



Council Meeting – Minutes

CITY COUNCIL CALENDAR

Chambers of the City Council Municipal Building

Thursday, June 11, 2015 – 7:15 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.

The Very Reverend Father Constantine Bebis led the Assembly in Prayer.

Joseph P. Lopes, Councillor Ward Six led the Assembly in the Pledge of Allegiance to the Flag.

CITATIONS, Councillors Martins and Morad, honoring CAROLINE PARADIS, EDWARD ANTHES-WASHBURN, ASHLEY BENDIKSEN, SHELLEY CARDOOS and MICHAEL PATACAO, in recognition of being honored as SOUTHCOAST 5 EMERGING LEADERS.

Adopted. (#0954)

CITATION, Councillors Alves, Bousquet, Carney, Coelho, Council President Gomes, Councillors Lopes, Morad, Oliveira, Rebeiro and Winterson, honoring STEVEN MARTINS, WARD TWO CITY COUNCILLOR, in recognition of his being nominated as a SOUTHCOAST 5 EMERGING LEADER.

Adopted. (#0955)

CITATIONS, Councillors Winterson and Lopes, honoring DINARTE PACHECO and SCOTT GOMES, in recognition of their heroic actions which saved the lives of two individuals during a difficult ordeal.

Adopted. (#0956)

CITATIONS, Councillors Bousquet and Lopes, honoring BROWNIE TROOP 68111, Girls Scout of America, in recognition of their efforts in helping with the beach cleanup at Fort Taber.

Adopted. (#0957)

CITATIONS, Councillors Bousquet and Carney, honoring the Greater New Bedford Regional Vocational Technical High School winners of the 2015 MASSACHUSETTS SKILLS USA COMPETITION.

Adopted. (#0958)

CITATIONS, Councillors Bousquet and Carney, honoring Greater New Bedford Regional Vocational Technical High School students, in recognition of their success at the BUSINESS PROFESSIONALS OF AMERICA at the National competition.

Adopted. (#0959)

CITATIONS, Councillors Bousquet and Carney, honoring Greater New Bedford Regional Vocational Technical High School students and teachers, in recognition of their success at the MATE/ROV New England Regional Competition and another winning year.

Adopted. (#0960)

CITATION, Councillor Bousquet, honoring MARK THORNHILL, Coach and GREATER NEW BEDFORD REGIONAL VOCATIONAL TECHNICAL HIGH SCHOOL, in recognition of the Boys Massachusetts State Vocational Track and Field 15th Championship Win.

Adopted. (#0961)

CITATIONS, Councillor Martins, honoring Teachers PAMELA OLIVEIRA, AP Language and Composition and NELSON RODRIGUES, AP Calculus AB, in recognition of their receiving the Partners in Excellence Award from Mass Insight Education for their work in improving the Advanced Placement Test Scores of New Bedford High School students.

TABLED. (#0962)

The following resolution was presented to WJFD Radio by Councillor Alves

CITY OF NEW BEDFORD

IN CITY COUNCIL

JUNE 11, 2015

**RESOLUTION HONORING WJFD RADIO 97.3 FM
THE LARGEST PORTUGUESE RADIO STATION IN NORTH AMERICA
ON THE OCCASION OF THEIR FORTIETH ANNIVERSARY**

WHEREAS, WJFD Radio 97.3 FM is the largest Portuguese radio station in the United States and the only 50,000 watt FM radio station in New England broadcasting in the Portuguese language, from its tower in the New Bedford area, it reaches the various Portuguese, Brazilian and Cape Verdean communities located throughout eastern New England, from Salem, New Hampshire, to Mystic, Connecticut, from Worcester, Massachusetts, to Boston, Massachusetts, and the world via the internet; and

WHEREAS, In 1975, the late Edmund Dinis, former District Attorney, acquired the frequency 97.3 FM radio license, named it WJFD-FM and entered the airwaves continuing a Portuguese language and World Music format that already existed on the 97.3 FM dial since 1950, initially as WBSM-FM (1950-1972) and then as WGCY-FM (1972-1975); and

WHEREAS, Through his ownership of WJFD, Edmund Dinis served the Portuguese community by providing programming on a twenty-four hour, daily basis, and did so until his death on March 14, 2010; and

WHEREAS, WJFD Radio 97.3 FM is now owned by Mr. Dinis' close friend and business partner, Henry M. Arruda and his wife, Paulina; and

WHEREAS, WJFD Radio 97.3 FM moved its station from its historical Downtown location on Union Street, to the third floor of the Howland Place Professional Building in the South End of New Bedford shortly thereafter; and

WHEREAS, Each year, WJFD Radio 97.3 FM partners with the Standard-Times and the Salvation Army to raise money for the Neediest Families Fund, renewing its commitment to helping those less fortunate have a memorable holiday season, raising money for toys, clothing and food vouchers; and

WHEREAS, WJFD Radio 97.3 FM recently modernized its equipment and programming, attracting a younger audience, their programming focuses on music for all tastes, local news and community issues, events, sports, national and international news broadcasts directly from Portugal on a daily basis, WJFD has become the most listened to Portuguese radio station in North America; and

WHEREAS, WJFD Radio 97.3 FM continues its decades-long tradition of multi-generational Portuguese programming with families in mind and has become the biggest Portuguese FM radio station outside of Portugal, broadcasting from the Whaling City:

NOW, THEREFORE, BE IT RESOLVED, That the New Bedford City Council hereby honors **WJFD RADIO 97.3 FM, THE LARGEST PORTUGUESE RADIO STATION IN NORTH AMERICA, ON THE OCCASION OF THEIR FORTIETH ANNIVERSARY**, commends them for their many years of providing news, music and service to the listening public and wishes them many more years of continued success.

Adopted.

(#0963)

The following resolution was presented to the Wamsutta Club by Councillors Coelho and Winterson

CITY OF NEW BEDFORD

IN CITY COUNCIL

JUNE 11, 2015

**RESOLUTION HONORING THE ONE HUNDRED AND FIFTIETH ANNIVERSARY
OF THE WAMSUTTA CLUB**

WHEREAS, In 1866, Charles Warren Clifford organized an athletic club to play a new version of baseball; the Wamsutta Baseball Club was the first baseball club in the City; and

WHEREAS, The Wamsutta Club soon evolved into more of a social club than athletic club; and

WHEREAS, The Wamsutta Club had several different locations, including the old Masonic Building at Pleasant and Union Streets, the former Perry House at Union and County Streets and the old Ricketson block of Purchase Street, before settling at its present location; and

WHEREAS, The current location of the Wamsutta Club was built in 1821, by James and Sarah T. Arnold, in 1868, the mansion passed to his nephew, William J. Rotch, New Bedford's second Mayor, upon the death of his widow in 1919, the house was purchased by the Wamsutta Club in 1924, with the Club making numerous interior changes, including adding wings and extra interior revisions at a cost of over 1.3 million dollars; and

WHEREAS, From 1925 through the 1970's, the Wamsutta Club was a popular meeting place for area businessmen, having survived the Great Depression, the Club changed with the times as the textile industry shifted away from New Bedford and Club members began to join from many different profession in the City; and

WHEREAS, Today, the Wamsutta Club is a social center of the New Bedford community and has a full schedule of activities, including dinner dances, summer barbecues, holiday dinners, and guest speakers; and

WHEREAS, The Wamsutta Club offers accommodations for weddings, funerals, receptions and various functions, with staff and amenities needed for a wide variety of business and social events; and

WHEREAS, Becoming a member of the Wamsutta Club is like having membership in over one hundred private clubs throughout the United States, Canada and Europe, members are granted reciprocal privileges at these Clubs; with just a card of introduction from the Wamsutta Club, members have the opportunity to enjoy the amenities of a Private Club no matter where they happen to be; and

WHEREAS, A new edition to the Wamsutta Club is the members-only 1866 Rounders Club, where members and their guests enjoy a vintage atmosphere with sports memorabilia available for purchase; and

WHEREAS, With one hundred and fifty years of commitment to member satisfaction, the Wamsutta Club has a long and proud history in the City of New Bedford:

NOW, THEREFORE, BE IT RESOLVED, That the New Bedford City Council hereby honors the **WAMSUTTA CLUB ON THE OCCASION OF THEIR ONE HUNDRED AND FIFTIETH ANNIVERSARY,** and wishes them many more years of continued success.

Adopted.

(#0964)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of MOIRA TIERNEY, New Bedford, MA 02740 to the STEAMSHIP AUTHORITY BOARD OF GOVERNORS to fill the seat vacated by the late John A. Tierney, this term will expire September 2017.

Rule 38 Waived, Appointment Confirmed and Rule 40 Waived – Yeas 11, Nays 0.

(#0965)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of IRENE SCHALL, New Bedford, MA 02740, to the BOARD OF ELECTION COMMISSIONERS, replacing William DoCarmo who has resigned from the Board; this term will expire April 2017.

Rule 38 Waived, Appointment Confirmed and Rule 40 Waived – Yeas 10, Nays 1. (Councillor Morad OPPOSED.)

(#0966)

COMMUNICATION, Mayor Mitchell, to City Council, submitting a ONE-YEAR WAIVER OF RESIDENCY for MS. JODI GOODMAN, Providence, RI for the position as LIBRARIAN III/SPECIAL COLLECTIONS.

One-Year Waiver of Residency GRANTED – Yeas 11, Nays 0.

Presented to the Mayor for approval June 15, 2015.

Approved June 22, 2015.

(#0967)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$50,000.00 from AUDITOR, SALARIES & WAGES in the amount of \$15,000.00; PLANNING & COMMUNITY DEVELOPMENT, SALARIES & WAGES in the amount of \$15,000.00 and TRAFFIC, SALARIES & WAGES in the amount of \$20,000.00 to FIRE, CHARGES & SERVICES.

Received and Placed on File.

(#0968)

CITY OF NEW BEDFORD

IN CITY COUNCIL

JUNE 11, 2015

ORDERED, that the sum of FIFTY THOUSAND DOLLARS (\$50,000.00) now standing to the credit of the account from:

AUDITORS, SALARIES & WAGES	\$15,000.00
PLANNING AND CD, SALARIES & WAGES	\$15,000.00
TRAFFIC, SALARIES & WAGES	\$20,000.00

be and the same is hereby transferred and appropriated to as follows:

FIRE, CHARGES & WAGES	\$50,000.00
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To be certified and approved by the Department Head.

ADOPTED – Yeas 11, Nays 0.

Presented to the Mayor for approval June 15, 2015.

Approved June 22, 2015. (#0969)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$9,273.00 from CFO, SALARIES & WAGES, to COMMUNITY SERVICES, CHARGES & SERVICES.

Received and Placed on File. (#0970)

CITY OF NEW BEDFORD

IN CITY COUNCIL

JUNE 11, 2015

ORDERED, that the sum of NINE THOUSAND TWO HUNDRED SEVENTY THREE DOLLARS (\$9,273.00) now standing to the credit of the account from CFO, SALARIES & WAGES, be and the same is hereby transferred and appropriated to as follows:

COMMUNITY SERVICES, CHARGES & SERVICES	\$9,273.00
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To be certified and approved by the Department Head.

ADOPTED – Yeas 10, Nays 0. (Council President Gomes not present for vote.)

Presented to the Mayor for approval June 15, 2015.

Approved June 22, 2015. (#0971)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$51,000.00 from EMS, SALARIES & WAGES, to EMS, CHARGES & SERVICES in the amount of \$37,000.00 and EMS, SUPPLIES & MATERIALS in the amount of \$14,000.00.

Received and Placed on File. (#0972)

CITY OF NEW BEDFORD

IN CITY COUNCIL

JUNE 11, 2015

ORDERED, that the sum of FIFTY ONE THOUSAND DOLLARS (\$51,000.00) now standing to the credit of the account from EMS, SALARIES & WAGES, be and the same is hereby transferred and appropriated as follows:

EMS, CHARGES & SERVICES \$37,000.00
EMS, SUPPLIES & MATERIALS \$14,000.00

To be certified and approved by the Department Head.

ADOPTED – Yeas 10, Nays 0. (Council President Gomes not present for vote.)

Presented to the Mayor for approval June 15, 2015.

Approved June 22, 2015. (#0973)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$26,150.00 from FACILITIES & FLEET MANAGEMENT, CHARGES & SERVICES, to FACILITIES & FLEET MANAGEMENT, OTHER CHARGES.

Received and Placed on File. (#0974)

CITY OF NEW BEDFORD
IN CITY COUNCIL
JUNE 11, 2015

ORDERED, that the sum of TWENTY SIX THOUSAND ONE HUNDRED FIFTY DOLLARS (\$26,150.00) now standing to the credit of the account from FACILITIES AND FLEET, CHARGES & SERVICES be and the same is hereby transferred and appropriated to as follows:

FACILITIES AND FLEET, OTHER CHARGES \$26,150.00

To be certified and approved by the Department Head.

ADOPTED – Yeas 10, Nays 0. (Council President Gomes not present for vote.)

Presented to the Mayor for approval June 15, 2015.

Approved June 22, 2015. (#0975)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$9,568.00 from CITY COUNCIL, SALARIES & WAGES, to CITY COUNCIL, CAPITAL OUTLAY.

Received and Placed on File. (#0976)

CITY OF NEW BEDFORD
IN CITY COUNCIL
JUNE 11, 2015

ORDERED, that the sum of NINE THOUSAND FIVE HUNDRED SIXTY EIGHT DOLLARS (\$9,568.00) now standing to the credit of the account from CITY COUNCIL, SALARIES & WAGES, be and the same is hereby transferred and appropriated to as follows:

CITY COUNCIL, CAPITAL OUTLAY \$9,568.00

To be certified and approved by the Department Head.

Adopted – Yeas 9, Nays 1. (Councillor Bousquet OPPOSED; Council President Gomes not present for vote.)

Presented to the Mayor for approval June 15, 2015.

Approved June 22, 2015. (#0977)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$4,000.00 from MIS, CHARGES & SERVICES, to MIS, SALARIES & WAGES.

Received and Placed on File. (#0978)

CITY OF NEW BEDFORD

IN CITY COUNCIL

JUNE 11, 2015

ORDERED, that the sum of FOUR THOUSAND DOLLARS (\$4,000.00) now standing to the credit of the account from MIS, CHARGES & SERVICES, be and the same is hereby transferred and appropriated to as follows:

MIS, SALARIES & WAGES \$4,000.00

To be certified and approved by the Department Head.

Adopted – Yeas 9, Nays 1. (Councillor Morad OPPOSED; Council President Gomes not present for vote.)

Presented to the Mayor for approval June 15, 2015.

Approved June 22, 2015. (#0979)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$1,500.00 from ENVIRONMENTAL, CHARGES & SERVICES, to ENVIRONMENTAL, CAPITAL OUTLAY.

Received and Placed on File. (#0980)

CITY OF NEW BEDFORD

IN CITY COUNCIL

JUNE 11, 2015

ORDERED, that the sum of ONE THOUSAND FIVE HUNDRED DOLLARS (\$1,500.00) now standing to the credit of the account from ENVIRONMENTAL, CHARGES & SERVICES be and the same is hereby transferred and appropriated to as follows:

ENVIRONMENTAL, CAPITAL OUTLAY \$1,500.00

To be certified and approved by the Department Head.

Adopted – Yeas 9, Nays 1. (Councillor Lopes OPPOSED; Council President Gomes not present for vote.)

Presented to the Mayor for approval June 15, 2015.

Approved June 22, 2015. (#0981)

COMMUNICATION, Mayor Mitchell, to City Council, submitting a copy of the FINAL Fiscal Year 2015 Department of Planning, Housing and Community Development Five Year Consolidated Plan and One Year Action Plan, and requesting the City Council approve and authorize the submission of the Fiscal Year 2015 Five Year Consolidated Plan and One Year Action Plan to the U.S. Department of Housing and Urban Development.

Received and Placed on File. (#0982)

CITY OF NEW BEDFORD
IN CITY COUNCIL
JUNE 11, 2015

**RESOLUTION OF THE NEW BEDFORD CITY COUNCIL AUTHORIZING THE MAYOR TO APPLY FOR
FEDERAL ASSISTANCE FROM THE UNITED STATES OF AMERICA**

WHEREAS, The City of New Bedford desires to continue its participation in Community Development Block Grant (CDBG) activities under the Housing and Community Development Act of 1974, as amended, the Emergency Solutions Grant (ESG) activities under the Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (HEARTH Act), as amended, and Home Investment Partnership (HOME) activities under Title II of the Cranston Gonzalez National Affordable Housing of 1990, as amended, and;

WHEREAS, The Housing and Community Development, McKinney-Vento and National Affordable Housing Acts, as amended, and the regulations promulgated there under, require a Resolution of the local Governing Body authorizing the Mayor to apply for and execute the federal entitlement grant as a condition of eligibility for Federal Financial assistance for the FY 2015 Five Year Consolidated Plan and One Year Action Plan, and:

WHEREAS, The Mayor of the City of New Bedford must be authorized to submit information to the United States Department of Housing and Urban Development for Federal financial assistance under said Acts;

NOW, THEREFORE, BE IT RESOLVED, By the New Bedford City Council, as follows:

SECTION 1. The Mayor of the City of New Bedford is authorized to do all things necessary, and to execute any and all documents required for the timely application for Federal financial assistance under these Acts, as amended, and to provide any and all necessary documents which are required for the acceptance and use of CDBG, ESG and HOME funds.

SECTION 2. The Mayor of the City of New Bedford, as Chief Executive Officers, is authorized and designated as an official representative for the City of New Bedford to act in all matters arising in connection with the application for funds, and in providing the United States of America or any of its subdivisions with any additional information as may be required.

SECTION 3. The Mayor of the City of New Bedford is authorized to assume the status of a responsible Federal Officers under the National Environmental Policy Act of 1969, insofar as the provisions of that Act apply to Community Development Block Grants administered by the City of New Bedford, and receipt of Federal financial assistance from the United States of America under the Housing and Community Development Act, as amended, and the City of New Bedford hereby accepts the jurisdiction of the Federal Courts for the purpose of enforcement of the Mayor's responsibilities as Federal Official under the provisions of the National Environmental Policy Act of 1969.

Adopted – Yeas 9, Nays 1. (Councillor Morad OPPOSED; Council President Gomes not present for vote.)

Presented to the Mayor for approval June 15, 2015.

Approved June 22, 2015.

(#0983)

COMMUNICATION, Mayor Mitchell, to City Council, submitting a WAIVER OF RESIDENCY for PAIGE AVIZA, Acushnet, MA for the position of lifeguard for this summer season.

Waiver of Residency GRANTED for 2015 Summer Season – Yeas 9, Nays 1. (Councillor Martins OPPOSED; Council President Gomes not present for vote.)

Presented to the Mayor for approval June 15, 2015.

Approved June 22, 2015. (#0984)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, authorizing the Mayor and the Chairman of the Airport Commission to execute a Lease Amendment between the City of New Bedford and MA-AIR Trust relative to a land lease for Lessee's T-Hangar at the New Bedford Regional Airport.

Received and Placed on File. (#0985)

CITY OF NEW BEDFORD

IN CITY COUNCIL

JUNE 11, 2015

ORDERED, that the Chairman of the Airport Commission and the Mayor are hereby authorized on behalf of the City to execute a Lease Amendment between the City of Bedford and MA-AIR Trust relative to a land lease for Lessee's T-Hangar at the New Bedford Regional Airport. A copy of the Lease Amendment is attached hereto and made a part hereof.

Adopted – Yeas 10, Nays 0. (Council President Gomes not present for vote.)

Presented to the Mayor for approval June 15, 2015.

Approved June 22, 2015. (#0986)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER authorizing the City of New Bedford to accept a gift of real estate from the N.B. Realty Trust consisting of approximately 28 acres of vacant land located adjacent to the New Bedford Regional Airport and placed said land under the control of the New Bedford Airport Commission.

Received and Placed on File. (#0987)

CITY OF NEW BEDFORD

IN CITY COUNCIL

JUNE 11, 2015

ORDERED that the City of New Bedford accept a gift a real estate from the N.B. Realty Trust consisting of approximately 28 acres of vacant land located adjacent to the New Bedford Regional Airport and placed said land under the control of the New Bedford Airport Commission. A copy of the proposed Quitclaim Deed and Trustee Certificate is attached hereto and made a part hereof.

Adopted – Yeas 10, Nays 0. (Council President Gomes not present for vote.)

Presented to the Mayor for approval June 15, 2015.

Approved June 22, 2015. (#0988)

COMMUNICATION, Mayor Mitchell, to City Council, submitting a formal request to name the vacant City-owned parcel at One Washington Square, Plot 36/Lot 149 "TOM LOPES PARK."

Referred to Mayor Mitchell.

Presented to the Mayor for approval June 15, 2015.

Approved June 22, 2015. (#0989)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of DENNIS AUDETTE, New Bedford, MA 02745, to the CONSERVATION COMMISSION; this term will expire June 2018.

Rule 38 Waived, Appointment Confirmed – Yeas 10, Nays 0. (Council President Gomes not present for vote.)

(#0990)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of JUSTIN DION, East Taunton, MA 02718, as a SPECIAL POLICE OFFICER.

Received and Placed on File. (#0991)

APPLICATION, JUSTIN DION, East Taunton, MA 02718 for REAPPOINTMENT as a SPECIAL POLICE OFFICER.

Appointment made and confirmed. (#0992)

WRITTEN MOTION, Councillor Lopes, requesting that the Traffic Commission consider installing crosswalks at the intersection of Cove Road, Padanaram Avenue and Frank Street, from Dairy Maid to Cove Surf & Turf. (To be Referred to the Traffic Commission.)

Referred to the Traffic Commission. (#0993)

WRITTEN MOTION, Councillor Lopes, requesting that the City of New Bedford study the potential cost savings associated with the establishment of an Opt-Out Medical Insurance Program for City employees. (To be Referred to Mayor Mitchell, CFO Ari Sky, Acting Personal Director Sandy Vezina, and the Committee on Finance.)

Referred to Mayor Mitchell, CFO Ari Sky, Acting Personnel Director Sandy Vezina and the Committee on Finance.

Presented to the Mayor for approval June 15, 2015.

RETURNED UNSIGNED July 13, 2015. (#0994)

WRITTEN MOTION, Councillor Winterson, requesting that the Department of Parks, Recreation and Beaches notify all teams that utilize the baseball field at Buttonwood Park, of the excess amount of litter and debris being left after games in and around the field.

Referred to the Department of Parks, Recreation and Beaches.

Presented to the Mayor for approval June 15, 2015.

RETURNED UNSIGNED July 13, 2015. (#0995)

WRITTEN MOTION Councillor Lopes, requesting, on behalf of the parents that live on Rodman Street, that the Traffic Commission install "SLOW CHILDREN" signs on Rodman Street; and further, requesting that said signage also be placed around the Taylor School and Roosevelt Middle School. (To be Referred to the Traffic Commission.)

Referred to the Traffic Commission.

(#0996)

WRITTEN MOTION, Councillor Alves, requesting, on behalf of the SENHOR DA PEDRA CLUB AND FEAST COMMITTEE, that the following street(s) be CLOSED: TINKHAM STREET, from Madeira Avenue to Funchal Place (Hope Street); WEBSTER COURT, from Madeira Avenue to Funchal Place (Hope Street); on FRIDAY, AUGUST 14, 2015, FROM 6:00 P.M. TO 11:45 P.M.; SATURDAY, AUGUST, 15, 2015, FROM 6:00 P.M. TO 11:45 P.M. AND SUNDAY, AUGUST 16, 2015, FROM 10:00 A.M. TO 11:45 P.M., for the ANNUAL SENHOR DA PEDRA FEAST, PROCESSION and STREET DECORATING for the PROCESSION; further requesting, that the street be CLOSED as follows; SATURDAY, AUGUST 15, 2015, FROM 9:00 A.M. TO 6:00 P.M. – EUGENIA STREET, between North Front Street and Madeira Avenue; SUNDAY, AUGUST 16, 2015, from 8:00 A.M. TO 4:00 P.M. (in order to decorate the streets for the Procession) – NORTH FRONT STREET, between Earle Street and Hathaway Street; EUGENIA STREET, between North Front Street and Funchal Place (Hope Street); SUNDAY, AUGUST 16, 2015, FROM 8:00 A.M. TO 6:00 P.M. (also for decorating the streets for the Procession and the Procession held in conjunction with the FEAST) – NORTH FRONT STREET, between Earle Street and Tinkham Street; FUNCHAL PLACE (HOPE STREET), between Whitman Street and Eugenia Street (with parking on both sides.)

PERMISSION GRANTED.

Presented to the Mayor for approval June 15, 2015.

Approved June 22, 2015.

(#0997)

WRITTEN MOTION, Councillor Lopes, requesting, that the following street(s) be CLOSED: NINA STREET, from East Rodney French Boulevard to Seaview Terrace, to the West End of the intersection so traffic may not enter Seaview Terrace, ON SATURDAY, JULY 04, 2015, FROM 10:00 A.M. TO 10:00 P.M., for the purpose of A Neighborhood Block Party.

PERMISSION GRANTED.

Presented to the Mayor for approval June 15, 2015.

Approved June 22, 2015.

(#0998)

WRITTEN MOTION, Councillor Alves, requesting, on behalf of Irmandade do Divino Espirito Santo Do Pico, (Brotherhood of the Holy Spirit of Pico) that ACUSHNET AVENUE, between Duncan Street and Wood Street be CLOSED: ON SUNDAY, JULY 12, 2015, FROM 10:00 A.M. TO 11:00 A.M., AND AGAIN, FROM 12:00 (NOON) TO 12:30 P.M., for the purpose of the Organization's Annual Procession from their Cultural Center to St. Joseph/St. Therese Church on Acushnet Avenue (for Mass), and return to the Cultural Center for their Annual Feast.

PERMISSION GRANTED.

Presented to the Mayor for approval June 15, 2015.

Approved June 22, 2015.

(#0999)

WRITTEN MOTION, Councillors Lopes and Winterson, requesting, that the following street(s) be CLOSED: LAKE STREET, from Rockdale Avenue to Buttonwood Street, ON SUNDAY, JUNE 14, 2015, FROM 8:00 A.M. TO 10:00 A.M., for the purpose of the IAFF FALLEN FIRE FIGHTER SUNDAY MEMORIAL.

PERMISSION GRANTED.

Presented to the Mayor for approval June 15, 2015.

Approved June 22, 2015. (#1000)

WRITTEN MOTION, Councillor Rebeiro, requesting, on behalf of Mass in Motion New Bedford, that the following street(s) be CLOSED: BARKER'S LANE, from Acushnet Avenue, to North Second Street, EVERY THURSDAY, FROM JUNE 18, 2015, TO OCTOBER 29, 2015, FROM 1:00 P.M. TO 7:00 P.M., for the purpose of vendor parking for the New Bedford Farmer's Market. PLEASE NOTE: REQUESTING THAT WHEN AHA! NEW BEDFORD IS HELD, THAT THIS AREA REMAIN CLOSED ONE ADDITIONAL HOUR UNTIL 8:00 P.M; also requesting, that area allow for food trucks to park at said location.

TABLED – May 28, 2015.

Removed from the Table, Adopted as Amended and Rule 40 Waived – Yeas 11, Nays 0.

Presented to the Mayor for approval June 12, 2015.

Approved June 12, 2015. (#0891)

WRITTEN MOTION, Councillors Bousquet, Winterson, Lopes, Martins, Alves, Morad, Council President Gomes, Councillors Coelho and Carney, requesting, that the New Bedford Police Department ensure that New Bedford Guide is on their list of credible media outlets for distribution of time sensitive information related to public safety concerns, New Bedford Guide is the leading news website in the southcoast with over 50,000 views a week, it is where most of New Bedford goes for up to the minute news and information. (To be Referred to Chief Provencher, Detective Vicente and Mayor Mitchell.)

Referred to Chief Provencher, Detective Vicente and Mayor Mitchell.

Presented to the Mayor for approval June 15, 2015.

RETURNED UNSIGNED July 13, 2015. (#1001)

WRITTEN MOTION, Council President Gomes, requesting, that the Committee on Public Safety and Neighborhoods hold a meeting with Fire Chief Michael Gomes, Special Council Arthur J. Caron, Jr., and a Representative from the Administration, for an explanation as to why the Chief is presently looking for another job; and further, is there a problem which has not been dealt with previously in the past fourteen months which could lead to the loss of Fire Chief Gomes.

Referred to the Committee on Public Safety and Neighborhoods. (#1002)

WRITTEN MOTION, Councillors Martins and Lopes, requesting that the Committee on Ordinances review the Ordinance from Worcester regarding prohibiting aggressive begging, soliciting and panhandling in public places, to enact a similar Ordinance in the City of New Bedford. (To be Referred to the Committee on Ordinances.)

Referred to the Committee on Ordinances. (#1003)

COMMUNICATION, Councillor Martins, submitting a copy of AN ORDINANCE from the City of Worcester regarding prohibiting aggressive begging, soliciting and panhandling in public places. (To be Referred to the Committee on Ordinances.)

Referred to the Committee on Ordinances. (#1004)

COMMUNICATION, BOARD OF ASSESSORS' MOTION, Board of Assessors, to City Council, submitting MOTION passed 3-0, at its open meeting on JUNE 01, 2014, and requesting that the City Council ADOPT, and the Mayor APPROVE the THREE ORDERS relating to the Consumer Price Index, as determined by the Commissioner of Revenue, of a 1.63% increase for Clause 17's, for the amount of exemption to be increased to \$298.87; to accept under Chapter 59, Section 5, Clause 17E to increase the amount of assets to \$60,938.00, to qualifying individuals; and under Chapter 59, Section 5, Clauses 41, 41B & 41C, raising the base limit of income for single taxpayers to \$19,804.00 and married taxpayers to \$22,854.00 and to raise the assets limits to \$42,656.00 for single taxpayers and \$45,704.00 for married taxpayers.

Received and Placed on File. (#1005)

CITY OF NEW BEDFORD
IN CITY COUNCIL
JUNE 11, 2015

ORDERED, that the exemption granted to persons qualifying under M.G.L. Chapter 59, Section 5, Clause 17, 17C, 17C½ and 17D is hereby increased by 1.63% for Fiscal Year 2016; said increase is equal to the Consumer Price Index.

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

Presented to the Mayor for approval June 15, 2015.

Approved June 22, 2015. (#1006)

CITY OF NEW BEDFORD
IN CITY COUNCIL
JUNE 11, 2015

ORDERED, that, pursuant to M.G.L. Chapter 59, Section 5, Clause 17E, the total value of assets, as set forth in M.G.L. Chapter 59, Section 5, Clause 17, 17C, 17C½ and 17D is hereby increased by 1.63% for Fiscal Year 2016; said increase is equal to the Consumer Price Index.

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

Presented to the Mayor for approval June 15, 2015.

Approved June 22, 2015. (#1007)

CITY OF NEW BEDFORD
IN CITY COUNCIL
JUNE 11, 2015

ORDERED, that the base limit of income and the total value of assets of persons, qualifying under M.G.L. Chapter 59, Section 5, Clause 41, 41B, and 41C is hereby increased by 1.63% for Fiscal Year 2016; said increase is equal to the Consumer Price Index.

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

Presented to the Mayor for approval June 15, 2015.

Approved June 22, 2015. (#1008)

WRITTEN MOTION, Councillor Lopes, requesting that DPI Commissioner Ronald Labelle and Fire Chief Michael Gomes register the City of New Bedford with the National Joint Utilities Notification System (NJUNS), so the City can work with our local and regional utility representatives to rid the City of double utility poles, the NJUNS is currently establishing a database of all double utility poles across the Commonwealth of Massachusetts and has pledged to work with local municipalities to rid them of their double poles, the City can register any and all double poles simply by registering with the NJUNS at www.njuns.com. (To be Referred to DPI Commissioner Ronald Labelle and New Bedford Fire Chief Michael Gomes.)

Referred to DPI Commissioner Ronald Labelle and New Bedford Fire Chief Michael Gomes.

Presented to the Mayor for approval June 15, 2015.

RETURNED UNSIGNED July 13, 2015. (#1009)

COMMUNICATION/DEMOLITION, New Bedford Historical Commission, to City Council, re: BUILDING DEMOLITION REVIEW, 101 TREMONT STREET, A CIRCA 1920 ONE STORY, CONCRETE BLOCK, GARAGE 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 Oliveira not present for vote.)

Presented to the Mayor for approval June 15, 2015.

Approved June 22, 2015. (#1010)

COMMUNICATION/DEMOLITION, New Bedford Historical Commission, to City Council, re: BUILDING DEMOLITION REVIEW OF 41 BRIGGS STREET – A CIRCA 1908 THREE-STORY WOOD FRAMED TENEMENT STYLE BUILDING, advising that “the structure is not located in a National Register Historic District and the structure is of no notable historical significance, either recorded or found with the existing condition of the structure and the structure is in poor condition due to extensive deferred maintenance, and that restoration or preservation efforts would be impractical due to the existing condition of the structure, “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 Oliveira not present for vote.)

Presented to the Mayor for approval June 15, 2015.

Approved June 22, 2015.

(#1011)

COMMUNICATION/DEMOLITION, New Bedford Historical Commission, to City Council, re: BUILDING DEMOLITION REVIEW OF 19 ASHLEY STREET – A CIRCA 1909 THREE-STORY WOOD FRAMED TENEMENT STYLE BUILDING, advising that “the structure is not located in a National Register Historic District and the structure is of no notable historical significance, either recorded or found with the existing condition of the structure and the structure is in poor condition due to extensive deferred maintenance, and that restoration or preservation efforts would be impractical due to the existing condition of the structure, “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 Oliveira not present for vote.)

Presented to the Mayor for approval June 15, 2015.

Approved June 22, 2015.

(#1012)

COMMUNICATION/DEMOLITION, New Bedford Historical Commission, to City Council, re: BUILDING DEMOLITION REVIEW OF 40 LIBERTY STREET – A CIRCA 1899 TWO-STORY WOOD FRAMED RESIDENTIAL BUILDING, advising that “the structure is not located in a National Register Historic District and the structure is of no notable historical significance, either recorded or found with the existing condition of the structure and the structure is in poor condition due to extensive deferred maintenance, and that restoration or preservation efforts would be impractical due to the existing condition of the structure, “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 Oliveira not present for vote.)

Presented to the Mayor for approval June 15, 2015.

Approved June 22, 2015.

(#1013)

COMMUNICATION/DEMOLITION, New Bedford Historical Commission, to City Council, re: BUILDING DEMOLITION REVIEW OF 33 EMERY STREET, MAP 13, PARCEL 122 – advising that “constructed in 1921, the John Hannigan School was designed by local architect, Frank Clifton Brown in the Beaux Arts style; the school was built in the south end of the City to serve the burgeoning population of immigrants who lived and worked in the local textile mills; the subject building was named in honor of John Hannigan, a New Bedford mill worker who became a leader of the local labor movement, and involved in local politics and government, John Hannigan was a member of the City’s Common Council, Board of Alderman, and served as Acting Mayor in 1912; the building is in a deteriorated condition and will be replaced with a new school building on the original site” therefore, “the NBHC has determined that 33 Emery Street (John Hannigan School) is a historically significant but not preferably preserved.”

Referred to the Committee on Appointments and Briefings.

(#1014)

PETITION, **Chayela Jackson, 3 Shamrock Circle, East Wareham, MA 02738 d/b/a THE TRAPHAUS, 127 West Rodney French Boulevard, New Bedford, MA 02744**, requesting that she be granted a Waiver of Residency in accordance with Section 15-18 of the City Code, to obtain a **NEW LICENSE TO DEAL IN JUNK, OLD METALS OR ANY OTHER SECOND HAND ARTICLES**. (Submitted by City Clerk Farias.)

Referred to the Committee on Appointments and Briefings. (#1015)

COMMUNICATION, Maria Tomasia, Board of Election Commissioners, to City Council, submitting the Special Election Warrant of the June 23, 2015 Referendum Question on the Casino, the warrant needs to be signed by the majority of the City Council and must be posted on the 7th day prior to the Election date as mandated by M.G.L. c43, §44A, a copy of this warrant will be posted at each polling location. (Copy all Councillors 06/02/2015.)

Received and Placed on File. (#1016)

COMMUNICATION, Councillor Lopes, submitting the Zeiterion Performing Arts Center Mission Statement and Impacts. (To be Received and Placed on File; Copy all Councillors via email 06/02/2015.)

Received and Placed on File. (#1017)

COMMUNICATION, Department of Environmental Protection, Waterways Regulation Program, submitting Notice of License Application pursuant to M.G.L. Chapter 91, Waterways License Application Transmittal #265723, GGK Realty LLC d/b/a The Edge Restaurant, 1480 East Rodney French Boulevard, New Bedford, MA, of a scheduled Public Hearing on June 09, 2015, to amend license 6504 to maintain an elevated deck at said location.

Received and Placed on File. (#1018)

CITATIONS, Councillors Martins and Bousquet, honoring NEIGHBORHOODS UNITED and JERRY PINTO, President of Neighborhoods United, in recognition of their planning and organizing NATIONAL NIGHT OUT 2014 held at Riverside Park on August 05, 2014.

TABLED – August 21, 2014.

Removed from the Table and NO FURTHER ACTION TAKEN. (#1255)

CITATION, Councillor Rebeiro, honoring REVEREND RUSS CHAMBERLAIN, Mercy Meals and More, in recognition of his hard work and dedication to the homeless during the recent snow storm of January 2 and 3, 2014.

TABLED until February 13, 2014 – January 23, 2014.

Removed from the Table and NO FURTHER ACTION TAKEN. (#0052)

CITATIONS, Council President Gomes, Councillors Martins, Morad and Lopes, honoring the Graduates of the SATURDAY ACADEMY.

Adopted, to be presented at a later date. (#1019)

CITATIONS, Council President Gomes, Councillors Alves and Oliveira, honoring JAMES GOMES, Technical Sergeant, United States Air Force, in recognition of his service to his Country in South Korea and Vietnam and his ongoing commitment to his fellow Veterans through his many years of dedicated work at the Brockton VA Medical Hospital.

Adopted, to be presented at a later date. (#1020)

WRITTEN MOTION, Councillor Rebeiro, requesting that the following street(s) be CLOSED: WASHINGTON STREET, from County Street to Grinnell Street and GRINNELL STREET, from Pleasant Street to County Street, FROM 9:00 A.M. to 4:00 P.M. on SATURDAY, JUNE 13, 2015, for the purpose of the WASHINGTON SQUARE PARK COMMUNITY CELEBRATION. GRANTED PROVISIONALLY BY THE CITY COUNCIL PRESIDENT BRIAN K. GOMES ON WEDNESDAY, JUNE 10, 2015, TO BE RATIFIED BY THE CITY COUNCIL ON THURSDAY, JUNE 11, 2015.

Received and Action of the City Council President Ratified.

Presented to the Mayor for approval June 15, 2015.

Approved June 22, 2015. (#1021)

MINUTES, Board of Assessors, submitting MINUTES of a meeting held on May 12, 2015.

Received and Placed on File. (#1022)

MINUTES, Executive Board Meeting – Bristol County PHEP Coalition, submitting MINUTES of a meeting held on May 19, 2015.

Received and Placed on File. (#1023)

APPLICATION, **Cardoso Contracting, Inc.**, for permission to maintain a STREET OBSTRUCTION at **669 Ashley Boulevard**, provisionally granted by the City Clerk on June 01, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 15, 2015.

Approved June 22, 2015. (#1024)

APPLICATION, **W.C. Smith & Son**, for permission to maintain a STREET OBSTRUCTION at **1176 Phillips Road**, provisionally granted by the City Clerk on June 04, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 15, 2015.

Approved June 22, 2015. (#1025)

APPLICATION, **W.C. Smith & Son**, for permission to maintain a STREET OBSTRUCTION at **44 Mosher Street**, provisionally granted by the City Clerk on June 04, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 15, 2015.

Approved June 22, 2015. (#1026)

APPLICATION, **W.C. Smith & Son**, for permission to maintain a STREET OBSTRUCTION at **113 Holly Street**, provisionally granted by the City Clerk on June 04, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 15, 2015.

Approved June 22, 2015. (#1027)

APPLICATION, **Christopher Mendoza**, for permission to maintain a STREET OBSTRUCTION at **Marlboro Street/Lots 211-214**, provisionally granted by the City Clerk on June 08, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 15, 2015.

Approved June 22, 2015. (#1028)

APPLICATION, **Cardoso Contracting, Inc.**, to DISTURB THE SURFACE, of **669 Ashley Boulevard**, provisionally granted by the City Clerk on June 01, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 15, 2015.

Approved June 22, 2015. (#1029)

APPLICATION, **W.C. Smith & Son**, to DISTURB THE SURFACE, of **1176 Phillips Road**, provisionally granted by the City Clerk on June 04, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 15, 2015.

Approved June 22, 2015. (#1030)

APPLICATION, **W.C. Smith & Son**, to DISTURB THE SURFACE, of **44 Mosher Street**, provisionally granted by the City Clerk on June 04, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 15, 2015.

Approved June 22, 2015. (#1031)

APPLICATION, **W.C. Smith & Son**, to DISTURB THE SURFACE, of **113 Holly Street**, provisionally granted by the City Clerk on June 04, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 15, 2015.

Approved June 22, 2015. (#1032)

APPLICATION, **Christopher Mendoza**, to DISTURB THE SURFACE, of **Marlboro Street/Lots 211-214**, provisionally granted by the City Clerk on June 08, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 15, 2015.

Approved June 22, 2015. (#1033)

APPLICATIONS, **Eversource**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on June 02, 2015, subject to ratification by the Mayor and City Council as follows:

102 and 106 Beetle Street (#1034)
155 and 166 Brooklawn Court (#1035)
411 Cedar Street (#1036)
315 and 317 Hersom Street (#1037)
45 Alfred Street (#1038)
39 and 43 Hicks Street (#1039)
157 Maxfield Street (#1040)
127 Maxfield Street (#1041)
16 Richmond Street (#1042)

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval June 15, 2015.
Approved June 22, 2015.

APPLICATIONS, **Eversource**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on June 04, 2015, subject to ratification by the Mayor and City Council as follows:

244 Davis Street (#1043)
109 David Street (#1044)

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval June 15, 2015.
Approved June 22, 2015.

APPLICATIONS, **Eversource**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on June 10, 2015, subject to ratification by the Mayor and City Council as follows:

Hall Street from Rivet Street northerly to Thompson Street continuing to 52 Thompson Street (#1045)
1 Hyacinth Street to Thompson Street (#1046)
Intersection of Acushnet Avenue and Tallman Lane down to 5 Tallman Lane (#1047)
475 Union Street (#1048)
142 Bullard Street (#1049)
173 Acushnet Avenue (#1050)
227 Myrtle Street (#1051)

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval June 15, 2015.
Approved June 22, 2015.

APPLICATION, **Eversource**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on June 11, 2015, subject to ratification by the Mayor and City Council as follows:

215 Duchaine Boulevard (#1052)
Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 15, 2015.

Approved June 22, 2015.

APPLICATIONS, **S&L Roll-off Service**, for permission to maintain a STREET OBSTRUCTION, provisionally granted by the City Clerk on June 05, 2015, subject to ratification by the Mayor and City Council as follows:

340 Summer Street (#1053)

126 Mott Street (#1054)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 15, 2015.

Approved June 22, 2015.

APPLICATIONS, **S&L Roll-off Service**, for permission to maintain a STREET OBSTRUCTION, provisionally granted by the City Clerk on June 11, 2015, subject to ratification by the Mayor and City Council as follows:

340 Summer Street (#1055)

140 Cottage Street (#1056)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 15, 2015.

Approved June 22, 2015.

IT WAS VOTED, on a motion made and duly seconded, Yeas 10, Nays 0, to waive Rule 42 in order to take up the late file items. (Councillor Carney not present for vote.)

WRITTEN MOTION, Councillor Lopes, in light of the recent announcement of Unit C salary freezes, that the Administration reconsider the elimination of the water coolers, requesting that Ari Sky, CFO appear before the Committee on Finance, to discuss ways to keep the water cooler contract. (To be Referred to the Committee on Finance.)

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

Referred to the Committee on Finance – Yeas 11, Nays 0. (#1057)

On a motion, the Council then adjourned at 9:40 p.m.

ATTEST:

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