



Council Meeting – Minutes

CITY COUNCIL CALENDAR

Chambers of the City Council Municipal Building

Thursday, March 26, 2015 – 7:07 p.m.

PRESENT: Council President Gomes, Councillors Alves, Bousquet, Carney, Coelho, Lopes, Martins, Morad, Oliveira, Rebeiro and Winterson.

LATE: No One

ABSENT: No One

Council President Gomes called the meeting to order and presided.

Prayer Led By: Rabbi Kanter of Tifereth Israel Congregation

Councillor Rebeiro led the Assembly in the Pledge of Allegiance to the flag.

Moment of Silence for Harbor Master Larry Chongarlides and Former Ward One Council President Dorothy Eve Kearney.

CITATION, Councillors Coelho and Morad, honoring PETER PEREIRA, in recognition of his being selected as Photographer of the Year by both the New England and Press Association and the National Press Photographers Association.

Adopted.

(#0344)

The following resolution honoring New Bedford Cable Network was presented by Councillor Lopes and Martins.

CITY OF NEW BEDFORD

IN CITY COUNCIL

MARCH 26, 2015

RESOLUTION HONORING NEW BEDFORD CABLE NETWORK FOR PROVIDING TWENTY YEARS OF NEWS TO THE GREATER NEW BEDFORD AREA

WHEREAS, New Bedford Cable Access first went on air in March 1995, broadcasting local High School athletic events, school events, government meetings and topics of local interest; and

WHEREAS, The station was created by an agreement reached between the Administration of Mayor Rosemary S. Tierney and the local cable provider, which is now Comcast, initially the title was New Bedford Cable Access, it is now called New Bedford Cable Network; and

WHEREAS, New Bedford Cable Network is comprised of three stations, Channel 9, for Education, Channel 18, for Governmental Affairs and Channel 95, for Public Events; and

WHEREAS, Ralph Saulnier served as the original Government Access provider, Roger Robitaille, as the original Educational Access provider and Keith Thibeault served as the original Public Access provider; and

WHEREAS, During the two decades they have been on air, New Bedford Cable Network has served under four Mayors, Rosemary S. Tierney, Frederick M. Kalisz, Jr., Scott W. Lang and Jonathan F. Mitchell; and

WHEREAS, Over the course of the past twenty years, New Bedford Cable Network has won numerous National and Regional awards, including the 2007 Hometown Media Award for Overall Excellence and the 2012 Hometown Media Award for Live Programming for “Homework Helpers”, these being high profile National awards; and

WHEREAS, Dan Cabral and Suzanne Richard have been with the station since its inception in 1995; and

WHEREAS, Today, New Bedford Cable Network serves about thirty-three thousand households in the City of New Bedford, although due to the advancement in technology, they can be seen worldwide on the web; and

WHEREAS, New England Cable Network represents a mix of public, educational and governmental non-commercial broadcasting and has had a beneficial impact on the community, they have expanded civic engagement and have reinforced the vital role of community media:

NOW, THEREFORE, BE IT RESOLVED, That the New Bedford City Council hereby honors **NEW BEDFORD CABLE NETWORK FOR PROVIDING TWENTY YEARS OF NEWS TO THE GREATER NEW BEDFORD AREA**, thanks them for their many years of community service to the viewers and residents of our area by engaging them in local decision making and community dialogue and wishes them continued future success.

Adopted.

(#0345)

CITATIONS, Councillors Carney, Martins and Bousquet, honoring the Greater New Bedford Regional Vocational Technical High School Girls Varsity Basketball Team, the Lady Bears, NAIJA AMADO, RILEIGH AVILA, KELSEY CLARK, LINDSEY CORREIA, NAKIRA EXAMOND, VICTORIA MONTEIRO, JAEDYN MULLINS, LYNSEY RAMOS, IRISNEIDA RIVERA, MIKAYLA RODERICK, KRYSTIN SYLVIA, MEGAN SYLVIA, PAYTON WILDRICK and Head Coach, MIKE PRIOR and Assistant Coaches, SERGE MONIZ and MARCIO SANTIAGO, in recognition of their South Coast Conference Championship Title and undefeated regular season (20-0) record.

Tabled – February 26, 2015.

Removed from Table and Adopted.

(#0214)

The following resolution commemorating Vietnam Veteran’s Day and the Fortieth Anniversary of the end of the Vietnam War was presented by Councillor Alves and Oliveira.

CITY OF NEW BEDFORD

IN CITY COUNCIL

MARCH 26, 2015

COMMEMORATING VIETNAM VETERAN’S DAY AND THE FORTIETH ANNIVERSARY OF THE END OF THE VIETNAM WAR

WHEREAS, The Vietnam Veterans of America, Chapter 499, will be hosting their annual “RECOGNITION DAY CEREMONY” commemorating Vietnam Veteran’s Day of Remembrance and the FORTIETH ANNIVERSARY of the End of the Vietnam War, to show support for our once neglected heroes, enabling a now grateful public, to separate the War from the Warriors, to finally give them the recognition and “homecoming” they deserve; and

WHEREAS, The Ceremony is scheduled to take place on Saturday, March 29, 2014, at 1:00 p.m., at the Kennedy Building, Fort Taber Park, and offers everyone the opportunity to visit the Fort Taber Military Museum directly following the Ceremony to view the prominently displayed 43 photographs of our Vietnam Veterans who made the ultimate sacrifice by giving their “ALL” for their Country and its Citizens; and

WHEREAS, New Bedford’s original Vietnam Veteran’s Memorial Monument is a plaque located outside of City Hall; however, through the efforts of Chapter 499 POW-MIA Vietnam Veterans, the City’s Legislators and Administration, departments and workforce, as well as public fundraisers and support, the stunning granite “Welcome Home” Memorial was dedicated on September 17, 2006, at this beautiful site facing Clark’s Cove in Fort Taber Park, where everyone may visit more freely and where it serves as a fitting tribute for all Vietnam Veterans; and

WHEREAS, Along with our own Vietnam Welcome Home Memorial, there are now many tributes to our Vietnam Veterans, namely, the Vietnam Veterans Memorial Wall in Washington, D.C., honoring the nearly 58,200 Americans who died or are still Missing in Action by having each and every name inscribed on the Wall, the half-size replica “Moving Wall,” which has been crisscrossing the Country for over 30 years, built by Vietnam Veteran Volunteers who were deeply touched by the positive power of “THE WALL” and vowed to share that experience with those who could not go to Washington, D.C. to view the original, the traveling tributes known as the “Quilts of Tears,” made by loved ones to honor and remember our Vietnam Veterans who still suffer, or have lost their lives, as a result of their tour of duty in Vietnam AFTER they returned home and many others – all of which when viewed provide a truly heartbreaking and moving experience, but serve to honor the men and women who served when their Nation called; and

WHEREAS, On April 30, 1975, Communist North Vietnamese and Viet Cong forces captured the South Vietnamese capital of Saigon, forcing South Vietnam to surrender and brought about an end to the Vietnam War, this April 30, 2015, marks the fortieth anniversary of that historic event; and

WHEREAS, The American people have finally acknowledged the sacrifices made by our servicemen and women in Vietnam, and, on Vietnam Veterans Day, we take the time to honor all Vietnam and Vietnam-era Veterans for their courage and loyalty to God and Country during turbulent times, and to those who are or were Prisoners of War, to remember those still Missing in Action and to those soldiers who loved peace, but willingly laid down their lives to protect and preserve freedom throughout the world, as well as honoring and respecting those who still suffer the remnants of the war, be it physically or psychologically and offer them support, gratitude and respect for their pain and sacrifice; and

WHEREAS, The Veterans of the Vietnam War have formed a “Band of Brothers” to show their support for our present-day Veterans, especially those serving in active combat, and to ensure that they are given the welcome home and tributes so greatly deserved by all our fighting forces; and that the New Bedford City Councillors strive to ensure that the poor treatment our Vietnam Veterans received is NEVER repeated, by honoring and showing their appreciation to returning New Bedford Servicemen and Servicewomen, citing them for their service at City Council meetings, at the City’s LIGHTS FOR PEACE events and at this now annual “RECOGNITION DAY CEREMONY;” and

WHEREAS, The Veterans of the Vietnam War deserve our gratitude and respect for the time, effort and dedication they have given in the service of our Country, and on this FORTIETH ANNIVERSARY of the Vietnam Veterans Day of Remembrance, may we always deeply appreciate and never forget the men and women who have given so much to ensure our freedom that no words, no standing ovation, no ceremony, no ribbon, no medal could adequately honor them and their service in Vietnam, even as we seek to, by using their inspiring and popular slogan “ALL GAVE SOME, SOME GAVE ALL:”

NOW, THEREFORE BE IT RESOLVED, That the New Bedford City Council proudly Salutes our **VIETNAM VETERANS** and those who have passed into eternity, Commemorates the **FORTIETH ANNIVERSARY OF THE END OF THE VIETNAM WAR** and the **VIETNAM VETERANS DAY OF REMEMBRANCE**, sends its best wishes for a once again well-attended and successful “**RECOGNITION DAY CEREMONY**,” by our own **VVA**,

CHAPTER 499, at the beautiful “**WELCOME HOME MEMORIAL**,” in Fort Taber Park, and sincerely hopes that all Citizens of the world will never forget that our freedom does not come free, but with the sacrifices that were made by those who fought, and continue to fight so valiantly to preserve our way of life.

Adopted, to be presented at a later date. (#0346)

HEARING, on NSTAR Electric Company, d/b/a Eversource Energy and Verizon New England, Inc. for joint location of one (1) pole in SWALLOW STREET, South of Cardinal Street.

Donna Rosa-Gonsalves, Right of Way Representative of NSTAR Electric d/b/a Eversource Energy was present and in favor and answered questions.

No One Opposed; Hearing closed.

Petition Placed on File. (#0347)

AN ORDER,

Adopted and ordered recorded in Book of Location Order Records. (Councillor Martins OPPOSED)

Presented to the Mayor for approval March 30, 2015.

Approved April 08, 2015. (#0348)

HEARING, on NSTAR Electric Company, d/b/a Eversource Energy and Verizon New England, Inc. for joint location of one (1) pole in SASSAQUIN AVENUE, Opposite Swallow Street.

Donna Rosa-Gonsalves, Right of Way Representative of NSTAR Electric d/b/a Eversource Energy was present and in favor and answered questions.

No One Opposed; Hearing closed.

Petition Placed on File. (#0349)

AN ORDER,

Adopted and ordered recorded in Book of Location Order Records. (Councillor Martins OPPOSED.)

Presented to the Mayor for approval March 30, 2015.

Approved April 08, 2015. (#0350)

WRITTEN MOTION, Councillor Martins, requesting that the Committee on Ordinances be DISCHARGED from further consideration of the matter of AN ORDINANCE, amending Chapter 6, BUILDINGS AND OTHER STRUCTURES.

Motion to DISCHARGE Committee from further consideration FAILED – Yeas 7, Nays 4. (Councillors Alves, Coelho, Morad and Winterson OPPOSED.) (#0351)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of JANINE DASILVA, New Bedford, MA 02740, to the HISTORICAL COMMISSION, replacing Jennifer Nersesian; this term will expire March 2018.

Referred to the Committee on Appointments and Briefings. (#0352)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of MEGHAN KISH, New Bedford, MA 02740, to the HISTORICAL COMMISSION as an Alternate Member to Janine DaSilva, replacing Jennifer White Smith whose term has expired; this term will expire March 2018.

Referred to the Committee on Appointments and Briefings. (#0353)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of JENNIFER CLARKE, New Bedford, MA 02740, to the HISTORICAL COMMISSION as an Alternate Member to Jill Maclean, replacing Anne Louro; this term will expire March 2018.

Referred to the Committee on Appointments and Briefings. (#0354)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the 2015 Election Calendar for the City of New Bedford.

Received and Placed on File. (#0355)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of JAY JOSEPH LEWIS, New Bedford, MA 02740, as a CONSTABLE.

Received and Placed on File. (#0356)

APPLICATION, JAY JOSEPH LEWIS, New Bedford, MA 02740, for REAPPOINTMENT as a CONSTABLE.

Confirmed – Yeas 11, Nays 0. (#0357)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of DAVID M. SIMOES, Fairhaven, MA 02719, as a SPECIAL POLICE OFFICER.

Received and Placed on File. (#0358)

APPLICATION, DAVID M. SIMOES, Fairhaven, MA 02719, for REAPPOINTMENT as a SPECIAL POLICE OFFICER.

Appointment made and confirmed – Yeas 11, Nays 0. (#0359)

REPORT, Committee on Finance, recommending to the City Council APPROVAL of the TIF Application and Resolution approved by the Tax Increment Financing Board for a five (5) year STA Agreement for **HTP, Inc. & 272 Duchaine Blvd., LLC**, 272 Duchaine Boulevard, New Bedford, MA 02745.

Recommendation Followed. (#0360)

CITY OF NEW BEDFORD
IN CITY COUNCIL

MARCH 26, 2015

Resolution Approving Certified Project Application and Special Tax Assessment Agreement with HTP Inc., and 272 Duchaine Blvd, LLC

Whereas, HTP Inc., and 272 Duchaine Blvd, LLC have applied for designation as a Certified Project under the Massachusetts Economic Development Incentive Program created by Chapter 23A of Massachusetts General Laws; within an Economic Opportunity Area ("EOA") within the New Bedford Economic Target Area ("ETA") for a period of 5 years ending June 30, 2020 pursuant to the authority granted by and meeting the requirements of 402 C.M.R. 2.10(3).

Whereas, HTP Inc., and 272 Duchaine Blvd, LLC meet the minimum standards and is consistent with the Economic Development Incentive Program and the local economic development goals and criteria established as part of the documents creating the Greater New Bedford Economic Target Areas and the New Bedford Industrial Park Zone 10 EOA and shall be expected to benefit significantly from inclusion in said EOA:

Whereas, the proposed Certified Project is located at Parcel 136 524 on 272 Duchaine Blvd., New Bedford, MA and shown on the City of New Bedford's real property assessment database on February 24, 2015 in the EOA known as Zone 10: New Bedford Industrial Park;

Whereas, the project, together with all other projects previously certified and located in the same expansion project EOA will not overburden the City's infrastructure and utilities servicing he EOA;

Whereas, the City of New Bedford has agreed to offer HTP Inc., and 272 Duchaine Blvd, LLC a Special Tax Assessment Agreement, for the project described in the application proposal that will have a reasonable chance of increasing employment opportunities for residents of the expansion project area, ETA. Said Agreement is hereby approved by the City Council and the Special Tax Agreement Plan is incorporated by reference herein;

Whereas, HTP Inc., and 272 Duchaine Blvd, LLC is going to invest at least \$3,522,000 in the acquisition of the facility, renovations, equipment, and other capital expenses, and will retain 55 permanent full time jobs and create 44 new permanent full time jobs over a period of five years;

Now Therefore be it Resolved that the City Council of the City of New Bedford approves the Certified Project application of HTP Inc., and 272 Duchaine Blvd, LLC and forwards said application for certification to the Massachusetts Economic Assistance Coordinating Council for its approval and endorsement.

Further, the City Council of the City of New Bedford authorizes the Mayor to enter into a Special Tax Assessment Agreement between the City of New Bedford and HTP Inc., and 272 Duchaine Blvd, LLC. Said Agreement will provide for an exemption on property taxes on the full assessed valuation of the property at 100% for year one, 75% for year two, 50% for year three, 25% for year four, 0% for year five of a five-year Agreement according to the requirements and regulations established which govern the implementation of such Special Tax Assessment Agreements. The Agreement will be in effect as of FY2016 through June 30, 2020.

Referred to the Committee on Finance March 12, 2015.

Adopted – Yeas 11, Nays 0.

Presented to the Mayor for approval March 30, 2015.

Approved March 30, 2015.

(#0301)

REPORT, Committee on Finance, recommending to the City Council ADOPTION of the ORDER for the establishment of an AIRPORT STABILIZATION FUND.

Recommendation Followed.

(#0361)

CITY OF NEW BEDFORD

IN CITY COUNCIL

JANUARY 22, 2015

ORDERED, that in accordance with the provisions of Chapter 40, Section 5B of the General Laws, there is hereby established an Airport Stabilization Fund. Funds appropriated to and held by the Airport Stabilization Fund, including any interest earnings thereon, shall be available to be expended for extraordinary expenses and capital expenditures associated with the Airport.

Referred to the Committee on Finance –January 22, 2015.

Adopted – Yeas 11, Nays 0.

Presented to the Mayor for approval March 30, 2015.

Approved March 30, 2015. (#0091)

AN ORDINANCE, Rezoning of 44 Dartmouth Street, Plot 36/Lot 19 from Residential to MIXED-USE BUSINESS.

Rule 42 Waived – Yeas 10, Nays 0. (Councillor Winterson not present for vote.)

Passed, to a Second Reading February 26, 2015.

Passed, to be Ordained – Yeas 11, Nays 0.

Presented to the Mayor for approval March 30, 2015.

Approved April 08, 2015. (#0218)

AN ORDINANCE, Rezoning of 204 Court Street, Plot 51/Lot 273 from Residential B to MIXED-USE BUSINESS. (Passed to a Second Reading 02/26/2015.)

Rule 42 Waived – Yeas 10, Nays 0. (Councillor Winterson not present for vote.)

Passed to a Second Reading February 26, 2015.

Passed, to be Ordained – Yeas 11, Nays 0.

Presented to the Mayor for approval March 30, 2015.

Approved April 08, 2015. (#0220)

AN ORDINANCE, amending APPENDIX A – Table of Principal Use Regulations, amendment is to exclude a Contractor's Yard from Mixed-Use Business and Planned Business District.

Referred to the Committee on Ordinances and the Planning Board-December 18, 2014.

Rule 42 Waived – Yeas 10, Nays 0. (Councillor Winterson not present for vote.)

Passed to a Second Reading-February 26, 2015.

Passed, to be Ordained – Yeas 11, Nays 0.

Presented to the Mayor for approval March 30, 2015.

Approved April 08, 2015. (#2045)

IT WAS VOTED, on a motion made and duly seconded, Yeas 11, Nays 0, to waive Rule 42 in order of business to take up the following items at this time.

COMMUNICATION, Councillor Morad, submitting an email from a concerned New Bedford resident regarding the possible discontinuation of pay pass school buses for children who live within two miles of their school. (To be Referred to the Committee on Finance.)

Rule 42 Waived – Yeas 11, Nays 0.

Referred to the Committee on Finance. (#0362)

COMMUNICATION, Representative Antonio F.D. Cabral, to City Council, responding to a letter from City Clerk/Clerk of the City Council Dennis W. Farias, dated March 17, 2015, regarding assistance in obtaining funds for road repairs in the City of New Bedford. (Copy all Councillors via email 03/25/2015.)

Rule 42 Waived – Yeas 11, Nays 0.

Received and Placed on File. (#0363)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, that the City of New Bedford hold a local referendum election pursuant to M.G.L. c.23K s. 15 (13) relative to the siting of a casino gaming facility within the City of New Bedford prior to a positive determination of suitability having been issued to the applicant for a Category 1 license by the Massachusetts Gaming Commission.

Rule 42 Waived – Yeas 11, Nays 0.

Received and Placed on File. (#0364)

CITY OF NEW BEDFORD
IN CITY COUNCIL
MARCH 26, 2015

ORDERED, that pursuant to Massachusetts Gaming Commission regulations 205 CMR 11.05(6)(a), the City Council of the City of New Bedford, hereby approves of the holding of a local referendum election pursuant to M.G.L. c.23K § 15(13) relative to the siting of a casino gaming facility within the City of New Bedford prior to a positive determination of suitability having been issued to the applicant for a Category 1 license by the Massachusetts Gaming Commission.

Rule 42 Waived – Yeas 11, Nays 0.

Adopted and Rule 40 Waived – Yeas 10, Nays 0. (Councillor Carney not present for vote.)

Presented to the Mayor for approval March 27, 2015.

Approved March 30, 2015. (#0365)

WRITTEN MOTION, Councillor Winterson, requesting, on behalf of Mr. John Dutra, that the City Council send a letter to State Representative Antonio F. D. Cabral, asking for his support for homeless rights in the City of New Bedford and for House Bill 1129, An Act Providing a Homeless Bill of Rights.

Rule 17 Waived, Adopted and Rule 40 Waived – Yeas 10, Nays 0. (Councillor Carney not present for vote.)

(#0366)

WRITTEN MOTION, Councillor Oliveira and Council President Gomes, requesting that the New Bedford Economic Development Council and Matthew Morrissey, the Wind Energy Center Senior Advisor, provide an update on the status of Cape Wind and its impact of building an offshore wind industry as there is a need to clarify the intended future use of the soon to be completed \$100 million Marine Commerce Terminal that was built for New Bedford to lead the nation in wind energy production. (To be Referred to the Special Committee on Employment Opportunities.)

Referred to the Committee on Appointments and Briefings.

(#0367)

WRITTEN MOTION, Councillor Morad, that during the City Council's collection of information regarding Residency Waivers granted in the last five years, the Council further request that our Director of Labor Relations provide the number of applicants for those positions that were New Bedford residents.

Adopted.

Presented to the Mayor for approval March 30, 2015.

RETURNED UNSIGNED April 14, 2015.

(#0368)

WRITTEN MOTION, Council President Gomes and Councillor Martins and all City Councillors requesting, that the City Council go on record against the requested 8.6% increase by NSTAR Gas Company d/b/a Eversource Energy; and further, that the Attorney General's office look into this increase request, and that a letter to be sent to the Massachusetts Department of Public Utilities, requesting that they deny the increase and also that this Council is on record against the 8.6% increase which is a burden on the taxpayers and the business community.

Adopted and Rule 40 Waived – Yeas 11, Nays 0.

(#0369)

COMMUNICATION, NSTAR Gas d/b/a Eversource Energy, regarding their request with the Massachusetts Department of Public Utilities to increase gas distribution rates, if approved, the proposed revenue change would represent an increase of approximately 8.6 percent on average across all customers on a total-bill basis. (Copy all Councillors via email 03/11/2015.)

Received and Placed on File.

(#0370)

WRITTEN MOTION, Councillor Martins and Council President Gomes, requesting, that a letter be sent to Eversource Energy's Corporate Headquarters indicating the disappointment and disapproval of the City Council in learning of Eversource Energy CEO, Thomas May's annual pay package of nearly nine million dollars, when the company has placed on the public a 29% increase in electric bills and a proposed 8.6% increase starting in 2016, for gas bills; and further, that Attorney General Maura Healey be asked to look into the matter.

Adopted and Rule 40 Waived – Yeas 11, Nays 0.

(#0371)

COMMUNICATION, Councillor Martins, submitting copy of Boston Globe article dated March 12, 2015, regarding the salary increase of Eversource CEO, Thomas May.

Received And Placed on File. (#0372)

WRITTEN MOTION, Councillor Lopes, requesting that the second paragraph of Rule 1 of the City Council Rules of Order be amended to read- Additional regular meetings shall be held on the third Thursday of July, on the third Thursday of August and on the **SECOND** Thursday of December in each year. (To be Referred to the Committee on Ordinances.)

Referred to the Committee on Ordinances. (#0373)

WRITTEN MOTION, Councillor Winterson, requesting, that a letter be sent to the management of Shaw's Supermarket, Rt. 6, asking that they inform their vendors to use Rt. 6, or an alternate route other than Metropolitan Avenue in New Bedford; the residents living on Metropolitan Avenue are being affected by large trailer trucks who use their street to get to Shaw's Supermarket to unload merchandise, the constant use of Metropolitan Avenue by these large trucks has not only damaged the road, but caused a great deal of noise disturbance in a residential area; and further requesting, that the Traffic Commission install signage deterring these and any other large trucks from using Metropolitan Avenue; and further, requesting, that a copy of this letter be forwarded to the Dartmouth Board of Selectmen asking for their assistance with this matter.

Referred to Shaw's Supermarket, Dartmouth Board of Selectmen, Traffic Commission and Rule 40 Waived – Yeas 11, Nays 0. (#0374)

WRITTEN MOTION, Councillor Winterson, requesting, on behalf of Buttonwood Park area residents, that Department of Public Infrastructure Commissioner Ronald Labelle and Director of Parks, Recreation and Beaches, Mary Rapoza, inform the City Council what will be done to restore the softball field at Buttonwood Park to its original condition, given that this location was used as a drop off point for excess snow throughout this long winter.

Referred to DPI and Parks, Recreation and Beaches.
Presented to the Mayor for approval March 30, 2015.
RETURNED UNSIGNED April 14, 2015. (#0375)

WRITTEN MOTION, Councillor Coelho, requesting, that the Mayor's Office look into whether a process can be implemented to make it easier for the public to obtain necessary permits, housing, building, contracting, etc., a one-stop permitting process in City Hall, as opposed to the process currently in place, where people have to drive to different locations in the City to obtain various permits for the same project.

Referred to the Mayor's Office and the Committee on Appointments and Briefings.
Presented to the Mayor for approval March 30, 2015.
RETURNED UNSIGNED April 14, 2015. (#0376)

WRITTEN MOTION, Councillors Lopes, Martins, Winterson, Morad and Rebeiro, requesting that Patrick Sullivan, Director of the Office of Housing and Community Development, provide the City Council with the preliminary FY2016 Community Development Block Grant Budget and allocations. (Referred to the Committee on Finance, CFO Ari Sky and Director of the Office of Housing and Community Development Patrick Sullivan.)

Adopted and requesting a response within 30 days.

Presented to the Mayor for approval March 30, 2015.

RETURNED UNSIGNED April 14, 2015. (#0377)

WRITTEN MOTION, Councillors Lopes, Winterson, Morad and Rebeiro, requesting that the New Bedford Economic Development Council, provide the City Council with a breakdown of the number of employees for Fiscal Years 2013, 2014 and 2015; the projected number of employees for Fiscal Year 2016; number of loans and amounts issued for Fiscal Years 2013, 2014 and 2015; and further, requesting copies of the Economic Development's last two financial audits of their loan portfolio. (To be Referred to the Committee on Finance, CFO Ari Sky and Executive Director of the New Bedford Economic Development Council, Derek Santos.)

Adopted and requesting a response within 30 days.

Presented to the Mayor for approval March 30, 2015.

RETURNED UNSIGNED April 14, 2015. (#0378)

WRITTEN MOTION, Councillor Lopes, requesting that the New Bedford School Committee begin a dialogue with the Children's Advocacy Center about hosting a professional development day for the teachers and staff of the New Bedford Public Schools, the professional development day would focus on enhancing the knowledge of both the teachers and staff of the New Bedford Public Schools in identifying the varying aspects of child abuse, and would increase the staff's knowledge in recognizing child abuse, focusing on the providing teachers with the best practices in responding to child abuse as part of a multi-disciplinary team. (To be Referred to the New Bedford School Committee.)

Adopted.

Presented to the Mayor for approval March 30, 2015.

RETURNED UNSIGNED April 14, 2015. (#0379)

WRITTEN MOTION Councillor Lopes, Council President Gomes, Councillors Winterson, Martins, Morad, Oliveira and Rebeiro, requesting that the City Council send a letter of support to Massachusetts Attorney General Maura Healy, Secretary of State William Galvin, Senator Mark Montigny, and Representatives Cabral, Schmid, Markey, Straus and Koczera in support of banning the sale of e-cigarettes to minors.

Adopted – Yeas 11, Nays 0.

Rule 40 Waived – Yeas 10, Nays 0. (Councillor Oliveira not present for vote.) (#0380)

WRITTEN MOTION, Councillor Rebeiro, requesting, on behalf of the United Way of Greater New Bedford and Mayor Mitchell, that the following street(s) be CLOSED: WILLIAM STREET, from North Sixth Street to Pleasant Street,

ON FRIDAY, MAY 01, 2015, FROM 7:00 A.M. TO 9:00 A.M., for the purpose of the United Way's 21st Annual Youth Day of Caring Event on the Main Library's Steps and Parking for the Student's Buses.

Permission Granted.

Presented to the Mayor for approval March 30, 2015.

Approved April 08, 2015. (#0381)

WRITTEN MOTION, Councillor Winterson, requesting, on behalf of the Humane Coalition for Animals of Greater New Bedford, that the following street(s) be CLOSED: LT. WALTER P. FULLER MEMORIAL PARKWAY, from Rockdale Avenue West to the Monument, ON SUNDAY, MAY 17, 2015, FROM 8:00 A.M. TO 4:00 P.M., for the purpose of their 16th Annual Dog Walk and Pet Fest in Buttonwood Park.

Permission Granted.

Presented to the Mayor for approval March 30, 2015.

Approved April 08, 2015. (#0382)

WRITTEN MOTION, Councillor Lopes, requesting, on behalf of Javier Rojas, that the following street(s) be CLOSED: RIVET STREET, between South Second Street and Acushnet Avenue, ON SATURDAY, MAY 02, 2015, FROM 7:00 A.M. TO 12:00 A.M., (MIDNIGHT) for the purpose of The Cinco De Mayo Celebration.

Permission Granted.

Presented to the Mayor for approval March 30, 2015.

Approved April 08, 2015. (#0383)

WRITTEN MOTION, Councillor Lopes, requesting, that the following street(s) be CLOSED: CLEVELAND STREET, from David Street to Rodney Street, ON SUNDAY, MAY 17, 2015, FROM: 7:30 A.M. TO 1:00 P.M., for the purpose of the 35TH ANNUAL HAZELWOOD WOMEN'S 5K RUN/WALK.

Permission Granted.

Presented to the Mayor for approval March 30, 2015.

Approved April 08, 2015. (#0384)

WRITTEN MOTION, Councillor Rebeiro, requesting, on behalf of AHA! New Bedford and the Earth Day Committee, that the following street(s) be CLOSED: MARKET STREET, from Pleasant Street to North Sixth Street AND PURCHASE STREET, from Union Street to Spring Street, ON THURSDAY, APRIL 09, 2015, FROM 8:00 A.M. TO 7:00 P.M., for the purpose of the Earth Eve Parade.

Permission Granted.

Presented to the Mayor for approval March 30, 2015.

Approved April 08, 2015. (#0385)

WRITTEN MOTION, Councillors Martins, Lopes, Coelho, Winterson, Oliveira, Rebeiro, Bousquet, Carney and Alves, requesting, that a letter of support be sent to our local and State Legislative Delegation, House Speaker Robert

DeLeo, House Ways and Means Chairman, Representative Brian Dempsey, Senate President Stanley Rosenberg and Senate Ways and Means Chairman, Senator Karen Spilka, urging them to support a \$15 million investment in the arts; and further, requesting, that Governor Baker's recommendation to fund the State's investment in arts and culture for FY2016 at \$11.8 million doesn't provide the resources that the community needs to build a more vibrant and connected Massachusetts; and further, that over the past twenty-five years, the Commonwealth's investment in the creative community has declined over sixty percent, the Governor's recommendation represents an additional two percent cut (\$12 million) budgeted for the Massachusetts Cultural Council for FY2015; and further, that the creative community recently delivered a petition to the Governor signed by 3,000 artists, leaders and Citizens, requesting an increase in the State's investment in the arts, here in Massachusetts the creative community makes vital contributions to the economic development of Gateway Cities and the educational achievement of all students, and efforts to build stronger communities; and further, that adequate funding would help local cultural councils across the Commonwealth provide a diverse array of cultural activities that would help Cities like New Bedford be more attractive to residents and visitors alike, promote educational programming to help students of all abilities to excel across all academic disciplines and build more vibrant and connected communities.

Rule 17 Waived and Adopted – Yeas 10, Nays 0. (Councillor Rebeiro not present for vote.)

(#0386)

WRITTEN MOTION, Councillor Coelho, Council President Gomes, Councillors Oliveira, Martins, Lopes, Winterson, Rebeiro, Bousquet, Carney and Alves, requesting, at Council President Gomes recommendation at the Committee on Finance meeting of March 18, 2015, that the City Council organize a drive-along, consisting of members of the City Council, a representative from Siemen's and Scott Durkee, Energy Manager, the purpose being to personally verify the many constituent complaints regarding poor lighting throughout the City, in some areas the lighting is so dark it has become a public safety issue and should be evaluated.

Referred to the Committee on Public Safety and Neighborhoods.

(#0387)

WRITTEN MOTION, Council President Gomes, Councillors Oliveira, Martins, Winterson, Bousquet, Alves, and Carney requesting, that the Mayor Mitchell and Department of Public Infrastructure Commissioner Labelle, consider putting on a twenty-four hour a day pothole crew working throughout the night when there is less traffic; and further, requesting, assistance from Emergency Management light trucks to assist the pothole crew with lightning, this would give the City a great opportunity to catch up on the pothole problem and road damage throughout the City that has become a nuisance, along with causing damage to motor vehicle traffic throughout the City.

Adopted.

Presented to the Mayor for approval March 30, 2015.

RETURNED UNSIGNED April 14, 2015.

(#0388)

WRITTEN MOTION, Councillor Winterson, requesting, that the Department of Public Infrastructure address Hawthorn Street, between Cottage Street and Ash Street, there is a rectangular portion of that street that needs to be cut

out and re-paved, due to the fact that the weather related road damage is so severe that it causes motorists to swerve and it has become very dangerous to drive on this busy street.

Referred to DPI.

Presented to the Mayor for approval March 30, 2015.

RETURNED UNSIGNED April 14, 2015. (#0389)

WRITTEN MOTION, Councillors Lopes, Martins, Rebeiro, Winterson, Oliveira, Morad and Bousquet and Alves and Council President Gomes, requesting that representatives from Mayor Mitchell's negotiating team meet with the City Council's Committee on Finance to discuss in detail the Host Community Agreement between the City of New Bedford and KG Urban Enterprises for a Waterfront Casino Gaming Facility. (To be Referred to the Committee on Finance; invitees CFO Ari Sky and City Solicitor Mikaela McDermott.)

Adopted. (#0390)

WRITTEN MOTION, Councillor Coelho, requesting, that in light of the discussion regarding feral cats at the Committee on Public Safety and Neighborhoods meeting on March 19, 2015, and the public's interest in animal welfare, that the City and Animal Control Director, Manny Maciel, look into establishing an animal emergency phone number, manned by a person, not a recording, there have been many complaints that the current number immediately goes to a recording and the messages left are never returned, this is not in the best interest of animals in need of help. (To be Referred to the Mayor and the Committee on Public Safety and Neighborhoods.)

Adopted.

Presented to the Mayor for approval March 30, 2015.

RETURNED UNSIGNED April 14, 2015. (#0391)

COMMUNICATION/EMAIL, Councillor Martins, submitting from Allan Wolstenholme, New Bedford, MA, a copy of the Luminance Measurement and Brightness of Electronic/Dynamic Display LED Sign.

Referred to the Committee on Ordinances. (#0392)

COMMUNICATION/EMAIL, Councillor Martins, submitting from Allan Wolstenholme, New Bedford, MA, a copy of the City of New Bedford Sign Standards Draft, signed March 09, 2015 and suggested changes to Appendix A and Appendix B.

Referred to the Committee on Ordinances. (#0393)

COMMUNICATION, City Clerk/Clerk of the City Council Dennis W. Farias, submitting letter from Paul L. Barton, Chairman, Airport Commission, responding to a letter concerning a Motion on the City Council Agenda of December 18, 2014, relative to civilian drones and whether the creation of an Ordinance is necessary to ensure public safety in the vicinity of the New Bedford Airport. (Copy all Councillors 03/17/2015.)

Received and Placed on File. (#0394)

COMMUNICATION, City Clerk/Clerk of the City Council Dennis W. Farias, submitting press release sent from Attorney General Maura Healey's office, dated January 06, 2015, responding to Councillor Martins' motion regarding "Just Energy." (Copy all Councillors via email 03/24/2015.)

Received and Placed on File. (#0395)

COMMUNICATION, Department of Environmental Protection Waterways Regulation Program, notice of a Waterways License Application by the City of New Bedford, Department of Public Infrastructure to construct and maintain a public park and maintain an existing stone groin at East Rodney French Boulevard.

Received and Placed on File. (#0396)

COMMUNICATION, Ronald H. Labelle, DPI Commissioner to City Council, requesting the approval of a sewer betterment extension project on Bristol Street, consisting of approximately 400 feet of 8" diameter sewer with one manhole structure and five 6" diameter sewer service extensions to the property line.

Referred to the Committee on Finance. (#0397)

AN ORDER,

Referred to the Committee on Finance. (#0398)

WRITTEN MOTION, Council President Gomes, requesting, on behalf of the Zeiterion Theatre, that the following street(s) be CLOSED: SPRING STREET, from Purchase Street to Acushnet Avenue (Alongside the Zeiterion Theatre) FROM FRIDAY, MARCH 20, 2015, AT 6:00 A.M., TO SATURDAY, MARCH 21, 2015, AT 2:00 A.M., for the purpose of unloading equipment for the performance of "Peter and the Starcatcher".

GRANTED PROVISIONALLY BY THE CITY COUNCIL PRESIDENT BRIAN K. GOMES ON TUESDAY, MARCH 17, 2015, TO BE RATIFIED BY THE CITY COUNCIL ON THURSDAY, MARCH 26, 2015.

Received and Action of the City Council President Ratified.

Presented to the Mayor for approval March 30, 2015.

Approved April 08, 2015. (#0399)

WRITTEN MOTION, Councillor Alves, requesting on behalf of the owners of "Danny's Seafood Restaurant", that the Traffic Commission install "ONE HOUR PARKING" Signs on North Front Street, in front of their business building (574-580 North Front Street) to allow for customer parking and to provide customers picking up orders the ability to park closer to the business, because residents and employees from other businesses and clubs park in front of the business for hours, in some cases "days at a time". (To be Referred to the Traffic Commission.)

Referred to the Traffic Commission. (#0400)

WRITTEN MOTION, Councillor Alves requesting, on behalf of residents in the area of the intersection of Summer Street and Locusts Street, that the Traffic Commission review the need for an additional "STOP SIGN", to be

installed on the Summer Street side, making the intersection a FOUR WAY stop intersection and a less dangerous intersection in light of the number of major incidents (five in 2014), and minor or close calls that have occurred at this intersection of late.

Referred to the Traffic Commission. (#0401)

WRITTEN MOTION, Council President Gomes, requesting, on behalf of the Zeiterion Theatre, that the following street(s) be CLOSED: SPRING STREET, from Purchase Street to Acushnet Avenue (Alongside the Zeiterion Theatre) FROM FRIDAY, MARCH 20, 2015, AT 6:00 A.M., TO SATURDAY, MARCH 21, 2015, AT 2:00 A.M., for the purpose of unloading equipment for the performance of "Peter and the Starcatcher".

GRANTED PROVISIONALLY BY THE CITY COUNCIL PRESIDENT BRIAN K. GOMES ON TUESDAY, MARCH 17, 2015, TO BE RATIFIED BY THE CITY COUNCIL ON THURSDAY, MARCH 26, 2015.

Received and Action of the City Council President Ratified.

Presented to the Mayor for approval March 30, 2015.

Approved April 08, 2015. (#0402)

MINUTES, Bristol Coalition, submitting MINUTES of a meeting held on December 16, 2014.

Received and Placed on File. (#0403)

MINUTES, Bristol County Public Health Emergency Preparedness Coalition, submitting MINUTES of a meeting held on November 18, 2014.

Received and Place on File. (#0404)

MINUTES, Airport Commission, submitting MINUTES of a meeting held on November 19, 2014.

Received and Placed on File. (#0405)

MINUTES, Conservation Commission, submitting MINUTES of meetings held on July 01 and August 05, 2014.

Received and Placed on File. (#0406)

MINUTES, Council on Aging, submitting MINUTES of a meeting held on January 08, 2015.

Received and Placed on File. (#0407)

MINUTES, Board of assessors, submitting MINUTES of meetings held on March 05 and 13, 2015.

Received and Placed on File. (#0408)

MINUTES, Licensing Board, submitting MINUTES of a meeting held on September 22, 2014.

Received and Placed on File. (#0409)

APPLICATION, **R.J. Canessa Excavating**, for permission to maintain a STREET OBSTRUCTION at **41 William Street**, provisionally granted by the City Clerk on March 13, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the mayor for approval March 30, 2015.

Approved April 08, 2015. (#0410)

APPLICATION, **W.C. Smith & Son**, for permission to maintain a STREET OBSTRUCTION at **219 Allen Street**, provisionally granted by the City Clerk on March 16, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval March 30, 2015.

Approved April 08, 2015. (#0411)

APPLICATION, **Precision Valley Communications**, for permission to maintain a STREET OBSTRUCTION at **68 Blackmer Street**, provisionally granted by the City Clerk on March 25, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval March 30, 2015.

Approved April 08, 2015. (#0412)

APPLICATION, **Precision Valley Communications**, for permission to maintain a STREET OBSTRUCTION at **18 Wright Street**, provisionally granted by the City Clerk on March 25, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval March 30, 2015.

Approved April 08, 2015. (#0413)

APPLICATION, **Farland Corp.**, for permission to maintain a STREET OBSTRUCTION at **872 South First Street**, provisionally granted by the City Clerk on March 23, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval March 30, 2015.

Approved April 08, 2015. (#0414)

APPLICATION, **JLC Construction**, for permission to maintain a STREET OBSTRUCTION at **63 Lemos Street**, provisionally granted by the City Clerk on March 23, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval March 30, 2015.

Approved April 08, 2015. (#0415)

APPLICATION, **R.J. Canessa Excavating**, to DISTURB THE SURFACE, of **41 William Street**, provisionally granted by the City Clerk on March 13, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified

Presented to the Mayor for approval March 30, 2015.

Approved April 08, 2015. (#0416)

APPLICATION, **W.C. Smith & Son**, to DISTURB THE SURFACE, of **219 Allen Street**, provisionally granted by the City Clerk on March 16, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified

Presented to the Mayor for approval March 30, 2015.

Approved April 08, 2015. (#0417)

APPLICATION, **Precision Valley Communications**, to DISTURB THE SURFACE, of **68 Blackmer Street**, provisionally granted by the City Clerk on March 25, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified

Presented to the Mayor for approval March 30, 2015.

Approved April 08, 2015. (#0418)

APPLICATION, **Precision Valley Communications**, to DISTURB THE SURFACE, of **18 Wright Street**, provisionally granted by the City Clerk on March 25, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified

Presented to the Mayor for approval March 30, 2015.

Approved April 08, 2015. (#0419)

APPLICATION, **Farland Corp.**, to DISTURB THE SURFACE, of **872 South First Street**, provisionally granted by the City Clerk on March 23, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified

Presented to the Mayor for approval March 30, 2015.

Approved April 08, 2015. (#0420)

APPLICATION, **JLC Construction**, to DISTURB THE SURFACE, of **63 Lemos Street**, provisionally granted by the City Clerk on March 23, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified

Presented to the Mayor for approval March 30, 2015.

Approved April 08, 2015. (#0421)

APPLICATIONS, **NSTAR Gas Company d/b/a Eversource Energy**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on March 19, 2015, subject to ratification by the Mayor and City Council as follows:

1 Seventh Street	(#0422)
45 Jones Street	(#0423)
657 County Street	(#0424)
Austin Court/Hazard Street	(#0425)
931 Pleasant Street	(#0426)
Cottage Street/Court Street	(#0427)
Fillmore Street/Summer Street	(#0428)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval March 30, 2015.

Approved April 08, 2015.

APPLICATIONS, **NSTAR Gas Company d/b/a Eversource Energy**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on March 19, 2015, subject to ratification by the Mayor and City Council as follows:

North Street/Cottage Street	(#0429)
Hillman Street/Foster Street	(#0430)
688-702 South 1 st Street	(#0431)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval March 19, 2015.

Approved April 07, 2015.

APPLICATIONS, **NSTAR Gas Company d/b/a Eversource Energy**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on March 24, 2015, subject to ratification by the Mayor and City Council as follows:

189 Wood Street	(#0432)
147 Sycamore Street	(#0433)
477 North Front Street	(#0434)
744 Belleville Avenue	(#0435)
375 Church Street	(#0436)
Church Street/Nash Road	(#0437)
West Rodney French Boulevard/Bayview Street	(#0438)
898-902 Mt. Pleasant Street	(#0439)
439 Potter Street	(#0440)
324 Cummington Street	(#0441)
943 Shawmut Avenue	(#0442)

63 Spruce Street (#0443)
868 Pleasant Street (#0444)
104 Armsby Street (#0445)
130 Fairmount Street (#0446)
69 Oesting Street (#0447)
372 Bream Street (#0448)
50 and 60 Nemasket Place (#0449)
16 Hassey Street (#0450)
800 Coggeshall Street (#0451)
55 Foster Street (#0452)
Intersection of Belleville Avenue and Collette Street (#0453)
Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval March 30, 2015.
Approved April 07, 2015.

APPLICATION, **NSTAR Gas Company d/b/a Eversource Energy**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on March 26, 2015, subject to ratification by the Mayor and City Council as follows:

Acushnet Avenue/Tallman Lane
Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval March 30, 2015.
Approved April 07, 2015. (#0454)

APPLICATION, **NSTAR Gas Company d/b/a Eversource Energy**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on March 24, 2015, subject to ratification by the Mayor and City Council as follows:

Summer Street, North of Sycamore Street
Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval March 30, 2015.
Approved April 07, 2015. (#0455)

On a motion, the Council then adjourned at 10:20 p.m.

ATTEST:

DENNIS W. FARIAS, CITY CLERK/
CLERK OF THE CITY COUNCIL