



Council Meeting – Minutes

CITY COUNCIL CALENDAR

Chambers of the City Council Municipal Building

Thursday, April 23, 2015 – 7:10 p.m.

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

LATE: Councillor Morad 7:27 p.m.

ABSENT: No One

Council President Gomes called the meeting to order and presided.

Councillor Oliveira led the Assembly in the Pledge of Allegiance to the Flag.

Council President Gomes asked for Moment of Silence for Cynthia Swift, former City of New Bedford Employee.

CITATIONS, Council President Gomes, Councillors Lopes and Winterson, honoring the 2015 NEW BEDFORD HALF-MARATHON RACE COMMITTEE.

Adopted.

(#0581)

The following resolution was presented by Councillors Rebeiro and Lopes.

CITY OF NEW BEDFORD

IN CITY COUNCIL

APRIL 23, 2015

RESOLUTION HONORING THE ONE HUNDREDTH ANNIVERSARY OF THE ABRAHAM H. HOWLAND, JR., LODGE, A.F. AND A.M.

WHEREAS, The Grand Lodge of Masons in Massachusetts was formed in the year 1733, when eighteen men gathered at the Bunch of Grapes Tavern on King Street in Boston and organized the first Masonic Lodge in Massachusetts, members pledged to be true to each other, to God and to their King, however, a number of later Masons, including George Washington, John Hancock, Patrick Henry and Paul Revere, among many others, played major roles in the American Revolution, the majority of the signers of the Declaration of Independence and of the Constitution were Freemasons; and

WHEREAS, Abraham Hathaway Howland, Jr., was born in the City of New Bedford on May 29, 1840, he served the City with distinction as Mayor, 1875-1876, bringing to that high office the same sterling character and abilities that distinguished his dedicated service to the numerous Masonic orders of which he was a member, he was also director of the utility company, several banks and participated in many civic groups, Abraham H. Howland, Jr. came from hardy stock, the first Howland having come over on the Mayflower in 1620; and

WHEREAS, His father, Abraham H. Howland, Sr., was in the whaling industry, a ship owner, one of the first to refine petroleum, he was a Massachusetts legislator for three years, the first Mayor of New Bedford for four terms and a Mason, Abraham H. Howland, Sr.'s portrait now hangs in the New Bedford City Council Chamber at City Hall; and

WHEREAS, The first Lodge in New Bedford (then called Bedford Village) was the Washington Remembered Lodge, established in 1803, which enrolled a total of one-hundred and twenty-one members, after the War of 1812, the Lodge lost many members and its Charter was returned to the Grand Lodge in 1814; and

WHEREAS, At one point, there were only two Lodges in the City of New Bedford, Star-in-the-East Lodge, established in 1823, and the Eureka Lodge, established in 1858, the Star-in-the-East remains the oldest Masonic Lodge in the City; and

WHEREAS, The Masonic career of Most Worshipful Grand Master Abraham H. Howland, Jr., was exceptionally honorable, one of his many accomplishments was to set up a charity fund, this was done with an Act of Incorporation obtained from the Massachusetts General Court in 1884, with the original limit of the fund set at one million dollars, this fund is known as the Masonic Education and Charity Fund, and under the control of eight trustees the fund remains successful, Abraham H. Howland, Jr., also participated in the dedication of the Washington Monument, bringing to that ceremony the golden urn fashioned by Paul Revere which contained a lock of President George Washington's hair; and

WHEREAS, During Abraham H. Howland, Jr.'s third and final year as Grand Master, many repairs were made to the exterior of the Lodge, he issued to his District Deputy Grand Masters in 1885, twenty-eight warrants to convey his actions to Lodges, such as healing of members, dedication of Lodges, laying of cornerstones, etc., and asked for full reports on all of these activities, Most Worshipful Abraham H. Howland, Jr., also urged the adoption of the district system of the exemplification of the work and lectures of their ritual, which continues to this day; and

WHEREAS, In 1914, a number of local Masons decided there was need for a new Lodge and took action to propose its formation and on June 08, 1915, a meeting was held, and the Abraham H. Howland, Jr., Lodge was organized Under Dispensation, with Charter dated 1915, and on May 23, 1916, with a very large gathering of distinguished Masons from near and far, the Abraham H. Howland, Jr., Lodge was constituted in honor of New Bedford's most eminent Mason and distinguished public figure; and the installation of Officers by the Grand Master and Officers of the Grand Lodge took place; and

WHEREAS, On May 08, 1923, the Abraham H. Howland, Jr., Lodge voted to make suitable arrangements for placing a floral piece on the grave of Most Worshipful Abraham H. Howland, Jr., on Memorial Day of each year; and

WHEREAS, Today the Abraham H. Howland, Jr., Lodge remains one of the most active in the Commonwealth, involved in charitable and philanthropic endeavors, the Lodge is dedicated to fellowship and service to the community and its members continue to aspire towards the fulfillment of their Masonic virtues through their actions in charity and brotherhood everyday and as the Lodge celebrates its One Hundredth Anniversary in 2015, their efforts are directed towards maintaining the same reputation it has enjoyed since its inception:

NOW, THEREFORE, BE IT RESOLVED, That the New Bedford City Council hereby honors and congratulates the **ABRAHAM H. HOWLAND, JR., LODGE, A.F AND A.M., ON THE OCCASION OF THEIR ONE HUNDREDTH ANNIVERSARY,** commends them for a century of using the lessons of Freemasonry in their daily life, by building better men to work in their own communities and for the worthwhile and lasting contributions they have made to society.

Adopted.

(#0582)

The following resolution was presented by Councillor Martins to Peter Frates' parents John & Nancy Frates

CITY OF NEW BEDFORD

IN CITY COUNCIL

APRIL 23, 2015

**RESOLUTION HONORING PETER FRATES CREATOR OF
THE ICE BUCKET CHALLENGE TO PROMOTE ALS AWARENESS**

WHEREAS, Peter Frates was born in Beverly, Massachusetts, on December 28, 1984, and is the second of three children of John and Nancy Frates, Peter married Julie Kowalik in Marblehead, Massachusetts in 2013, and their daughter, Lucy Fitzgerald was born on August 31, 2014; and

WHEREAS, Peter Frates graduated from St. John's Preparatory School in 2003, where he was a four year member of the football, hockey and baseball teams, an Honor Roll student and school leader; and

WHEREAS, Peter Frates graduated from Boston College in 2007, majoring in History and Communications, while a student at Boston College, Peter Frates became the Captain of the college baseball team during his Senior year, he played summer baseball in Maryland, Connecticut and Hawaii; and

WHEREAS, After graduating from Boston College, Peter Frates travelled to Hamburg, Germany to play baseball in the German Baseball League, while coaching German youth in the sport; and

WHEREAS, On March 13, 2012, Peter Frates was diagnosed with the disease amyotrophic lateral sclerosis (ALS); and

WHEREAS, ALS is often referred to as "Lou Gehrig's disease", after the famous New York Yankee baseball player who publicly revealed his diagnosis in 1939; and

WHEREAS, Peter Frates and his friend, Pat Quinn, who was diagnosed with ALS in 2013, launched the Ice Bucket Challenge campaign in July 2014; and

WHEREAS, The Ice Bucket Challenge encourages participants to be filmed having a bucket of ice water poured on their heads and nominating others to do the same, the nominees have twenty-four hours to comply or opt to make a donation to the ALS Association; and

WHEREAS, According to the ALS Association, the ALS Ice Bucket Challenge has raised a total of two hundred and twenty million dollars globally and in December 2014, Sports Illustrated Magazine named Peter Frates as one of its "Inspirations of the Year"; and

WHEREAS, Peter Frates was inducted into the St. John's Preparatory School Hall of Fame on November 20, 2012, he was also awarded the Stephen Heywood Patients Today Award in 2012, for his fundraising and advocacy work in increasing awareness of ALS and was named one of Nature International Weekly Journal of Science Magazine's Ten People Who Mattered in 2014:

NOW, THEREFORE, BE IT RESOLVED, That the New Bedford City Council hereby honors **PETER FRATES CREATOR OF THE ICE BUCKET CHALLENGE TO PROMOTE ALS AWARENESS**, commends him for his commitment to an effort to raise funds for research for a cure, thanks him for his hard work and dedication and sends best wishes to him in all his future endeavors.

Adopted.

(#0583)

The following resolution was presented by Councillors Coelho, Bousquet, Winterson, Oliveira, Rebeiro, and Council President Gomes to Everett Hoagland.

CITY OF NEW BEDFORD

IN CITY COUNCIL

APRIL 23, 2015

RESOLUTION HONORING EVERETT HOAGLAND ON WINNING THE 2015 LANGSTON HUGHES SOCIETY AWARD

WHEREAS, Founded in 1981, the Langston Hughes Society is a National organization commemorating Langston Hughes as the first African-American to devote his career to writing; and

WHEREAS, Langston Hughes was a Nationally known poet, editor, playwright, educator and mentor of young writers, he also made contributions to the Civil Rights movement having lived through that turbulent era; and

WHEREAS, As a young man, Everett Hoagland was inspired by the writing of Langston Hughes, the most popular and widely read African-American poet in history; and

WHEREAS, Both Everett Hoagland and Langston Hughes are alumnae of Lincoln University; and

WHEREAS, Throughout his career as a poet and Professor at the University of Massachusetts/Dartmouth, Everett Hoagland himself has inspired many young writers, sharing memories and stories of his own remarkable life; and

WHEREAS, Everett Hoagland, author, retired educator and former Poet Laureate of the City of New Bedford was honored to accept the 2015 Langston Hughes Society Award at the annual convention in Dallas, Texas, on Sunday, April 12, 2015, where he was also the keynote speaker; and

WHEREAS, Winning the 2015 Langston Hughes Award places Everett Hoagland alongside Toni Morrison, James Baldwin and Maya Angelou as Nationally known black poets:

NOW, THEREFORE, BE IT RESOLVED, That the New Bedford City Council hereby honors and congratulates **EVERETT HOAGLAND ON WINNING THE 2015 LANGSTON HUGHES SOCIETY AWARD**, commends him on his career as a writer and educator, and for sharing the legacy of **LANGSTON HUGHES** and wishes him much continued success.

Adopted.

(#0584)

The following resolution was presented by Councillors Carney and Winterson.

CITY OF NEW BEDFORD

IN CITY COUNCIL

APRIL 23, 2015

RESOLUTION HONORING NATIONAL CHILD ABUSE PREVENTION MONTH APRIL 2015

WHEREAS, April is National Child Abuse Prevention Month, a time to raise awareness about child abuse and neglect and encourage individuals and communication to support children and families; and

WHEREAS, April was first declared Child Abuse Prevention Month by Presidential Proclamation in 1983; and

WHEREAS, Since that time, many have worked to acknowledge the importance of families and communities working together to prevent child abuse; and

WHEREAS, Child abuse prevention must be a priority to confront the reality that children experience child abuse each day across the country; and

WHEREAS, As a Nation and individually, our attitudes toward our children set a powerful example that shapes their character and influences the kind of people they will become, and with leadership, dedication and encouragement, there is evidence that we can be successful in preventing violence and harm to children in New Bedford through increased community involvement; and

WHEREAS, We are committed to working with the faith community and the private sector to bolster all those who support our Nation's young people and this month we celebrate the love and courage it takes to raise a child; and

WHEREAS, During National Child Abuse Prevention Month, we renew our commitment to protect the safety and well-being of every child, and we resolve to continue the hard work of raising a generation to reach higher and dream bigger than ever before; and

WHEREAS, We as a Community and a Nation must be committed to protect the fundamental human rights of children to live free from violence and abuse and rededicate ourselves to ending the cycle of harm that too many girls and boys face; and

WHEREAS, Abuse and neglect erode the promise of a bright future for hundreds of thousands of America's children and goes against the principals of our Nation; and

WHEREAS, All Americans should observe this month with programs and activities that help prevent child abuse and all levels of Government should be encouraged to invest in services for victims and provide the resources and protections our children need; and

WHEREAS, National Child Abuse Prevention Month stresses that the work of raising children is most important in our Country, as well as the most challenging, and our obligations to children must be met, it is time for all of us to start conversations, take the appropriate action and support one another to create a safer environment for all our children:

NOW, THEREFORE, BE IT RESOLVED, That the New Bedford City Council hereby honors and proclaims **APRIL 2015,** as **NATIONAL CHILD ABUSE PREVENTION MONTH,** commends all involved for their efforts to bring to light and put an end to child abuse and provide for children's developmental, physical, and emotional needs.

Adopted.

(#0585)

The following resolution was presented by Councillor Lopes.

CITY OF NEW BEDFORD

IN CITY COUNCIL

APRIL 23, 2015.

RESOLUTION IN SUPPORT OF NATIONAL AUTISM AWARENESS MONTH - APRIL 2015

WHEREAS, World Autism Awareness is recognized each year on April 2nd, and was adopted by the United Nations in 2007, to shine a bright light on autism as a growing global health crisis, autism is one of only three health issues to be recognized with its own day by the United Nations; and

WHEREAS, World Autism Awareness Day's goal is to increase world knowledge of autism and impart information about the importance of early diagnosis and intervention, additionally, World Autism Awareness Day celebrates the unique talents and skills of persons with autism around the world; and

WHEREAS, More than 3.5 million Americans live with an autism spectrum disorder, the prevalence in American children has increased to one in sixty-eight by 2010; and

WHEREAS, Researchers do not know the exact cause of autism, but are investigating a number of theories, including links among heredity, genetics, metabolic imbalances and exposure to chemicals, however, researchers have not yet identified a single "trigger" that causes autism to develop; and

WHEREAS, Nearly a quarter of a century ago, the Autism Society launched a Nationwide effort to promote autism awareness, inclusion and self-determination for all, and to assure that each individual with ASD is provided the opportunity to achieve the highest possible quality of life and to guarantee acceptance and inclusion in schools and communities in true appreciation of the unique aspects of all people; and

WHEREAS, In August 2014, President Barack Obama signed into law the bipartisan Autism Collaboration, Accountability, Research, Education and Support Act, or Autism CARES, which reauthorizes the Combating Autism Act and continues important investments in research, prevalence monitoring and services for both children and adults on the autism spectrum; and

WHEREAS, National Autism Awareness Month – April 2015, represents an excellent opportunity to promote autism awareness, acceptance and to draw attention to the tens of thousands facing an autism diagnosis each year:

NOW, THEREFORE, BE IT RESOLVED, That the New Bedford City Council hereby declares their support of **NATIONAL AUTISM AWARENESS MONTH APRIL - 2015**, honors and commends the diverse group of people working together to support those individuals on the autism spectrum.

Adopted. (#0586)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$24,600.00 from CITY COUNCIL, SALARIES & WAGES, to CITY CLERK, SALARIES & WAGES.

Received and Placed on File. (#0587)

CITY OF NEW BEDFORD
IN CITY COUNCIL
APRIL 23, 2015

ORDERED, That the sum of **TWENTY FOUR THOUSAND SIX HUNDRED DOLLARS (\$24,600.00)** now standing to the credit of the account from **CITY COUNCIL SALARIES AND WAGES** be and the same is hereby transferred and appropriated to as follows:

CITY CLERK SALARIES AND WAGES\$24,600.00

To be certified and approved by the Department Head.

Adopted – Yeas 10, Nays 0 (Councillor Lopes not present for vote.)

Presented to the Mayor for approval April 27, 2015.

Approved April 27, 2015. (#0588)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$15,000.00 from ZOO, SUPPLIES & MATERIALS, to ZOO, CAPITAL OUTLAY.

Received and Placed on File. (#0589)

CITY OF NEW BEDFORD

IN CITY COUNCIL

APRIL 23, 2015

ORDERED, That the sum of **FIFTEEN THOUSAND DOLLARS (\$15,000.00)** now standing to the credit of the account from **ZOO SUPPLIES AND MATERIALS** be and the same is hereby transferred and appropriated to as follows:

ZOO CAPITAL OUTLAY.....\$15,000.00

To be certified and approved by the Department Head.

Adopted.

Presented to the Mayor for approval April 27, 2015.

Approved April 27, 2015. (#0590)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$13,623.00 from MIS, CHARGES & SERVICES, to MIS, SALARIES & WAGES.

Received and Placed on File. (#0591)

CITY OF NEW BEDFORD

IN CITY COUNCIL

APRIL 23, 2015

ORDERED, That the sum of **THIRTEEN THOUSAND SIX HUNDRED TWENTY THREE DOLLARS (\$13,623.00)** now standing to the credit of the account from **MIS CHARGES AND SERVICES** be and the same is hereby transferred and appropriated to as follows:

MIS SALARIES AND WAGES.....\$13,623.00

To be certified and approved by the Department Head.

Adopted.

Presented to the Mayor for approval April 27, 2015.

Approved April 27, 2015. (#0592)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$10,000.00 from FIRE, CAPITAL OUTLAY, to FIRE, CHARGES & SERVICES.

Received and Placed on File. (#0593)

CITY OF NEW BEDFORD

IN CITY COUNCIL

APRIL 23, 2015

ORDERED, That the sum of **TEN THOUSAND DOLLARS (\$10,000.00)** now standing to the credit of the account from **FIRE CAPITAL OUTLAY** be and the same is hereby transferred and appropriated to as follows:

FIRE CHARGES AND SERVICES.....\$10,000.00

To be certified and approved by the Department Head.

Adopted.

Presented to the Mayor for approval April 27, 2015.

Approved April 27, 2015.

(#0594)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$9,100.00 from RECREATION AND PARKS, SALARIES & WAGES, to RECREATION AND PARKS, CHARGES & SERVICES, in the amount of \$1,100.00 and RECREATION AND PARKS, SUPPLIES & MATERIALS, in the amount of \$8,000.00.

Received and Placed on File.

(#0595)

CITY OF NEW BEDFORD

IN CITY COUNCIL

APRIL 23, 2015

ORDERED, That the sum of **NINE THOUSAND ONE HUNDRED DOLLARS (\$9,100.00)** now standing to the credit of the account from **RECREATION AND PARKS SALARIES AND WAGES** be and the same is hereby transferred and appropriated to as follows:

RECREATION AND PARKS CHARGES AND SERVICES.....	\$1,000.00
RECREATION AND PARKS SUPPLIES AND MATERIALS	\$8,000.00

To be certified and approved by the Department Head.

Adopted.

Presented to the Mayor for approval April 27, 2015.

Approved April 27, 2015.

(#0596)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER amending the order adopted by the City Council on June 26, 2014, and signed by the Mayor on July 01, 2014, which in accordance with M.G.L. Chapter 44, Section 53E ½, authorized the Revolving Fund under the control of the Community Services Department known as **SENIOR TRAVEL REVOLVING FUND**, whose purpose is to support day trips for seniors, whose revenues collected and amount limited at **\$110,000.00** is hereby authorized at **\$117,000.00** for **FISCAL YEAR 2015**.

Received and Placed on File.

(#0597)

CITY OF NEW BEDFORD

IN CITY COUNCIL

APRIL 23, 2015

AN ORDER, **amending** the order adopted by the City Council on June 26, 2014, and signed by the Mayor on July 1, 2014, which in accordance with MGL Chapter 44, section 53E1/2, authorized the Revolving Fund under the control of the Community Services Department known as **SENIOR TRAVEL REVOLVING FUND**, whose purpose is

to support day trips for seniors, whose revenues collected and amount limited at **\$110,000.00** is hereby authorized at **\$117,000.00** for **FISCAL YEAR 2015**.

ADOPTED – Yeas 10, Nays 0. (Councillor Winterson not present for vote.)

Presented to the Mayor for approval April 27, 2015.

Approved April 27, 2015. (#0598)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER amending the order adopted by the City Council on June 26, 2014, and signed by the Mayor on July 01, 2014, which in accordance with M.G.L. Chapter 44, Section 53E ½, authorized the Revolving Fund under the control of the Department of Facilities and Fleet Management, known as **TANGIBLE SUPPLY DISPOSITION REVOLVING FUND**, whose purpose is to fund replacement equipment and vehicles, whose revenues collected and amount limited at **\$7,481.00** is hereby authorized at **\$18,581.00** for **FISCAL YEAR 2015**.

Received and Placed on File. (#0599)

CITY OF NEW BEDFORD
IN CITY COUNCIL
APRIL 23, 2015

AN ORDER, **amending** the order adopted by the City Council on June 26, 2014, and signed by the Mayor on July 1, 2014, which in accordance with MGL Chapter 44, Section 53E1/2, authorized the Revolving Fund under the control of the Department of Facilities and Fleet Management, known as **TANGIBLE SUPPLY DISPOSITION REVOLVING FUND**, whose purpose is to fund replacement equipment and vehicles, whose revenues collected and amount limited at **\$7,481.00** is hereby authorized at **\$18,581.00** for **FISCAL YEAR 2015**.

Adopted.

Presented to the Mayor for approval April 27, 2015.

Approved April 27, 2015. (#0600)

COMMUNICATION, Mayor Mitchell, to City Council, submitting SEWER ABATEMENT for KYLER SEAFOOD, INC., 17 Kilburn Street, New Bedford, MA, Account Number 027291A, in the amount of \$7949.90.

ABATEMENT GRANTED.

Presented to the Mayor for approval April 27, 2015.

Approved April 27, 2015. (#0601)

COMMUNICATION, Mayor Mitchell, to City Council, submitting SEWER ABATEMENT for EDMUND CUNHA, 200 Coffin Avenue, New Bedford, MA, Account Number 007690A, in the amount of \$302.95.

ABATEMENT GRANTED.

Presented to the Mayor for approval April 27, 2015.

Approved April 27, 2015. (#0602)

COMMUNICATION, Mayor Mitchell, to City Council, submitting a SIX-MONTH WAIVER OF RESIDENCY for CITY AUDITOR ROBERT EKSTROM, Tiverton, R.I.; Mr. Ekstrom has been the City Auditor since September 15, 2014.

SIX-MONTH WAIVER OF RESIDENCY GRANTED – Yeas 10, Nays 0. (Councillor Winterson not present for vote.)

Presented to the Mayor for approval April 27, 2015.

Approved April 27, 2015. (#0603)

COMMUNICATION, Mayor Mitchell, to City Council, submitting a ONE-YEAR WAIVER OF RESIDENCY for CARL BIZARRO, Acushnet, MA; Building Commissioner Danny Romanowicz is recommending Mr. Bizarro for the position of Local Building Inspector.

ONE-YEAR WAIVER OF RESIDENCY GRANTED – Yeas 10, Nays 0. (Councillor Winterson not present for vote.)

Presented to the Mayor for approval April 27, 2015.

Approved April 27, 2015. (#0604)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of SEAN COLLINS, Westport, MA to the New Bedford Airport Commission, replacing James Reid, this term will expire December 2016; further requesting a WAIVER OF RESIDENCY to enable him to serve; Mr. Collins' nomination as a New Bedford Regional Airport Commission member is submitted in consideration of airport stakeholders' expressed desire to have greater representation from the general aviation community on the Commission.

Referred to the Committee on Appointments and Briefings. (#0605)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of JOHN F. BRUCE, New Bedford, MA as a SPECIAL POLICE OFFICER.

Received and Place on File. (#0606)

APPLICATION, JOHN F. BRUCE, New Bedford, MA 02740, for APPOINTMENT as a SPECIAL POLICE OFFICER.

Appointment made and confirmed. (#0607)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of WILLIAM T. CAMBRA, SR., Dartmouth, MA, as a SPECIAL POLICE OFFICER.

Received and Placed on File. (#0608)

APPLICATION, WILLIAM T. CAMBRA SR., North Dartmouth, MA. 02747, for APPOINTMENT as a SPECIAL POLICE OFFICER.

Appointment made and confirmed. (#0609)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of SHAWN MACFARLAND, New Bedford, MA, as a SPECIAL POLICE OFFICER.

Received and Placed on File. (#0610)

APPLICATION, SHAWN MACFARLAND, North Dartmouth, MA. 02747, for APPOINTMENT as a SPECIAL POLICE OFFICER.

Appointment made and confirmed. (#0611)

AN ORDINANCE,
Referred to the Committee on Ordinances – February 12, 2015.
Passed to a Second Reading – Yeas 9, Nays 1. (Councillor Morad OPPOSED.) - April 9, 2015.
Passed, to be Ordained – Yeas 8, Nays 3 (Councillors Alves, Morad and Winterson OPPOSED.)
Presented to the Mayor for approval April 27, 2015.
Approved April 29, 2015. (#0156)

WRITTEN MOTION, Council President Gomes, requesting on behalf of KG New Bedford, LLC, that the City of New Bedford hold a Host Community Election, to take place on June 23, 2015; and submitting TWO (2) ORDERS, that the Special Election be held on June 23, 2015 and that the City Solicitor prepare a Ballot Question for said Special Election.

Received and Placed on File. (#0612)

CITY OF NEW BEDFORD
IN CITY COUNCIL
APRIL 23, 2015

ORDERED, that Tuesday, June 23, 2015, be and is hereby approved as the date for the Election Commission to hold a Special Election in the City of New Bedford for purposes of complying with the provisions of the Expanded Gaming Act, specifically Section 15(13) of Chapter 23K of the General Laws, that requires a vote of the host community with regard to permitting the operation of a gaming establishment licensed by the Massachusetts Gaming Commission at the location described in the Host Community agreement executed by the City of New Bedford on March 19, 2015.

Adopted and Rule 40 Waived – Yeas 10, Nays 0. (Councillor Carney not present for vote.)
Presented to the Mayor for approval April 24, 2015.
Approved April 30, 2015. (#0613)

CITY OF NEW BEDFORD
IN CITY COUNCIL
APRIL 23, 2015

ORDERED, that the City Council notify the City Solicitor of the date set for a Special Election to obtain a vote pursuant to the Expanded Gaming Act, specifically Section 15(13) of Chapter 23K of the General Laws, with regard to permitting the operation of a gaming establishment licensed by the Massachusetts Gaming Commission at the location described in the Host Community agreement executed by the City of New Bedford on March 19, 2015; and it is hereby further ORDERED, that the City Solicitor prepare a Ballot Question, any necessary summaries and any other provisions necessary to properly carry out said Special Election pursuant to all relevant laws and regulations.

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

Presented to the Mayor for approval April 24, 2015.

Approved April 30, 2015. (#0614)

REPORT, Committee on Appointments & Briefings, recommending to the City Council **APPROVAL** on behalf of **ZHANAR ALIKEYEV, d/b/a ALI TRANSPORTATION, 1261 Church Street, Apt. 33, New Bedford, MA 02745**, of the APPLICATION, requesting a **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.

Recommendation Followed. (#0615)

COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of Zhanar Alikeyev, d/b/a ALI TRANSPORTATION, 1261 Church Street, Apt. 33, New Bedford, MA 02745, hereby submit a copy of the Application requesting a 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. (Referred to the Committee on Appointments and Briefings 03/12/2015.)

Referred to the Committee on Appointments and Briefings – March 12, 2015.

LICENSE GRANTED.

Presented to the Mayor for approval April 27, 2015.

Approved April 30, 2015. (#0299)

REPORT, Committee on Appointments & Briefings, recommending to the City Council **APPROVAL** of the **APPOINTMENT** of **JANINE DASILVA**, New Bedford, MA, 02740, to the **HISTORICAL COMMISSION**, replacing Jennifer Nersesian; this term will expire March 2018.

Follow Recommendation and Appointment Approval. (#0616)

REPORT, Committee on Appointments & Briefings, recommending to the City Council to endorse the 2015 Bay Sox Season and encourage the City and surrounding communities to support the team this year by attending games, hosting players and participating in the development of its strategic plan for 2016 and beyond and to encourage the Mayor to support this great summer activity for the residents of the City of New Bedford.

Recommendation Followed and Referred to the Mayor.

Presented to the Mayor for approval April 27, 2015.

RETURNED UNSIGNED May 11, 2015.

(#0617)

REPORT, Committee on Finance, recommending to the City Council ADOPTION of AN ORDER, that the City of New Bedford accept M.G.L. Chapter 32B, Section 20, which authorizes the establishment of an Other Post-Employment Benefits Liability Trust Fund, requires the segregation of all monies held in the fund from other funds, and designates the City Treasurer as the fund's custodian. The statute further requires the City to annually submit a summary of post-employment benefits costs and obligations to the Massachusetts Public Employee Retirement Administration Commission (PERAC).

Recommendation Followed.

(#0618)

CITY OF NEW BEDFORD

IN CITY COUNCIL

April 23, 2015

ORDERED, that the City of New Bedford accept M.G.L. c. 32B §20, which authorizes the establishment of an Other Post-Employment Benefits Liability Trust Fund, requires the segregation of all monies held in the fund from other funds, and designates the City Treasurer as the fund's custodian. The statute further requires the City to annually submit a summary of post-employment benefits costs and obligations to the Massachusetts Public Employee Retirement Administration Commission (PERAC).

Referred to the Committee on Finance – October 9, 2014.

ADOPTED.

Presented to the Mayor for approval April 27, 2015.

Approved April 30, 2015.

(#1649)

REPORT, Committee on Finance, referring this matter, a Written Motion, Councillor Morad, requesting that in consideration of the recent announcement from the Mitchell Administration that the City of New Bedford would impose a hiring freeze effective immediately, that the Acting Personnel Director provide to the Committee on Finance, a listing of all personnel hires from January 1, 2015 to March 31, 2015; said listing to include the hiring Department, employee name, hire date, job position and job grade. It is requested that this information be supplied to the Committee on Finance so that it may be reviewed at the scheduled meeting on April 15, 2015, to the City Council's meeting on April 23, 2015 in hopes a response will be received by that date.

Recommendation Followed and Referred to the Mayor.

Presented to the Mayor for approval April 27, 2015.

RETURNED UNSIGNED May 11, 2015.

(#0619)

AN ORDINANCE, Amending Chapter 6, Buildings and Other Structures.

Referred to the Committee on Ordinances – February 12, 2015.

Passed to a Second Reading – Yeas 9, Nays 1. (Councillor Morad OPPOSED.) - April 9, 2015.

Passed, to be Ordained – Yeas 8, Nays 3. (Councillors Alves, Morad and Winterson OPPOSED.)

Presented to the Mayor for approval April 27, 2015.

Approved April 29, 2015.

(#0156)

WRITTEN MOTION, Councillor Winterson, requesting that a letter be sent to Senator Elizabeth Warren and Congressman William Keating, to approve the revised SAFER Grant application which was submitted by the City of New Bedford, which would keep an adequate number of men and women in our fire houses.

Adopted.

(#0620)

WRITTEN MOTION, Councillors Lopes, Martins, Carney, Council President Gomes, Councillors Winterson, Rebeiro, Bousquet, Morad and Alves, requesting, that the City of New Bedford declare August 7th of each year as Purple Heart Day. (To be Referred to the Committee on Memorials and Dedications and Veterans Agent Christopher Gomes.)

Referred to the Special Committee on Memorials and Dedications and Veterans Agent Christopher Gomes.

(#0621)

WRITTEN MOTION, Councillor Rebeiro, requesting, on behalf of the New Bedford Folk Festival 2015, that the following street(s) be CLOSED: SOUTH SECOND STREET, from William Street to Elm Street, ON FRIDAY, JULY 03, 2015, FROM 6:00 P.M. THROUGH 11:00 P.M., ON SUNDAY, JULY 06, 2015, **AND** NORTH WATER STREET, from Union Street to Elm Street; JOHNNY CAKE HILL AND BETHEL STREET, from Union Street to Elm Street; SECOND STREET, from Union Street to Elm Street; ACUSHNET AVENUE, from Union Street to Elm Street and WILLIAM STREET, from Purchase Street to North Water Street, ON FRIDAY, JULY 03, 2015, FROM 8:00 A.M. THROUGH 11:00 P.M., ON SUNDAY, JULY 05, 2015, **AND** SPRING STREET, from Acushnet Avenue to Purchase Street (Alongside the Zeiterion Theatre) FROM 6:00 A.M. ON SATURDAY, JULY 04, 2015, THROUGH 10:00 P.M. ON SUNDAY, JULY 05, 2015, for the purpose of THE NEW BEDFORD FOLK FESTIVAL 2015. **PLEASE NOTE: CLOSINGS ARE “AS NEEDED” AND INCLUDE AREAS FOR CRAFT BOOTHS.**

Permission Granted.

Presented to the Mayor for approval April 27, 2015.

Approved April 30, 2015.

(#0622)

WRITTEN MOTION, Councillor Rebeiro, requesting, on behalf of the American Cancer Society, that the following street(s) be CLOSED: HUNTER STREET, from Parker Street to Maxfield Street, FROM SATURDAY, JUNE 27, 2015, AT 8:00 A.M. TO SUNDAY, JUNE 28, 2015, AT 12:00 P.M. (NOON), for the purpose of the Relay for Life Walk at Paul Walsh Field.

Permission Granted.

Presented to the Mayor for approval April 27, 2015.

Approved April 30, 2015.

(#0623)

WRITTEN MOTION, Councillor Alves, requesting, on behalf of the Senhor Da Pedra Club and Feast Committee, that the following street(s) be CLOSED: WEBSTER COURT, from Madeira Avenue to Funchal Place (Hope Street) and TINKHAM STREET, from Madeira Avenue to Funchal Place (Hope Street), ON SATURDAY, JUNE 20, 2015, FROM 10:00 A.M. TO 11:00 P.M., AND SUNDAY, JUNE 21, 2015, FROM 10:00 A.M. TO 11:00 P.M., for the purpose of THE ANNUAL SENHOR DA PEDRA HOLY GHOST FEAST.

Permission Granted.

Presented to the Mayor for approval April 27, 2015.

Approved April 30, 2015. (#0624)

WRITTEN MOTION, Councillor Rebeiro, requesting, on behalf of the Zeiterion Theatre, that the following street(s) be CLOSED: PURCHASE STREET, from School Street to Spring Street, (In Front of the Zeiterion Theatre) ON FRIDAY, MAY 29, 2015, FROM 12:00 P.M. (NOON) TO 11:00 P.M., for the purpose of BLACK VIOLIN.

Permission Granted.

Presented to the Mayor for approval April 27, 2015.

Approved April 30, 2015. (#0625)

WRITTEN MOTION, Councillor Martins, requesting, on behalf of Ms. Jessica Dussault, that the following street(s) be CLOSED: BONNEAU COURT, ON SUNDAY, MAY 17, 2015, FROM 2:30 P.M. TO 10:00 P.M., for the purpose of an 8th Birthday Party.

Permission Granted.

Presented to the Mayor for approval April 27, 2015.

Approved April 30, 2015. (#0626)

WRITTEN MOTION, Councillor Winterson, requesting that Superintendent Durkin and the School Committee provide the City Council with a listing of all School Administrators and Teachers and the Cities or Towns they reside in.

Referred to Superintendent Durkin and the School Committee.

Presented to the Mayor for approval April 27, 2015.

RETURNED UNSIGNED May 11, 2015. (#0627)

WRITTEN MOTION, Council President Gomes, requesting that the City of New Bedford establish an Ordinance adopting M.G.L. Chapter 256 of the Acts of 2010, "An Act Reforming the Administrative Procedures Relative to Criminal Offender Record Information and Pre- and Post-Trial Supervised Release", of which Chapter 6 Section 172B ½ creates an "umbrella statute under which municipal officials may enact Ordinances to require State and National criminal history record checks of applicants for licenses in specified occupations", by adopting such an Ordinance, the City will be authorizing the New Bedford Police Department, Massachusetts State Police and the FBI to provide criminal background history of Taxi and Livery License applicants to the City Clerk and City Council in order to ensure the safety of our City's residents. (To be Referred to Committee on Ordinances and Legal Counsel David Gerwatowski.)

Referred to the Committee on Ordinances and Legal Counsel Gerwatowski. (#0628)

WRITTEN MOTION, Councillor Carney, requesting that the Committee on the Feasibility of Creating a Dog Park meet to discuss preliminary design work of placing a dog park in New Bedford, due to the potential grant that the City might be awarded for the creation of a dog park.

Referred to the Special Committee on the Feasibility of Creating a Dog Park. (#0629)

WRITTEN MOTION, Councillors Carney and Oliveira, requesting on behalf of the residents on Tobey Street that a “NO PARKING HERE TO CORNER” sign be placed on the southeast corner of Tobey Street and Acushnet Avenue to ensure the residents safety when exiting Tobey Street onto Acushnet Avenue. (To be Referred to Traffic Commission.)

Referred to the Traffic Commission. (#0630)

WRITTEN MOTION, Councilor Carney, requesting the Mayor’s office review all Boards and Commissions and appoint members to fill any vacancies.

Referred to the Mayor’s Office.

Presented to the Mayor for approval April 27, 2015.

RETURNED UNSIGNED May 11, 2015. (#0631)

COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of Michael Souza, d/b/a SOUZA TRANSPORTATION, 91 Clifford Street, New Bedford, MA 02745, hereby submit a copy of the Application requesting a 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.

Referred to the Committee on Appointments and Briefings. (#0632)

COMMUNICATION/DEMOLITION, New Bedford Historical Commission, to City Council, re: BUILDING DEMOLITION REVIEW, 173 ½ ACUSHNET AVENUE, CIRCA 1895 ONE STORY, WOOD FRAMED, BARN STYLE STRUCTURE: “the structure is not located in a National Register Historic District; the structure is of no notable historic significance either recorded or found with the existing condition of the structure; the structure is in poor condition due to extensive deferred maintenance; restoration or preservation efforts would be impractical due to the existing condition of the structure” and therefore, “the NBHC has determined that the building is NOT a historically significant building or structure and not preferably preserved.”

Demolition Granted – Yeas 10, Nays 0. (Councillor Carney not present for vote.)

Presented to the Mayor for approval April 27, 2015.

Approved April 30, 2015. (#0633)

COMMUNICATION, Councillors Martins and Morad, submitting a letter from Mr. Eric Stotts, New Bedford, MA regarding New Bedford's Pre-Rental Voucher Program.

Received and Placed on File. (#0634)

COMMUNICATION, Council President Gomes, submitting a letter from Congressman Keating, dated March 30, 2015, responding to a Motion from the February 26, 2015, City Council meeting, regarding Federal assistance in repairing roadways and other infrastructure repairs due to this historic winter season. (Copy all Councillors 04/16/2015.)

Received and Placed on File. (#0635)

PETITION INDEMNITY AGREEMENT, G.E.H. GENERAL HEATING & AIR CONDITIONING, for Permission to Erect and Maintain Three Projecting Awnings at 700 Kempton Street, New Bedford, MA. Provisionally Granted, subject to approval of Building Commissioner and subject to ratification by Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval April 27, 2015.

Approved April 30, 2015. (#0636)

CONSTABLE BONDS, JAY LEWIS, New Bedford, Ma 02740, with the Massachusetts Bay Insurance Company in the amount of \$5,000.00.

Approved.

Presented to the Mayor for approval April 27, 2015.

Approved April 30, 2015. (#0637)

MINUTES, Board of Assessors, submitting MINUTES of a meeting held on April 03, 2015.

Received and Placed on File. (#0638)

MINUTES, Council on Aging, submitting MINUTES of a meeting held on March 12, 2015.

Received and Placed on File. (#0639)

MINUTES, Bristol County PHEP Coalition Executive Board Meeting, submitting MINUTES of a meeting held on March 17, 2015.

Received and Placed on File. (#0640)

MINUTES, Bristol County PHEP Coalition Meeting, submitting MINUTES of a meeting held on March 17, 2015.

Received and Placed on File. (#0641)

MINUTES, Board of Assessors, submitting MINUTES of a meeting held on April 09, 2015.

Received and Placed on File. (#0642)

MINUTES, Licensing Board, submitting MINUTES of meetings held on October 20, November 17, and December 22, 2014.

Received and Placed on File. (#0643)

APPLICATION, **RJ Canessa Excavating**, for permission to maintain a STREET OBSTRUCTION at **113 Clara Street**, provisionally granted by the City Clerk on April 14, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval April 27, 2015.

Approved April 30, 2015. (#0644)

APPLICATION, **Christopher Mendoza**, for permission to maintain a STREET OBSTRUCTION at **63 Wilson Street**, provisionally granted by the City Clerk on April 10, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval April 27, 2015.

Approved April 30, 2015. (#0645)

APPLICATION, **Farland Corp, Inc.** for permission to maintain a STREET OBSTRUCTION at **444 Myrtle Street**, provisionally granted by the City Clerk on April 15, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval April 27, 2015.

Approved April 30, 2015. (#0646)

APPLICATION, **Reis Asphalt, Inc.** for permission to maintain a STREET OBSTRUCTION at **57 Reynolds Street**, provisionally granted by the City Clerk on April 15, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval April 27, 2015.

Approved April 30, 2015. (#0647)

APPLICATION, **Reis Asphalt, Inc.** for permission to maintain a STREET OBSTRUCTION at **393 Hersom Street**, provisionally granted by the City Clerk on April 15, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval April 27, 2015.

Approved April 30, 2015. (#0648)

APPLICATION, **Able Asphalt, Inc.** for permission to maintain a STREET OBSTRUCTION at **54 Nauset Street**, provisionally granted by the City Clerk on April 21, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval April 27, 2015.

Approved April 30, 2015.

(#0649)

APPLICATION, **Able Asphalt, Inc.** for permission to maintain a STREET OBSTRUCTION at **N S Wilson Street**, provisionally granted by the City Clerk on April 21, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval April 27, 2015.

Approved April 30, 2015.

(#0650)

APPLICATION, **Able Asphalt, Inc.** for permission to maintain a STREET OBSTRUCTION at **126 Greenbrier Drive**, provisionally granted by the City Clerk on April 21, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval April 27, 2015.

Approved April 30, 2015.

(#0651)

APPLICATION, **Able Asphalt, Inc.** for permission to maintain a STREET OBSTRUCTION at **118 Perry Street**, provisionally granted by the City Clerk on April 21, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval April 27, 2015.

Approved April 30, 2015.

(#0652)

APPLICATION, **Able Asphalt, Inc.** for permission to maintain a STREET OBSTRUCTION at **Acushnet Avenue E S North of Jessica Avenue**, provisionally granted by the City Clerk on April 21, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval April 27, 2015.

Approved April 30, 2015.

(#0653)

APPLICATION, **RJ Canessa Excavating**, to DISTURB THE SURFACE, of **113 Clara Street**, provisionally granted by the City Clerk on April 14, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval April 27, 2015.

Approved April 30, 2015.

(#0654)

APPLICATION, **Christopher Mendoza**, to DISTURB THE SURFACE, of **63 Wilson Street**, provisionally granted by the City Clerk on April 10, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval April 27, 2015.

Approved April 30, 2015.

(#0655)

APPLICATION, **Farland Corp, Inc.**, to DISTURB THE SURFACE, of **444 Myrtle Street**, provisionally granted by the City Clerk on April 15, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval April 27, 2015.

Approved April 30, 2015. (#0656)

APPLICATION, **Reis Asphalt, Inc.** to DISTURB THE SURFACE, of **57 Reynolds Street**, provisionally granted by the City Clerk on April 15, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval April 27, 2015.

Approved April 30, 2015. (#0657)

APPLICATION, **Reis Asphalt, Inc.** to DISTURB THE SURFACE, of **393 Hersom Street**, provisionally granted by the City Clerk on April 15, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval April 27, 2015.

Approved April 30, 2015. (#0658)

APPLICATION, **Able Asphalt, Inc.** to DISTURB THE SURFACE, of **54 Nauset Street**, provisionally granted by the City Clerk on April 21, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval April 27, 2015.

Approved April 30, 2015. (#0659)

APPLICATION, **Able Asphalt, Inc.** to DISTURB THE SURFACE, of **126 Greenbrier Drive**, provisionally granted by the City Clerk on April 21, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval April 27, 2015.

Approved April 30, 2015. (#0660)

APPLICATION, **Able Asphalt, Inc.** to DISTURB THE SURFACE, of **N S Wilson Street**, provisionally granted by the City Clerk on April 21, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval April 27, 2015.

Approved April 30, 2015. (#0661)

APPLICATION, **Able Asphalt, Inc.** to DISTURB THE SURFACE, of **118 Perry Street**, provisionally granted by the City Clerk on April 21, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval April 27, 2015.

Approved April 30, 2015. (#0662)

APPLICATION, **Able Asphalt, Inc.** to DISTURB THE SURFACE, of **Acushnet Avenue E S of Jessica Avenue**, provisionally granted by the City Clerk on April 21, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval April 27, 2015.

Approved April 30, 2015. (#0663)

APPLICATIONS, **NSTAR Gas Company d/b/a Eversource Energy**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on April 14, 2015, subject to ratification by the Mayor and City Council as follows:

98 – 100 Lafayette Street (#0664)

359 Summer Street (#0665)

1303 Phillips Avenue (#0666)

516 North Front Street (#0667)

428 – 438 Belleville Avenue (#0668)

58 Crapo Street (#0669)

31 Seventh Street (#0670)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval April 27, 2015.

Approved April 30, 2015.

APPLICATIONS, **Couto Container**, for permission to maintain a STREET OBSTRUCTION, provisionally granted by the City Clerk on April 15, 2015, subject to ratification by the Mayor and City Council as follows:

163 Eighth Street

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval April 27, 2015.

Approved April 30, 2015. (#0671)

APPLICATIONS, **ABC Disposal Service, Inc.**, for permission to maintain a STREET OBSTRUCTION, provisionally granted by the City Clerk on April 17, 2015, subject to ratification by the Mayor and City Council as follows:

304 Maxfield Street (#0672)

123 Mott Street (#0673)

109 David Street (#0674)
182 Wilson Street (#0675)
28 Dana Street (#0676)
17 Emma Street (#0677)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval April 27, 2015.

Approved April 30, 2015

APPLICATIONS, **S&L Rolloff Service**, for permission to maintain a STREET OBSTRUCTION, provisionally granted by the City Clerk on April 22, 2015, subject to ratification by the Mayor and City Council as follows:

1117 Chaffee Street

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval April 27, 2015.

Approved April 30, 2015. (#0678)

PETITION, NSTAR Electric Company d/b/a Eversource Energy, for location of one (1) 4" Conduit, two (2) 4" Conduits, and two (2) 45"x45"x36" Handholes in COTTAGE STREET, North of Clinton Street.

RECEIVED AND HEARING ORDER FOR THURSDAY, MAY 14, 2015.

PETITION, NSTAR Electric Company d/b/a Eversource Energy, for location of one (1) 4" Conduit in COURT STREET, Intersection of Liberty Street.

RECEIVED AND HEARING ORDER FOR THURSDAY, MAY 14, 2015.

IT WAS VOTED, on a motion made and duly seconded, Yeas 11, Nays 0, to waive Rule 42 in order to take up the late file items.

COMMUNICATION, Mayor Mitchell, to City Council, submitting a request from KG New Bedford, LLC for a public referendum to be held in the City of New Bedford on June 23, 2015, in accordance with requirements of the Massachusetts Expanded Gaming Act.

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

NO FURTHER ACTION. (#0679)

WRITTEN MOTION, Councillors Martins and Winterson, requesting, that the City Council send a letter to Governor Charlie Baker, Representative Brian Dempsey, House Ways and Means Chair, Senator Karen Spilka, Senate House Ways and Means Chair, Senator Mark Montigny and our local State Legislative Delegation, asking that they restore the monies in the budget for the S.A.F.E. (Student Awareness of Fire Education) Program that was cut from Cities like New Bedford; and further, this program has been in existence since FY96, and helps train children to reduce their anxiety levels so they are able to react to stressful situations and gives Fire, Schools, Health and Police Departments a

solid partnership in working together; and further, child fire deaths have dropped about 70% since the program launched and for the fifteen full years that the S.A.F.E. program has been in effect, the average number of child deaths per year is 5.5, compared to an average number of eighteen before the program existed.

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

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

(#0680)

WRITTEN MOTION, Councillors Oliveira, Rebeiro, Bousquet, Lopes, Coelho, Carney, Alves and Morad, Council President Gomes, Councillors Winterson and Martins, requesting that the City Council support MCOA's (Massachusetts Councils on Aging) proposal to raise the EOEA (Executive Office of Elder Affairs) Formula Grant to \$9.00 per elder in FY16, an increase from \$8.00 per elder in FY15, said increase would award the New Bedford Council on Aging by \$18,765.00 from \$150,120 to \$168,885; and that a letter be sent to our State Legislative Delegation asking for their support of Line item #9110-9002 and their continued support of this item as it makes its way through the House Ways & Means Committee; and further, requesting that a similar letter of support be sent to Senator Mark Montigny to work with his colleagues to match that figure in the Senate's budget.

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

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

(#0681)

On a motion, the Council then adjourned at 9:10pm.

ATTEST:

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