



Appointments and Briefings

August 31, 2015 – 7:03 PM – **Minutes**
Chambers of the City Council, Room 214

MEETING: COMMITTEE ON APPOINTMENTS & BRIEFINGS

DATE: AUGUST 31, 2015

TIME: 7:03 P.M.

PLACE: CITY COUNCIL CHAMBER, ROOM 214, MUNICIPAL BUILDING

PRESENT: COUNCILLORS DAVID ALVES, CHAIRMAN; HENRY BOUSQUET; NAOMI CARNEY; BRIAN GOMES; JOSEPH LOPES; STEVEN MARTINS (7:07); LINDA MORAD; JAMES OLIVEIRA (7:27); DANA REBEIRO; KERRY WINTERSON

ABSENT: COUNCILLOR DEBORA COELHO, VICE-CHAIRPERSON

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Councillor Alves called the Appointments & Briefings Committee Meeting to order and took attendance. A Communication was read into the record stating that Councillor Coelho would not be in attendance due to a prior commitment. This Communication was passed on a by Councillor Lopes and seconded by Councillor Carney.

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Councillor Alves announced the start of Citizens Input Time which does not exceed the first half hour of the Appointments & Briefings Committee meeting, each Citizen gets 3 minutes to speak on their issue. (1, 1a, 1b, 1c, 1d)

Donna Barnes, 99 Bluefield Street, New Bedford, spoke on “School Issues” she is having with her grandson. She had copies of his academic progress that was received and placed on file by Councillor Morad. (1a)

Joyce Rowley, 49 Orchard Street, New Bedford, MA, spoke on the “Buttonwood Park Zoo Elephants, Ruth and Emily and her Organization’s plan to hold a Mayoral Debate. (1b)

Cheryl Lizotte, 371 County Street, Apt. 7, New Bedford, MA, spoke on the “Homeless”. (1c)

Randy Jones, 22 McGurk Street, New Bedford, MA, spoke on the “Opportunity for Small Business for Inner City Youth. (1d)

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Notice, City Clerk of reference of a Written Motion, Council President Lopes, Councillors Martins, Morad, Alves, Winterson, Rebeiro and Bousquet, requesting that the City of New Bedford make much needed improvements to our newly updated City of New Bedford website to include ADA compliance for our City residents that have physical disabilities, and are unable to use the services that our website provides. (Ref'd 10/23/14, 11/18/4-tabled, 03/31/15-tabled for 90 days (**JUNE 31st**) and a Communication, Council President Lopes, submitting copy of letter from Mr. Phil Zukas, New Bedford, MA, relative to possible improvements to the City of New Bedford Website rendering said website fully compliant with ADA guidelines (Ref'd 10/23/14, 11/18/14 – tabled, 03/31/15 – tabled for 90 days (**JUNE 31st**) were removed from the table by Councillor Oliveira and seconded by Councillor Morad. (2, 2a)

Mr. Phil Zukas, 148 Butler Street, New Bedford was recognized by the Chair. He is visually handicapped and has been making recommendations on the improvements needed to the City's MIS Department. The informational Website is not fully accessible to the screen reading impaired, disabilities, etc. He met with John Costa of MIS last May, where he submitted a report of a team of people he has assisting him along with protocols that would need to be done in adjusting and improving the city's website. Web access is evolving, something's appear to be working better than others and he believes that some items will be improved.

The Chair recognized Maria Pina-Rocha, MIS Director, she went on to state her department has been working with Mr. Zukas' team on recommended improvements. They have downloaded several different screen readers and are working to correct problems identified by Mr. Zukas. She expects most of the outstanding items to be addressed by October 2015.

Councillor Bousquet asked how many types of screen readers were being looked at and he was told the city is working with Mr. Zukas' team to choose the best ones. They will eventually do away with any outstanding issues.

Councillor Morad asked if MIS has imposed a realistic time line to make all of the corrections needed and she was told yes. She also asked if MIS was continuing to work with Mr. Zukas' team and she was told yes, everything that has been outlined by Mr. Zukas' team is being reviewed and addressed. She asked if new software would need to be purchased and she was told no.

On motion by Councillor Morad and seconded by Councillor Lopes, the Committee VOTED: To table this matter for ninety (90) days. This motion passed on a voice vote.

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Notice, City Clerk of reference of a Public Hearing, on Communication/Demolition, New Bedford Historical Commission to the City Council, re: PARTIAL DEMOLITION, 597-603 BROCK AVENUE, HAZELWOOD PARK, circa 1854 Coffin-Howland House: "the circa 1854 Coffin Howland House is a distinctive example of the Gothic Revival style of American domestic architecture; the structure was initially built as a barn by Joseph Congdon on the rural estate he called "Hazelwood "; the structure is in

a deteriorated condition, has suffered from an arson fire and repeated vandalism, and is a threat to the public welfare; the structure has deteriorated to the point of collapse and is beyond reasonable repair and based upon public comments, the City will reach out to the neighbors and greater community to determine their thoughts on the potential consideration of demolition of the entire building; and therefore, “the NBHC has determined that the Coffin-Howland House is a historically significant structure but not preferable preserved” (Ref’d 7/16/15, Advertised in the Standard-Times on August 18, 2015) was received and placed on file and the Hearing Opened by Councillor Morad and seconded by Councillor Lopes. (3)

Anne Louro, Preservation Planner, was present and spoke on the issue. She explained that after an arson incident and roof collapses and years of neglect the wooden portion of the home is unstable and is an attractive nuisance. They have spoken with the neighbors that abut the property and they are okay with the proposed partial demolition.

Councillor Oliveira asked if there were any timbers that could be saved in an attempt to recreate the structure in the future, if possible. He was told yes, they would move to save the ginger bread lattice, the timbers no.

Councillor Lopes explained that for his entire tenure as a Councillor, he has been trying to get something done with the damaged building, as it is in his ward. He is sorry to say that thirty years of deterioration has taken place and the only possible solution is the demolition. He is in favor of the partial demolition. The city will properly secure the remaining portion of the home until it is decided what the City will do with it.

Mary Rapoza, Director of Parks and Recreation was present and addressed the Committee. She is looking into ways to restore the undamaged portion of the home. She has reached out to Roger Williams University, they have a team of students who will take on projects such as design and use for buildings like the one in questions. She was approached by Habitat for Humanity who are looking for a public project to do and she has been in conversation with them. She would like to see it as an office area for the Parks and Recreation Department along with a nature center for the city as well.

Councillor Bousquet asked Ms. Rapoza if she was in favor with the partial demolition and she said yes.

Councillor Lopes acknowledged there is love across the city for the building; but it can’t be realistically saved.

Councillor Carney asked if Roger Williams University was considering the damaged part, if it could be saved. She was told no, right now they are concentrating on the part of the home that can be saved. Councillor Carney thinks it should be saved if it can.

Mr. Gary Moraes, 76 Valentine Street, his home abuts the property in question. He expressed his disappointment with the city allowing the home to deteriorate the way it has. He is concerned about the term “moth balling” being used, meaning securing the home with plywood to prevent further damage

until it is decided what will be done with it. He has lived with the damaged home abutting his for well over forty (40) years. He is worried that the city is becoming a “Slum Lord” in its own right. The building has been boarded up for twenty (20) years. It took the city three (3) years to paint the boarded windows green to make it aesthetically pleasing. But he is glad the city is moving forward on it, he would like to see it used as bathrooms for the park.

Councillor Gomes assured Mr. Morais that once the demolition took place the city would take the appropriate steps in securing the remaining portion of it.

The Chair recognized Carl Simmons, 372 Maple Street, New Bedford, MA on the issue. He acknowledged it is inevitable that the damaged portion will need to be demolished, but he would like to see the footprint of the building left, example the outline of the foundation, for future archeological digs. He is currently working on a dig at the Brooklawn Park. He is currently working on a dig at the Brooklawn Park at the area where the old Ricketson home is located. He would also like to see the clover leaf window saved, so that when people visit the remaining portion of the building they will be able to see pieces of the original home. It would be appreciated by future historians.

Councillor Rebeiro asked Mr. Simmons if he had any examples of where this has been done and he told her that they discovered the 12 x 14 foundation for the Ricketson Shanty and it is their hope it will be used as a future flower garden.

Councillor Bousquet pointed out the old Acushnet Saw Mill area as thoughtful salvage of a historical building that needed to be demolished.

The Chair asked if there was anyone else who wanted to speak in favor of the partial demolition, there was none; he then asked if anyone wanted to be recorded in favor of the partial demolition, there was none. The Chair asked if there was anyone who wished to speak in opposition to the partial demolition, there was none; he then asked if there was anyone who wished to be recorded in opposition of the partial demolition, there was none.

Hearing Closed on motion by Councillor Lopes and seconded by Councillor Martins.

On motion by Councillor Lopes and seconded by Councillor Oliveira, the Committee VOTED: To recommend to the City Council to follow the recommendation of the New Bedford Historical Commission and Grant Permission for a Partial Demolition of 597-603 BROCK AVENUE, HAZELWOOD PARK, circa 1854 Coffin-Howland House. This motion passed on a voice vote.

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Notice, City Clerk of reference of a Communication, City Clerk/Clerk of the City Council on behalf of *Albert N. LeBoeuf, 66 Giffords Lane, New Bedford, MA 02740, d/b/a LEBOEUF LIVERY SERVICE, INC., 416 Elm Street, New Bedford, MA 02740*, hereby submits a copy of the Application requesting a RENEWAL of a Private **LIVERY LICENSE**, under the provision 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 (*Current License expired 03/11/14*) (Ref'd 6/25/15) was received and placed on file by Councillor Gomes and seconded by Councillor Winterson. (4)

Mr. Albert N. LeBoeuf of 66 Giffords Lane was present to answer questions from the Committee. He explained he was unaware his license had expired because the city does not send out written notification on renewals. He did not find out about it until he was at City Hall on another issue and he was informed about his Livery License, it was then he submitted the paperwork.

Councillor Morad asked the number of vehicles he has and she was told he has one limo, used mostly for funerals and weddings. He has three to four drivers he uses.

Councillor Gomes asked how long he has been in business and he was told his family has been in the business since the late 1930's.

On motion by Councilor Lopes and seconded by Councillor Winterson, the Committee VOTED: To recommend to the City Council on behalf of ***Albert N. LeBoeuf, 66 Giffords Lane, New Bedford, MA 02740, d/b/a LEBOEUF LIVERY SERVICE, INC., 416 Elm Street, New Bedford, MA 02740***, APPROVAL of the Application requesting a RENEWAL of a Private **LIVERY LICENSE**, under the provision 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 (*Current License expired 03/11/14*). This motion passed on a voice vote.

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Notice, City Clerk of reference of a Communication Mayor Mitchell to City Council, submitting the APPOINTMENT of SHERRY MCTIGUE, New Bedford, MA 02740, to the ZONING BOARD OF APPEALS, replacing Ian Comeford, whose term expired December 2014; Ms. McTigue's term will expire December 2019 (Ref'd 6/25/15) was received and placed on file by Councillor Lopes and seconded by Councillor Winterson. (5)

Ms. McTigue was present to answer questions from the Committee.

Councillor Lopes asked what she believed her qualifications were and she explained she has an architectural background and she has lived in the city for two years and has done a lot of work with the Waterfront Historical League.

On motion by Councillor Gomes and seconded by Councillor Lopes, the Committee VOTED: To recommend to the City Council APPROVAL of the APPOINTMENT of SHERRY MCTIGUE, New Bedford, MA 02740, to the ZONING BOARD OF APPEALS, replacing Ian Comeford, whose term expired December 2014; Ms. McTigue's term will expire December 2019. This motion passed on a voice vote.

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Notice, City Clerk of reference of a Communication, Mayor Mitchell to City Council, submitting the APPOINTMENT of CELEINE SARAIVA, New Bedford, MA 02744 to the PROBLEM PROPERTIES APPEALS; Ms. Saraiva's term will expire June 2018 (Ref'd 6/25/15) was received and placed on file by Councillor Oliveira and seconded by Councillor Carney. (6)

Celeine Saraiva was present to answer questions from the Committee. She explained she was interested in neighborhood issues, and she has been the Clark's Point Neighborhood Association Chairperson since 2003. She was delighted when the Mayor asked her if she would be interested in the appointment.

Councillor Bousquet asked if she can be fair and impartial given her involvement in neighborhood issues in the past and as the Chair of the Clark's Point Association. She said, yes she feels she would be; if she did not think so, she would not have agreed to be recommended.

Councillors Carney and Rebeiro expressed their gladness on her appointment.

Councillor Morad explained she feels it is unrealistic for her to be impartial as it relates to property issues, especially where she has been a member of the community group dealing with such issues in the past. She explained she unfortunately would not be able to support the appointment.

Councillor Gomes spoke in favor of the appointment, that she would be great for the job.

On motion by Councillor Gomes and seconded by Councillor Lopes, the Committee VOTED: To recommend to the City Council APPROVAL of the APPOINTMENT of CELEINE SARAIVA, New Bedford, MA, 02744 to the PROBLEM PROPERTIES APPEALS; Ms. Saraiva's term will expire June 2018. This motion PASSED on a Roll Call Vote of Yeas 9, Nays 1, with Councillor Morad opposed.

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Notice, City Clerk of reference of a Communication, City Clerk/Clerk of the City Council to the City Council, on behalf of *Robert Neves, 420 Huttleston Avenue, Fairhaven, MA 02719, d/b/a WHALING CITY TRANSIT, 16 Shore Street, New Bedford, MA 02744*, hereby submits a copy of the Application requesting a RENEWAL of a PRIVATE LIVERY LICENSE, under the provisions of Massachusetts General Laws, 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 (Current License expired 11/14/14) (Ref'd 7/16/15) was received and placed on file by Councillor Lopes and seconded by Councillor Winterson. (7)

Councillor Gomes spoke on behalf of Mr. Neves and support of reissuing the livery license.

Councillor Morad spoke about the process, while she recognized that Mr. Neves has been in business for years in the city, that he should have still showed up for the meeting. She acknowledged that the City

Clerk is taking steps to have expired licensees come in and go through the renewal process, but they should at the very least come to the meetings.

Councillor Rebeiro agreed that we need to tighten the process, but we should not penalize employees for the fault of the owner. She did agree that Mr. Neves should be present.

Councillor Gomes spoke on the issues and the need to pass.

Councillor Oliveira thinks that other livery companies are starting to get the message on changes coming as it relates to holding them responsible for renewing their licenses in a timely manner.

Councillor Winterson said he appreciates the issue on renewals is being addressed. He will move forward on supporting this renewal; but in the future Mr. Neves should attend.

Councillor Carney concurred with the other Councillors.

On motion by Councillor Gomes and seconded by Councillor Lopes, the Committee VOTED: To recommend to the City Council APPROVAL on behalf of **Robert Neves, 420 Huttleston Avenue, Fairhaven, MA 02719, d/b/a WHALING CITY TRANSIT, 16 Shore Street, New Bedford, MA 02744**, the Application requesting a **RENEWAL of a PRIVATE LIVERY LICENSE**, under the provisions of Massachusetts General Laws, 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 (Current License expired 11/14/14). This motion passed on a voice vote.

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Notice, City Clerk of reference of a Communication, City Clerk/ Clerk of the City Council, to the 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 (Ref'd 7/16/15) was received and placed by Councillor Morad and seconded by Councillor Winterson. (8)

Ms. Yesenia Maldonado of 177 Grinnell Street and Mr. Angel Cartagna of 150 Thompson Street, (interpreter for Ms. Maldonado) were present to answer questions from the Committee. The livery license will allow them to transport people to and from their place of employment as well as to the airports. Two passenger vans would be parked at the home of Ms. Maldonado, in the driveway.

Councillor Morad asked about the hours of operation and she was told 5 am to 9 pm. She confirmed that the owner would take precautions to quell the beeping of the vans when they backed up. She was told they would back them into the driveway so not to make noise early in the morning. Councillor

Morad asked if she has ever run a business like this and she was told no, this is her first time; she will employ two people.

On motion by Councillor Gomes and seconded by Councillor Rebeiro, the Committee VOTED: To recommend to the City Council Approval on behalf of *Yesenia Maldonado, d/b/a YESENIA TRANSPORTATION, 177 Grinnell Street, New Bedford, MA 02740*, 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. This motion PASSED on a voice vote.

Councillor Martins made a motion to adjourn, which was seconded by Councillor Bousquet.

This meeting adjourned @ 8:33 p.m.

ATTEST:

Clerk of Committees