



Council Meeting – Agenda
CITY COUNCIL CALENDAR
Chambers of the City Council Municipal Building
Thursday, July 16, 2015 – 7:00 p.m.

CITATIONS

1. CITATION, Councillors Lopes and Martins, honoring the DOMENIC A. IZZY, JR., FOUNDA' FOR YOUNG AND ASPIRING MUSICIANS, in recognition of their donation of eight musical instru to students at the Normandin Middle School.

RESOLUTIONS

2. RESOLUTION, Councillors Bousquet, Carney and Morad, honoring the GREATER NEW BEDFORD REGIONAL VOCATIONAL TECHNICAL HIGH SCHOOL THEATRE COMPANY on the occasion of their FIFTEENTH ANNIVERSARY.

HEARINGS

3. HEARING, on Eversource Energy, for location of one (1) 4" Conduit, three (3) 4" Conduits and one (1) 45"x45"x36" Handhole in SEVENTH STREET, North of Madison Street.

3a. AN ORDER,

MAYOR'S PAPERS

M1. COMMUNICATION, Mayor Mitchell, to City Council, submitting a VETO of AN ORDINANCE, Chapter 3, Article 1, RELATIVE TO THE AIRPORT COMMISSION, Amending Section 3-1 and Section 3-2. (VETO received July 09, 2015.)

M1a. AN ORDINANCE, Amending Chapter 3, Article 1, RELATIVE TO THE AIRPORT COMMISSION, Amending Section 3-1 and Section 3-2. (Passed, to be Ordained – June 25, 2015: VETOED by Mayor Mitchell – July 09, 2015.)

M2. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$10,000.00 from FIRE CODE ENFORCEMENT RESERVE FOR APPROPRIATION, to FIRE CHARGES & SERVICES, in the amount of \$7,500.00 and FIRE SUPPLIES & MATERIALS in the amount of \$2,500.00.

M2a. AN ORDER,

M3. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$6,000.00 from TRAFFIC, CHARGES & SERVICES, to TRAFFIC, CAPITAL OUTLAY.

M3a. AN ORDER,

M4. COMMUNICATION, Mayor Mitchell, to City Council, submitting a SEWER ABATEMENT REQUEST for LOLITA GONSALVES, 310 Gardner Street, New Bedford, MA 02746, Account No. 023138A, in the amount of \$5,063.00.

M5. COMMUNICATION, Mayor Mitchell, to City Council, submitting a SEWER ABATEMENT REQUEST for ABBOTT SHUSTER, 189 Plymouth Street, New Bedford, MA 02740, Account No. 021405A, in the amount of \$937.90.

M6. COMMUNICATION, Mayor Mitchell, to City Council, requesting a ONE-YEAR WAIVER OF RESIDENCY for ASSOCIATE SOLICITOR, ATTORNEY THOMAS J. MATHIEU, of Raynham, MA. (Current Waiver expires July 2015.)

M7. COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of MICHAEL CORREIA, New Bedford, MA, 02745, as a SPECIAL POLICE OFFICER.

M7a. APPLICATION,

M8. COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of FRANK C. STEPHENS, New Bedford, MA, 02740, as a SPECIAL POLICE OFFICER.

M8a. APPLICATION,

M9. COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of NILTON CORDONIZ, New Bedford, MA, 02745, as a SPECIAL POLICE OFFICER.

M9a. APPLICATION,

M10. COMMUNICATION, Mayor Mitchell, to City Council, submitting the RE-APPOINTMENT of TRENT MONTGOMERY RODERICK, New Bedford, MA, 02740, as a CONSTABLE.

M10a. APPLICATION,

NEW BUSINESS

4. WRITTEN MOTION, Councillor Lopes, requesting that the School Department look into adding Coding Language classes at the elementary school level.

5. WRITTEN MOTION, Councillor Winterson, requesting, once again, that the fence on Bedford Street, at the Betsey B. Winslow School be replaced as soon as possible due to its deteriorating condition, as it poses a safety hazard to pedestrians in the area. (To be Referred to the Department of Public Infrastructure.)

6. WRITTEN MOTION, Councillor Winterson, requesting, that the trees be trimmed at Buttonwood Park, on Rockdale Avenue, from Arnold Street, South to Hawthorn Street, and the entire strip from Hawthorn Street to Brownell Avenue, and also Brownell Avenue all the way to Rt. 6, as there are dead branches hanging from many trees along, posing a safety hazard to pedestrians in the area. (To be Referred to the Department of Public Infrastructure and the Department of Parks, Recreation and Beaches.)

7. WRITTEN MOTION, Councillor Winterson, requesting, that the Department of Public Infrastructure address the stone wall on the north side of the Buttonwood Park perimeter adjacent to Rt. 6, as it is in need of masonry repair, from the western part of the wall to the eastern part. (To be Referred to the Department of Public Infrastructure.)

8. WRITTEN MOTION, Councillors Winterson, Alves, Martins, Coelho, Council President Gomes, Councillors Morad, Lopes, Bousquet and Carney, requesting, that the Police Department increase patrols on Lake Street, at Buttonwood Park, as well as the outside perimeters of Buttonwood Park, specifically, Plymouth Street and also at the intersection of Chancery Street and Arnold Street, due to the numerous complaints from concerned residents about drug activity, loitering and other types of unsavory activity at said locations. (To be Referred to the Police Department.)

9. WRITTEN MOTION, Councillors Lopes and Rebeiro, requesting, that the following street(s) be CLOSED: UNION STREET, from Route 18 to North Water Street, ON FRIDAY, AUGUST 14, 2015, FROM 7:00 P.M. TO 2:00 A.M., ON SATURDAY AUGUST 15, 2015, for the purpose of the Grand Opening of the New Bedford Tattoo Parlor.

10. WRITTEN MOTION, Councillor Rebeiro, requesting, that the following street(s) be CLOSED: WILLIAM STREET, from Acushnet Avenue to North Second Street, ON SATURDAY, JULY 18, 2015, FROM 12:00 (NOON) TO 6:00 P.M., for the purpose of A Dedication of a Mural in Honor of the 54th Massachusetts Infantry Regiment.

11. WRITTEN MOTION, Councillor Rebeiro, requesting, that the following street(s) be CLOSED: KEENE STREET, from Park Street to Liberty Street, ON SATURDAY, JULY 18, 2015, FROM 2:00 P.M. TO 9:00 P.M., for the purpose of A Neighborhood Block Party. NOTE: ALTERNATE RAIN DATE SCHEDULED FOR SATURDAY, JULY 25, 2015.

12. WRITTEN MOTION, Councillor Rebeiro, requesting, that the following street(s) be CLOSED: PURCHASE STREET, from Union Street to Spring Street, ON THURSDAY, AUGUST 13, 2015, FROM 6:00 A.M. TO 8:30 P.M., for the purpose of EVERYBODY'S DANCE CONTEST AND BLOCK PARTY.

13. WRITTEN MOTION, Councillor Rebeiro, requesting, that the following street(s) be CLOSED: WILLIAM STREET, from Purchase Street to Pleasant Street, ON THURSDAY, AUGUST 13, 2015, FROM 12:00 P.M., (NOON) TO 9:00 P.M., for the purpose of AHA! DANCING IN THE STREETS.
14. WRITTEN MOTION, Councillor Bousquet, requesting, on behalf of the residents of Highland Street, that MassDOT make safety improvements to the alley walkway from Highland Street to Richmond Street, neighbors are concerned with an uptick in illicit activity and demand action in the name of public safety. (To be Referred to MassDOT, Representatives William M. Straus, Robert M. Koczera, and Police Chief Provencher.)
15. WRITTEN MOTION, Councillor Lopes, requesting ONCE AGAIN, that the Administration consider posting a set of beach rules at each of the City's Public Beaches, Fort Taber Park and at the three parking lots located off of East Rodney French Boulevard. (To be Referred to Mayor Mitchell and Mary Rapoza Director of Parks, Recreation and Beaches.)
16. WRITTEN MOTION, Councillor Lopes, requesting that the Director of Parks, Recreation, and Beaches meet with the Committee on Appointments and Briefings about establishing a policy and procedure manual for parking at Fort Taber Park, the Fort Taber Community Center, and any Special Events Requests utilizing Fort Taber Park.
17. WRITTEN MOTION, Council President Gomes, requesting, that the Committee on Appointments and Briefings meet with Parks, Recreation and Beaches Director Mary Rapoza, Police Chief David Provencher, DPI Commissioner Ronald Labelle, and Department of Facilities and Fleet Management Director Kenneth Blanchard, for the purpose of putting together a comprehensive plan of action to deal with summer events being held at Fort Taber and in the south end; and further, that Parks, Recreation and Beaches Director, the Police Chief, DPI and DFFM strictly enforce parks rules and regulations including parks and beaches closing times, furthermore; that the City look into hiring park and beach enforcement officers to enforce the rules and regulations of our parks and beaches.
18. WRITTEN MOTION, Councillor Winterson, requesting, that the Traffic Commission look into the possibility of installing "RESIDENTIAL PARKING ONLY" Signs on Mapleview Terrace. (To be Referred to the Traffic Commission.)
19. WRITTEN MOTION, Councillors Winterson, Alves, Lopes, Morad, Bousquet, Rebeiro, Carney, Martins, Coelho, Oliveira and Council President Gomes, requesting, that the City Council name the City-owned plaza on the corner of Front Street and Union Street "Jack Markey Plaza," in honor of the former eleven year Mayor of the City of New Bedford and retired District Court Judge, the Honorable John A. Markey, in recognition of his leadership in advancing the City of New Bedford and protecting its interests in countless ways that our community still benefits from today, including the lasting impact Mayor Markey's tenure has had on the Downtown New Bedford Historic District. (To be Referred to the Special Committee on Memorials and Dedications.)
20. WRITTEN MOTION, Councillors Carney and Winterson, on behalf of the residents around Buttonwood Park, requesting, that the Park Department post larger "**DO NOT FEED THE BIRDS**" signs around the park due to the increased amounts of geese that are a nuisance to the homeowners who abut the park. (To be Referred to Mary Rapoza, Director of Parks, Recreation and Beaches and the Park Board.)
21. WRITTEN MOTION, Councillors Carney and Winterson, requesting, that the faded "SLOW"

sign on Jenny Lind Street be replaced with a new yellow sign and additional "SLOW CHILDREN" signs be placed on the street, due to the many families that reside on Jenny Lind Street with small children. (To be Referred to the Traffic Commission.)

22. WRITTEN MOTION, Councillors Carney and Winterson, on behalf of some residents on Lake Street, requesting that the trees on Lake Street be trimmed to increase visibility at night. (To be Referred to the Park Board and Friends of Buttonwood Park.)

23. WRITTEN MOTION, Councillor Carney, on behalf of Jeanne Costa, resident of New Bedford, requesting, that the City consider Out Door Fitness Equipment to be located in parks across the City, in an effort to promote good health and continue wellness for the City residents; and further, that the City Council support this initiative with funds generated from the Community Preservation Act. (To be Referred to the Committee Appointments and Briefings and the Park Board.)

24. WRITTEN MOTION, Councillor Carney, requesting that the Committee on Ordinances review the Ordinance, Relative to the Establishment of a Community Preservation Committee, and send it to the full City Council for approval, due to the amount of interest from City Residents that this Councillor has received.

25. WRITTEN MOTION, Council President Gomes, requesting, that the City Council go on record against the Massachusetts' Insurance Companies request for a 9% increase on Homeowners Insurance premiums, and that a letter be sent to Attorney General Maura Healy and the Insurance Commission stating our position on behalf of the homeowners that we represent; and further, urging the Commission not grant the increase due to the struggling economic times that many people in the Commonwealth and this City are facing.

26. WRITTEN MOTION, Council President Gomes, requesting, that the Committee on Finance meet with the Administration for the purpose of discussing the annual revenue of \$12 million to the City of New Bedford on an yearly basis from the proposed location of a casino on the New Bedford Waterfront; and further, that \$4 million of that revenue be put yearly towards tax base for any increase that may occur on behalf of the businesses and residential homeowners of this City.

27. WRITTEN MOTION, Council President Gomes, requesting, that the Committee on Appointments and Briefings meet with the Library Director and Library Board of Trustees, for the purpose of discussing the location, storage and the value of the artwork that the City owns; and further that the Library Board of Trustees take the Committee on a tour of this artwork.

28. WRITTEN MOTION, Council President Gomes, requesting, that the Committee on Ordinances meet for the purpose of putting together a permitting process for panhandling in the City of New Bedford with the exception of public safety officials; this will guarantee their organizations will be permitted in safe areas of the City; and further, to address the out-of-control panhandling that is occurring on every major intersection and Highway exit throughout the City.

29. WRITTEN MOTION, Councillor Bousquet, requesting, that the City Council look into

establishing a revolving fund for the Department of Parks, Recreation and Beaches, in order to manage the care and maintenance of the proposed dog park in the City of New Bedford. (To be Referred to the Committee on Finance.)

30. COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of **R Neves, 420 Huttleston Avenue, Fairhaven, MA 02719, d/b/a WHALING CITY TRANSIT, 169 Street, New Bedford, MA 02744**, hereby submits a copy of the Application requesting a **RENEWAL PRIVATE LIVERY LICENSE**, under the provisions of Massachusetts General Laws, Chapter 270, 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 11/14/14.)**

31. COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of **Yesenia Maldonado, d/b/a YESENIA TRANSPORTATION, 177 Grinnell Street, New Bedford, MA 02740**, hereby submit a copy of the Application requesting **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.

32. COMMUNICATION, Josette Cormier, Director of Grants and Finance for the New Bedford Police Department, submitting a copy of the FFY2015 Byrne JAG Disparate Grant Application.

33. COMMUNICATION, Councillor Martins, submitting copies of letters sent to Governor Baker, M Mitchell and our State Legislative Delegation, in support of Youth Courts and also requesting additional funding for this restorative justice program.

34. COMMUNICATION, Blair S. Bailey, Tax Title Attorney, to City Council, re: Acquisition of New Tax Possession, advising that the City has acquired the following property as Tax Possession, 217 Hillman Street, Plot 57/Lot 24, Area of 5,600 sq. ft. (Former Owner: Patricia J. Rosa); Total Amount due on the parcel as of the date of the transfer is \$48,383.98.

35. COMMUNICATION, Blair S. Bailey, Tax Title Attorney, to City Council, re: Acquisition of New Tax Possession, advising that the City has acquired the following property as Tax Possession, WS Ashley Street, Plot 13/Lot 6, Area of 2,573 sq. ft. (Former Owner: John A. Gomes, Trustee & 49 Ashley Street Trust); Total Amount due on the parcel as of the date of the transfer is \$100,910.84.

36. COMMUNICATION, City Clerk/Clerk of the City Council Dennis W. Farias, submitting a letter to H. Curtis Spalding, Regional Administrator, Environmental Protection Agency, Region 1, in response to a letter from the City Council Meeting of May 14, 2015, requesting, that a visit be made to F and B Rubbe at 37 Washburn Street, to review safety and environmental compliances with the owner/management. (Councillors 07/07/15.)

TABLED BUSINESS

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.