



Appointments and Briefings

September 30, 2015 – 7:03 PM – **Minutes**
Chambers of the City Council, Room 214

MEETING: COMMITTEE ON APPOINTMENTS & BRIEFINGS

DATE: SEPTEMBER 30, 2015

TIME: 7:03 P.M.

PLACE: CITY COUNCIL CHAMBER, ROOM 214, MUNICIPAL BUILDING

PRESENT: COUNCILLORS DAVID ALVES, CHAIRMAN; DEBORA COELHO, VICE-CHAIRPERSON; HENRY BOUSQUET; NAOMI CARNEY; BRIAN GOMES; JOSEPH LOPES; STEVEN MARTINS; LINDA MORAD; JAMES OLIVEIRA (7:16); DANA REBEIRO; KERRY WINTERSON

ABSENT: NO ONE

* * *

Councillor Alves called the Appointments & Briefings Committee Meeting to order and took attendance, there was no one absent; Councillor Oliveira was just a few minutes late.

There was no Citizens Input Time this evening, as no one signed up to speak.

* * *

Notice, City Clerk of reference of a Public Hearing on a Communication/Demolition, New Bedford Historical Commission, to City Council, re: 92 KILBURN STREET, Map 79, Parcel 1 “ the Grinnell Manufacturing Company was established in March 1882 and the was the 4th major cotton mill in New Bedford; the company liquidated its assets in 1927 and portions of the mill were dismantled the same year; boiler room of the Grinnell Manufacturing Company building is not longer used as originally intended and has fallen into disrepair, there is asbestos within the boiler unit and part of the roof; the smokestack is a rare survivor of New Bedford’s smokestack skyline, no longer visible today; the boiler room and smokestack are historically significant as being components of the 19th century mill complex in the City of New Bedford and the subject building is located in the Hicks-Logan-Sawyer Interim Planning Overlay District (IPOD) established by the City Council in 2008” and therefore, “ the NBHC has determined that the boiler room and smokestack at 92 Kilburn Street are historically significant structures and not preferably preserved.” (Ref’d 8/20/15 advertised in the Standard-Times on Thursday, September 17, 2015) The hearing was opened on a motion by Councillor Martins and seconded by Councillor Lopes. (1)

Anne Louro, Preservation Planner for the City of New Bedford was present and gave the Committee an overview of the history of the building in question. She explained the New Bedford Historic

Commission did deem the boiler room and smoke stack to be historically significant, but no preferably preserved. The smoke stack is in disrepair, not stable and beyond rehabilitation.

The Chair asked if there was anyone present who would like to speak and/or be recorded in favor of the demolition. There were none. The Chair asked if there was anyone present who would like to speak and/or be recorded in opposition of the demolition. There were none.

A motion was made to close the hearing by Councillor Lopes, which was seconded by Councillor Carney.

On motion by Councillor Martins and seconded by Councillor Coelho, the Committee VOTED: To recommend to the City Council to Grant Permission for the DEMOLITION of the boiler room and smoke stack at 92 KILBURN STREET. This motion passed on a voice vote.

* * *

Notice, City Clerk of reference of a Public Hearing, on APPLICATION, Saed Dib, d/b/a Clear Auto Sales 2, for a SPECIAL PERMIT for MOTOR VEHICLE SALES & GENERAL REPAIRS at 832 Rockdale Avenue, New Bedford, MA 02740. (Duly advertised in the Standard-Times on Thursday, September 17, 2015 and Thursday, September 24, 2015) The hearing was opened on a motion by Councillor Morad and seconded by Councillor Coelho. (2)

Saed Dib, 14 Birchwood Drive, North Providence, RI, the Petitioner was present to answer questions from the Committee.

Councillor Morad asked Mr. Dib about the history of his business and she was told he currently has a business selling cars in New Bedford and would like to open a second location. This particular location would have space for 25 vehicles and he would use the garage to do repairs to the vehicles he sells.

Councillor Rebeiro asked what would the hours of operation be and she was told 10 to 6.

Councillor Bousquet asked about the address location and he was told it was the old Global Glass building.

The Chair asked if there was anyone present who would like to speak and/or be recorded in favor of the Special Permit, there was none. The Chair asked if there was anyone present who would like to speak and/or be recorded in opposition of the Special Permit, there was none.

A motion was made to close the hearing by Councillor Morad and seconded by Councillor Winterson.

On motion by Councillor Morad and seconded by Councillor Bousquet, the Committee VOTED: To recommend to the City Council to Grant Permission for the SPECIAL PERMIT for MOTOR VEHICLE SALES & General repairs AT 832 Rockdale Avenue, New Bedford, MA 02740. This motion passed on a voice vote.

* * *

Notice, City Clerk of reference of a Written Motion, Councillor Lopes, requesting, that Planning and Community Development, Inspectional Services, and the Mayor's Office work with the Federal Emergency Management Agency's Hazard Mitigation Program, to assist affected homes in the City so that they be eligible to apply for a Federal Grant that is administered by FEMA that would cover up to 75 percent of the cost of elevating a home between one or two feet above the flood level for a 100-year storm (Ref'd 8/20/15) was received and placed on file by Councillor Morad and seconded by Councillor Martins. (3)

Mark Mahoney, Director of Emergency Management was present and gave an overview of the 3 Grants that are applicable to the city in the event of a natural disaster. 2 Grants are offered annual and a third program is the presidentially declared disaster funding, hazard mitigation program. The State is normally the applicant; the cities and towns are sub-applicants, however, there are cities in the State, Weymouth, Plymouth and Marshfield that have the ability to apply for grants directly.

Councillor Lopes said he had reached out to Patrick Sullivan, Director of Planning & Community Development, and he is going to reach out to SRPEDD to see what the city needs to do to put a grant application process into place.

On motion by Councillor Lopes and seconded by Councillor Bousquet, the Committee VOTED: To table this matter for sixty (60) days at this time. This motion passed on a voice vote.

* * *

Notice, City Clerk of reference of a 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 (Ref'd 7/16/15) was received and placed on file by Councillor Lopes and seconded by Councillor Winterson. (4)

Mary Rapoza, Director of Parks, Recreation and Beaches was present to answer questions from the Committee.

The Chair asked that items five (5) and six (6) be also taken up at this time as they are somewhat related, there were no objections.

Notice, City Clerk of reference of a Written Motion, Council President Gomes, requesting that the Committee on Appointments & 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 (Ref'd 7/16/15) was received and placed on file by Councillor Morad and seconded by Councillor Lopes. (5)

Notice, City Clerk of reference of a Related Motion, Councillor Morad, requesting, that the Department of Parks, Recreation and Beaches Director Mary Rapoza; the Park Board Chairman, the Director of Health Department, Dr. Brenda Weis and Police Chief Provencher, be invited to a Committee on Appointments and Briefings meeting to discuss the procedures for granting permits for events in our parks, to ensure all related facets of the permitted events are in place (Ref'd 7/16/15) was received and placed on file by Councillor Morad and seconded by Councillor Lopes. (6)

Councillor Lopes acknowledged it had been a tough year down at the Fort. A lot of successful venues and events held there; but there were lots of confusion as it related to the parking and trash plans for these events. He would like to see something developed that has guidelines on policing the parking and trash pickup to be presented to those who are using the Fort for functions.

Ms. Rapoza agreed there were issues; it was a learning process for them. Each year the venue becomes more popular. They will look to develop a procedure manual to address parking issues as it relates to events.

Councillor Morad asked if a parking plan needs to be submitted by the petitioner and she was told yes and that they are charged \$20.00 an hour to rent nearby parking areas; but the problem is they do not have enough staff to oversee the events. Councillor Morad asked if Police Details are required and she was told no they are not, but they are revisiting it and will review it with the New Bedford Police Department.

Councillor Gomes asked if there was a strategy plan in place to address parking, etc. and he was told they are in the process of developing a plan. They hope to have two plans in place, plan A & B. They will call for things like extra police and staffing details called in as well as bus shuttle transportation to events. Councillor Gomes told Ms. Rapoza he would like to know when the Park Board hears these matters.

Ms. Rapoza explained they would review Police Details, fees for use of parkland and fields. They are putting together a proposal for the Park Board to review. Councillor Gomes said he found the \$20.00 per hour charge to rent our parking lots, cheap, especially since the venue may be charging for parking. A higher fee could pay for Police Details and staffing. He also said more attention needs to be paid to when a Park is closed, it is closed; the Police have to stay on top of this.

Councillor Morad expressed her concern on how deep the Park Board is involved with the process of permitting venues. They need to delve deeper into new events. It appears they do need to focus on things, like: what you are serving for food; who is getting rid of trash; who is responsible for Port-a-Johns, it appears that those types of questions do not get asked.

Ms. Rapoza explained there is a special events form process in place and it is reviewed by a number of departments. Councillor Morad said they should attend new permitting meetings at the Park Board, and Ms. Rapoza said she will have them invited to initial meetings.

Councillor Morad said she would like to see a written report in February 2016 on the plan in place.

Police Chief Provencher said there are two issues that need to be addressed, scheduling too many events in the city at the same time stretches response capacity and once the events are gone they need to note issues that come up so it can be addressed in the future. Larger events need more attention to detail to provide proper policing and staffing.

On motion by Councillor Lopes and seconded by Councillor Bousquet, the Committee VOTED: To table items 4, 5, and 6 until January 2016. This motion passed on a voice vote.

* * *

Notice, City Clerk of reference of a Written Motion, Council President Gomes, requesting that the Director of Parks, Recreation and Beaches, Mary Rapoza, look into installing Expression Swings in parks throughout the City, the recreational swings allow parents and infants or young children to swing together face-to-face in one unit; and further, that we look at Community Development monies to assist in this project (Ref'd 7/16/15) was received and placed on file by Councillor Morad and seconded by Councillor Oliveira. (7)

Councillor Gomes explained the design had been brought to his attention and thinks it would be a nice type of swing to have in our parks.

Ms. Rapoza agreed and said she priced them out and they are approximately \$1,000 each. She thought that maybe they could start with one, for funding may be an issue. Councillor Gomes said he would like to see three (3), one at Hazelwood, Buttonwood and Fort Taber Parks.

On motion by Councillor Gomes and seconded by Councillor Bousquet, the Committee VOTED: That the Committee send a letter to the Park Board asking them to fund three (3) Game Time Swings for Buttonwood Park, Hazelwood Park and Fort Taber and to also send the letter to Community Development to see if funding is available to help with the purchase of such swings. (A copy of the Game Time Pamphlet should be sent along with the letters.) This motion passed on a voice vote.

* * *

On motion by Councillor Bousquet and seconded by Councillor Oliveira, the Committee VOTED: To waive the reading on items 8, 9, 10, and 11 and take "No Further Action" at this time. This motion passed on a voice vote. They are as follows:

Notice, City Clerk of reference of a Written Motion, Councillor Winterson, requesting that a Representative from NSTAR Gas Company, Inc., be invited to the Committee on Appointments & Briefings to discuss 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 at them and the cost is prohibitive. (Ref'd 10/23/14, 11/18/14-tables, 2/24/15-tabled) (8)

Notice, City Clerk of reference of a Written Motion, Councillors Winterson and Gomes, requesting, that the City Council go on record in opposition to the 29% increase proposed by NSTAR Electric; and further, that a letter be sent to Company officials expressing not only our opposition to this increase, but our concern about the burden the 29% increase would be on residential customers; and further, that letters be sent to Attorney General Martha Coakley, and the Department of Public Utilities expressing our concerns and requesting that they both look into the matter of this increase and that NSTAR officials be requested to meet before the Committee on Appointments & Briefings to explain this increase. (Ref'd 11/13/14, response on file, 2/24/15-tabled, 03/31/15-letters to Atty. General Healey and Eversource Rep. Dennis Galvam) (9)

Notice, City Clerk of reference of a Written Motion, Councillor Rebeiro, requesting, that a representative from NSTAR Electric Company be invited to attend a Committee on Appointments and Briefings meeting to discuss creating a line of communication between whomever is in charge of repair crews and City Council, so we can provide constituents a time estimation of when repairs will be completed once they have been reported. (Ref'd 11/25/14, 03/31/15- table) (10)

Notice, City Clerk of reference of a Written Motion, Council President Gomes, requesting, that Eversource Energy remove the utility pole in front of 361 Bedford Street, the pole has been there for nearly ten years and has since been replaced; and further, requesting, that the Committee on Appointments and Briefings meet with Eversource Energy representatives to discuss the dozens of poles across the City that have been left in neighborhoods after being replaced, to work out a plan of action to have these abandoned poles removed from the City in the next year. (Ref'd 8/19/15) (11)

* * *

On motion by Councillor Morad and seconded by Councillor Bousquet, the Committee VOTED: To waive the reading and follow the Chair's recommendation and take "No Further Action" on items 12 through 17. This motion passed on a voice vote. They are as follows:

Notice, City Clerk of reference of a Written Motion, Councillor Alves, requesting, that the City Council invite the Mayor (or a representative of the Administration), and Jonathan M. Silverstein of Kopelman and Paige, P.C., to a Committee on Appointments and Briefings meeting (in Executive Session if need be) to brief the Council members on the process being utilized, and the current status of the City's negotiations in developing a host agreement with potential Casino operators in light of the potential referendum needed to be filed in time to be placed on the Ballot to be voted on by City residents at the General Election in November. (Ref'd 06/26/14, 0820/14-tabled for 60 days, 10/14/14-tabled for another 60 days (**DECEMBER**)) (12)

Notice, City Clerk of reference of a Written Motion, Council President Lopes, Councillors Winterson and Gomes, requesting that the Committee on Appointments and Briefing review 501 Code of

Massachusetts Regulations (CMR) Executive Office of Public Safety and Security, to allow for the establishment of New Bedford Harbor Master under the New Bedford Police Department, and allow for the duties and responsibilities of the New Bedford Harbor Master to follow under the direction of the New Bedford Police Department's Port Security Unit, said consolidation will ensure the continuity in the Chief Law Enforcement entity in the City, under the control and authority of the Chief of Police. (Ref'd 10/23/14, 11/18/14-11/18/14-tabled) (13)

Notice, City Clerk of reference of a Written Motion Councillor Lopes, requiring, that the Committee on Appointments and Briefings meet with members from Turowski 2 Architecture and Daedalus Projects, Inc., to discuss the progress being made on the MSBA Preliminary Design Program Submission for the "New" Hannigan School project.(Ref'd 01/22/15, 3/10/15-tabled) (14)

Notice, City Clerk of reference of a Written Motion, Councillor Oliveira and Council President Gomes, requesting the New Bedford Economic Development Council and Matt Morrissey, the Wind Energy Center Senior Advisor, provide an update on the status of Cape Wind and its impact of building an off shore and industry as there is a need to clarify the intended future use of the soon to be completed \$100MILLION Marine Commerce Terminal that was built for New Bedford to lead the nation in wind energy production. (Ref'd 03/26/15) (15)

Notice, City Clerk of reference of a Written Motion, Councillor Alves, requesting that representatives of KG Urban Enterprises, the developer for the proposed Casino in New Bedford, be invited to appear before the Committee on Appointments and Briefings to update and outline their plans for a Casino in the City and to discuss the economic benefits of such a Casino project at the Cannon Street Site that they had developed with the Administration; and further, to do so at a public, televised session, so that we can be educated and informed not only as City Councillors, but also to advise the residents of the City as to the benefits in anticipation of the required referendum vote by the Gaming Commission. (Ref'd 04/06/15) (16)

Notice, City Clerk of reference of a Written Motion, Councillors Bousquet, Coelho, Alves, Morad and Gomes, requesting that a letter be sent to the EPA, DEP and OSHA, to request that a visit be made to the owner of F and B Rubberized, 37 Washburn Street, New Bedford, MA, to review equipment placement, safety and environmental compliances with the owner's management team; and further, that the Department of Inspectional Services and the Department of Public Infrastructure also consider a visit to their location. (17)

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

This meeting adjourned @ 8:00 p.m.

ATTEST:

Clerk of Committees

