councillors Bousquet and Carney, honoring Greater New Bedford Regional Vocational Technical High School students and teachers, in recognition of their success at the MATE/ROV New England Regional Competition and another winning year.
7. CITATION, Councillor Bousquet, honoring MARK THORNHILL, Coach, and Greater New Bedford Regional Vocational Technical High School, in recognition of the Boys Massachusetts State Vocational Track and Field 15th Championship Win.
8. CITATIONS, Councillor Martins, honoring Teachers, PAMELA OLIVEIRA, AP Language and Composition and NELSON RODRIGUES, AP Calculus AB, in recognition of their receiving the Partners in Excellence Award from Mass Insight Education for their work in improving the Advanced Placement Test Scores of New Bedford High School students.

RESOLUTIONS

RESOLUTION, Councillor Alves, honoring WJFD Radio 97.3 FM, the largest Portuguese radio station in North America, on the occasion of their Fortieth Anniversary.

RESOLUTION, Councillors Coelho and Winterson, honoring the One-Hundred and Fiftieth Anniversary of the WAMSUTTA CLUB.

MAYOR'S PAPERS

M1. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$50,000.00 from AUDITOR, SALARIES & WAGES in the amount of \$15,000.00; PLANNING & COMMUNITY DEVELOPMENT, SALARIES & WAGES in the amount of \$15,000.00 and TRAFFIC, SALARIES & WAGES in the amount of \$20,000.00 to FIRE, CHARGES & SERVICES.

M1a. AN ORDER,

M2. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$9,273.00 from CFO, SALARIES & WAGES, to COMMUNITY SERVICES, CHARGES & SERVICES.

M2a. AN ORDER,

M3. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$51,000.00 from EMS, SALARIES & WAGES, to EMS, CHARGES & SERVICES in the amount of \$37,000.00 and EMS, SUPPLIES & MATERIALS in the amount of \$14,000.00.

M3a. AN ORDER,

M4. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$26,150.00 from FACILITIES & FLEET MANAGEMENT, CHARGES & SERVICES, to FACILITIES & FLEET MANAGEMENT, OTHER CHARGES.

M4a. AN ORDER,

M5. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$9,568.00 from CITY COUNCIL, SALARIES & WAGES, to CITY COUNCIL, CAPITAL OUTLAY.

M5a. AN ORDER,

M6. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$4,000.00 from MIS, CHARGES & SERVICES, to MIS, SALARIES & WAGES.

M6a. AN ORDER,

M7. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the

TRANSFER of \$1,500.00 from ENVIRONMENTAL, CHARGES & SERVICES, to ENVIRONMENTAL, CAPITAL OUTLAY.

M7a. AN ORDER,

M8. COMMUNICATION, Mayor Mitchell, to City Council, submitting a copy of the FINAL Fiscal Year 2015 Department of Planning, Housing and Community Development Five Year Consolidated Plan and One Year Action Plan, and requesting the City Council approve and authorize the submission of the Fiscal Year 2015 Five Year Consolidated Plan and One Year Action Plan to the U.S. Department of Housing and Urban Development.

M8a. RESOLUTION, The New Bedford City Council authorizing the Mayor to apply for Federal Assistance from the United States of America.

M9. COMMUNICATION, Mayor Mitchell, to City Council, submitting a ONE-YEAR WAIVER OF RESIDENCY for MS. JODI, GOODMAN, Providence, RI for the position as LIBRARIAN III/SPECIAL COLLECTIONS.

M10. COMMUNICATION, Mayor Mitchell, to City Council, submitting a WAIVER OF RESIDENCY for PAIGE AVIZA, Acushnet, MA for the position of lifeguard for this summer season.

M11. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, authorizing the Mayor and the Chairman of the Airport Commission to execute a Lease Amendment between the City of New Bedford and MA-AIR Trust relative to a land lease for Lessee's T-Hangar at the New Bedford Regional Airport.

M11a. AN ORDER,

M12. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER authorizing the City of New Bedford to accept a gift of real estate from the N.B. Realty Trust consisting of approximately 28 acres of vacant land located adjacent to the New Bedford Regional Airport and placed said land under the control of the New Bedford Airport Commission.

M12a. AN ORDER,

M13. COMMUNICATION, Mayor Mitchell, to City Council, submitting a formal request to name the vacant City-owned parcel at One Washington Square, Plot 36/Lot 149 "TOM LOPES PARK."

M14. COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of MOIRA TIERNEY, New Bedford, MA 02740 to the STEAMSHIP AUTHORITY BOARD OF GOVERNORS to fill the seat vacated by the late John A. Tierney, this term will expire September 2017.

M15. COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of IRENE SCHALL, New Bedford, MA 02740, to the BOARD OF ELECTION COMMISSIONERS, replacing William DoCarmo who has resigned from the Board; this term will expire April 2017.

M16. COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of DENNIS AUDETTE, New Bedford, MA 02745, to the CONSERVATION COMMISSION; this term will expire June 2018.

M17. COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of JUSTIN DION, East Taunton, MA 02718.

M17a. APPLICATION,

NEW BUSINESS

11. WRITTEN MOTION Councillor Lopes, requesting, on behalf of the parents that live on Rodman Street, that the Traffic Commission install "SLOW CHILDREN" signs on Rodman Street; and further, requesting that said signage also be placed around the Taylor School and Roosevelt Middle School. (To be Referred to the Traffic Commission.)

12. WRITTEN MOTION, Councillor Lopes, requesting that the City of New Bedford study the potential cost savings associated with the establishment of an Opt-Out Medical Insurance Program for City employees. (To be Referred to Mayor Mitchell, CFO Ari Sky, Acting Personal Director Sandy Vezina, and the Committee on Finance.)

13. WRITTEN MOTION, Councillor Winterson, requesting that the Department of Parks, Recreation and Beaches notify all teams that utilize the baseball field at Buttonwood Park, of the excess amount of litter and debris being left after games in and around the field.

14. WRITTEN MOTION Councillor Lopes, requesting, on behalf of the parents that live on Rodman Street, that the Traffic Commission install "SLOW CHILDREN" signs on Rodman Street; and further, requesting that said signage also be placed around the Taylor School and Roosevelt Middle School. (To be Referred to the Traffic Commission.)

15. WRITTEN MOTION, Councillor Alves, requesting, on behalf of the SENHOR DA PEDRA CLUB AND FEAST COMMITTEE, that the following street(s) be CLOSED: TINKHAM STREET, from Madeira Avenue to Funchal Place (Hope Street); WEBSTER COURT, from Madeira Avenue to Funchal Place (Hope Street); on FRIDAY, AUGUST 14, 2015, FROM 6:00 P.M. TO 11:45 P.M.; SATURDAY, AUGUST, 15, 2015, FROM 6:00 P.M. TO 11:45 P.M. AND SUNDAY, AUGUST 16, 2015, FROM 10:00 A.M. TO 11:45 P.M., for the ANNUAL SENHOR DA PEDRA FEAST, PROCESSION and STREET DECORATING for the PROCESSION; further requesting, that the street be CLOSED as follows; SATURDAY, AUGUST 15, 2015, FROM 9:00 A.M. TO 6:00 P.M. – EUGENIA STREET, between North Front Street and Madeira Avenue; SUNDAY, AUGUST 16, 2015, from 8:00 A.M. TO 4:00 P.M. (in order to decorate the streets for the Procession) – NORTH FRONT STREET, between Earle Street and Hathaway Street; EUGENIA STREET, between North Front Street and Funchal Place (Hope Street); SUNDAY, AUGUST 16, 2015, FROM 8:00 A.M. TO 6:00 P.M. (also for decorating the streets for the Procession and the Procession held in conjunction with the FEAST) – NORTH FRONT STREET, between Earle Street and Tinkham Street; FUNCHAL PLACE (HOPE STREET), between Whitman Street and Eugenia Street (with parking on both sides.)

16. WRITTEN MOTION, Councillor Lopes, requesting, that the following street(s) be CLOSED: NINA STREET, from East Rodney French Boulevard to Seaview Terrace, to the West End of the intersection so traffic may not enter Seaview Terrace, ON SATURDAY, JULY 04, 2015, FROM 10:00 A.M. TO 10:00 P.M., for the purpose of A Neighborhood Block Party.

17. WRITTEN MOTION, Councillor Alves, requesting, on behalf of Irmandade do Divino Espirito Santo Do Pico, (Brotherhood of the Holy Spirit of Pico) that ACUSHNET AVENUE, between Duncan

Street and Wood Street be CLOSED: ON SUNDAY, JULY 12, 2015, FROM 10:00 A.M. TO 11:00 A.M., AND AGAIN, FROM 12:00 (NOON) TO 12:30 P.M., for the purpose of the Organization's Annual Procession from their Cultural Center to St. Joseph/St. Therese Church on Acushnet Avenue (for Mass), and return to the Cultural Center for their Annual Feast.

18. WRITTEN MOTION, Councillors Lopes and Winterson, requesting, that the following street(s) be CLOSED: LAKE STREET, from Rockdale Avenue to Buttonwood Street, ON SUNDAY, JUNE 14, 2015, FROM 8:00 A.M. TO 10:00 A.M., for the purpose of the IAFF FALLEN FIRE FIGHTER SUNDAY MEMORIAL.

19. WRITTEN MOTION, Councillors Bousquet, Winterson, Lopes, Martins and Alves, requesting, that the New Bedford Police Department ensure that New Bedford Guide is on their list of credible media outlets for distribution of time sensitive information related to public safety concerns, New Bedford Guide is the leading news website in the southcoast with over 50,000 views a week, it is where most of New Bedford goes for up to the minute news and information. (To be Referred to Chief Provencher, Detective Vincente and Mayor Mitchell.)

20. WRITTEN MOTION, Council President Gomes, requesting, that the Committee on Public Safety and Neighborhoods hold a meeting with Fire Chief Michael Gomes, Special Council Arthur J. Caron, Jr., and a Representative from the Administration, for an explanation as to why the Chief is presently looking for another job; and further, is there a problem which has not been dealt with previously in the past fourteen months which could lead to the loss of Fire Chief Gomes.

21. WRITTEN MOTION, Councillors Martins and Lopes, requesting that the Committee on Ordinances review the Ordinance from Worcester regarding prohibiting aggressive begging, soliciting and panhandling in public places, to enact a similar Ordinance in the City of New Bedford. (To be Referred to the Committee on Ordinances.)

21a. COMMUNICATION, Councillor Martins submitting a copy of the AN ORDINANCE from the City of Worcester regarding prohibiting aggressive begging, soliciting and panhandling in public places. (To be Referred to the Committee on Ordinances.)

22. WRITTEN MOTION, Councillor Lopes, requesting that DPI Commissioner Ronald Labelle and Fire Chief Michael Gomes register the City of New Bedford with the National Joint Utilities Notification System (NJUNS), so the City can work with our local and regional utility representatives to rid the City of double utility poles, the NJUNS is currently establishing a database of all double utility poles across the Commonwealth of Massachusetts and has pledged to work with local municipalities to rid them of their double poles, the City can register any and all double poles simply by registering with the NJUNS at www.njuns.com. (To be Referred to DPI Commissioner Ronald Labelle and New Bedford Fire Chief Michael Gomes.)

23. COMMUNICATION/DEMOLITION, New Bedford Historical Commission, to City Council, re: BUILDING DEMOLITION REVIEW, 101 TREMONT STREET, A CIRCA 1920 ONE STORY, CONCRETE BLOCK, GARAGE STRUCTURE: "the structure is not located in a National Register Historic District; the structure is of no notable historic significance either recorded or found with the existing condition of the structure; the structure is in poor condition due to extensive deferred maintenance; restoration or preservation efforts would be impractical due to the existing condition of the structure" and therefore, "the NBHC has determined that the building is NOT a historically significant building or structure and not preferably preserved."

24. COMMUNICATION/DEMOLITION, New Bedford Historical Commission, to City Council, re:

BUILDING DEMOLITION REVIEW OF 41 BRIGGS STREET – A CIRCA 1908 THREE-STORY WOOD FRAMED TENEMENT STYLE BUILDING, advising that “the structure is not located in a National Register Historic District and the structure is of no notable historical significance, either recorded or found with the existing condition of the structure and the structure is in poor condition due to extensive deferred maintenance, and that restoration or preservation efforts would be impractical due to the existing condition of the structure, “the NBHC has determined that the building is NOT a historically significant building or structure and not preferably preserved”.

25. COMMUNICATION/DEMOLITION, New Bedford Historical Commission, to City Council, re: BUILDING DEMOLITION REVIEW OF 19 ASHLEY STREET – A CIRCA 1909 THREE-STORY WOOD FRAMED TENEMENT STYLE BUILDING, advising that “the structure is not located in a National Register Historic District and the structure is of no notable historical significance, either recorded or found with the existing condition of the structure and the structure is in poor condition due to extensive deferred maintenance, and that restoration or preservation efforts would be impractical due to the existing condition of the structure, “the NBHC has determined that the building is NOT a historically significant building or structure and not preferably preserved”.

26. COMMUNICATION/ DEMOLITION, New Bedford Historical Commission, to City Council, re: BUILDING DEMOLITION REVIEW OF 40 LIBERTY STREET – A CIRCA 1899 TWO-STORY WOOD FRAMED RESIDENTIAL BUILDING, advising that “the structure is not located in a National Register Historic District and the structure is of no notable historical significance, either recorded or found with the existing condition of the structure and the structure is in poor condition due to extensive deferred maintenance, and that restoration or preservation efforts would be impractical due to the existing condition of the structure, “the NBHC has determined that the building is NOT a historically significant building or structure and not preferably preserved”.

27. COMMUNICATION/DEMOLITION, New Bedford Historical Commission, to City Council, re: BUILDING DEMOLITION REVIEW OF 33 EMERY STREET, MAP 13, PARCEL 122 – advising that “constructed in 1921, the John Hannigan School was designed by local architect, Frank Clifton Brown in the Beaux Arts style; the school was built in the south end of the City to serve the burgeoning population of immigrants who lived and worked in the local textile mills; the subject building was named in honor of John Hannigan, a New Bedford mill worker who became a leader of the local labor movement, and involved in local politics and government, John Hannigan was a member of the City’s Common Council, Board of Alderman, and served as Acting Mayor in 1912; the building is in a deteriorated condition and will be replaced with a new school building on the original site” therefore, “the NBHC has determined that 33 Emery Street (John Hannigan School) is a historically significant but not preferably preserved.”

28. COMMUNICATION, BOARD OF ASSESSORS’ MOTION, Board of Assessors, to City Council, submitting MOTION passed 3-0, at its open meeting on JUNE 01, 2014, and requesting that the City Council ADOPT, and the Mayor APPROVE the THREE ORDERS relating to the Consumer Price Index, as determined by the Commissioner of Revenue, of a 1.63% increase for Clause 17’s, for the amount of exemption to be increased to \$298.87; to accept under Chapter 59, Section 5, Clause 17E to increase the amount of assets to \$60,938.00, to qualifying individuals; and under Chapter 59, Section 5, Clauses 41, 41B & 41C, raising the base limit of income for single taxpayers to \$19,804.00 and married taxpayers to \$22,854.00 and to raise the assets limits to \$42,656.00 for single taxpayers and \$45,704.00 for married taxpayers.

28a. AN ORDER, (ORDERED, That, the exemption granted to persons qualifying under M.G.L. Chapter 59, Section 5, Clause 17, 17C, 17C½ and 17D is hereby increased by 1.63% for Fiscal Year

2016; said increase is equal to the Consumer Price Index.)

28b. AN ORDER, (ORDERED, That, pursuant to M.G.L. Chapter 59, Section 5, Clause 17E, the total value of assets, as set forth in M.G.L. Chapter 59, Section 5, Clause 17, 17C, 17C½ and 17D is hereby increased by 1.63% for Fiscal Year 2016; said increase is equal to the Consumer Price Index.)

28c. AN ORDER, (ORDERED, That the base limit of income and the total value of assets of persons, qualifying under M.G.L. Chapter 59, Section 5, Clause 41, 41B, and 41C is hereby increased by 1.63% for Fiscal Year 2016; said increase is equal to the Consumer Price Index.)

29. PETITION, **Chayela Jackson, 3 Shamrock Circle, East Wareham, MA 02738 d/b/a THE TRAPHAUS, 127 West Rodney French Boulevard, New Bedford, MA 02744**, requesting that she be granted a Waiver of Residency in accordance with Section 15-18 of the City Code, to obtain a **NEW LICENSE TO DEAL IN JUNK, OLD METALS OR ANY OTHER SECOND HAND ARTICLES**. (Submitted by City Clerk Farias.)

30. COMMUNICATION, Maria Tomasia, Board of Election Commissioners, to City Council, submitting the Special Election Warrant of the June 23, 2015 Referendum Question on the Casino, the warrant needs to be signed by the majority of the City Council and must be posted on the 7th day prior to the Election date as mandated by M.G.L. c43, §44A, a copy of this warrant will be posted at each polling location. (Copy all Councillors 06/02/2015.)

31. COMMUNICATION, Councillor Lopes, submitting the Zeiterion Performing Arts Center's Mission Statement and Impacts. (To be Received and Placed on File; Copy all Councillors via email 06/02/2015.)

32. COMMUNICATION, Department of Environmental Protection, Waterways Regulation Program, submitting Notice of License Application pursuant to M.L.G. Chapter 91, Waterways License Application Transmittal #265723, GGK Realty LLC d/b/a The Edge Restaurant, 1480 East Rodney French Boulevard, New Bedford, MA, of a scheduled Public Hearing on June 09, 2015, to amend license 6504 to maintain an elevated deck at said location.

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.

05/28/2015 WRITTEN MOTION, Councillor Rebeiro, requesting, on behalf of Mass in Motion New Bedford, that the following street(s) be CLOSED: BARKER'S LANE, from Acushnet Avenue, to North Second Street, EVERY THURSDAY, FROM JUNE 18, 2015, TO OCTOBER 29, 2015, FROM 1:00 P.M. TO 7:00 P.M., for the purpose of vendor parking for the New Bedford Farmer's Market. PLEASE NOTE: REQUESTING THAT WHEN AHA! NEW BEDFORD IS HELD, THAT THIS

AREA REMAIN CLOSED ONE ADDITIONAL HOUR UNTIL 8:00 P.M.