



Appointments and Briefings

March 08, 2016 – 7:01 PM – **Minutes**
Chambers of the City Council, Room 214

MEETING: COMMITTEE ON APPOINTMENTS & BRIEFINGS

DATE: MARCH 08, 2016

TIME: 7:01 P.M.

PLACE: CITY COUNCIL CHAMBER, ROOM 214, MUNICIPAL BUILDING

PRESENT: COUNCILLORS HENRY BOUSQUET, CHAIRMAN; BRIAN GOMES, VICE-CHAIRMAN (7:10); IAN ABREU; NAOMI CARNEY; DEBORA COELHO; JOSEPH LOPES; STEVEN MARTINS; LINDA MORAD; JAMES OLIVEIRA; DANA REBEIRO (7:04); KERRY WINTERSON

ABSENT: NO ONE

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Councillor Bousquet called the Appointments & Briefings Committee Meeting to order and took attendance. Communication was read into the record from Councillor Rebeiro stating she would be late in attending tonight's Committee Meeting due to a prior commitment. This Communication was received and placed on file by Councillor Lopes and seconded by Councillor Carney.

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Citizen's Input Time, not to exceed the first half hour of the Appointments & Briefings Committee Meeting:

Peter Costa, 231 Middle Street, New Bedford spoke on homeless shelter issues. (1a)

Pat O'Connor, 427 John Street, New Bedford, MA, spoke on the Bay Sox upcoming season. (1b)

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Councillor Lopes made a motion to take item nine (9) and (9a) out of order without objection, which was seconded by Councillor Martins. This motion passed on a Roll Call Vote of Yeas 10, Nays 1, with Councillor Morad opposed.

Notice, City Clerk of reference of a Written Motion, Council President Lopes, Councillors Martins, Morad, Alves, Winteron, Rebeiro and Bousquet, requesting that the City of New Bedford make much needed improvements to our newly updated City of New Bedford website to include ADA compliance for our City residents that have physical disabilities, and are unable to use the services that our website provides (Ref'd 10/23/14, 11/18/14-tabled, 03/31/15-tabled for 90 days, 12/15/15- tabled and a Communication, Council President Lopes, submitting copy of letter from Mr. Phil Zukas, New Bedford, MA, relative to possible improvements to the City of New Bedford Website rendering said website fully compliant with ADA guidelines. (Ref'd 10/23/14, 11/18/14 – tabled, 03/31/15 – tabled for 90 days, 12/15/15- tabled) were removed from the table by Councillor Lopes and seconded by Councillor Martins. (9, 9a)

Maria Pina-Rocha of MIS provided the Committee with an update stating that the City, in conjunction with Mr. Zukas' Committee has addressed all the challenges the website had as it applied to those that are physically impaired and they have updated the website. It is now more ADA friendly and compliant. The only outstanding issue is they need to address the city's calendar on line, but they are working on it.

Phil Zukas, 148 Butler Street, provided the Committee with a brief updated and a thank you. He had a prepared statement read into the record by Councillor Lopes. The statement was a formal thank you to the city for addressing the website issues as it related to handicap individuals. The statement was received and placed on file by Councillor Lopes and seconded by Councillor Martins.

Councillor Lopes thanked all those involved in updating the website.

On motion by Councillor Carney and seconded by Councillor Rebeiro, the Committee VOTED: To take "No Further Action" on this matter at this time. This motion passed on a voice vote.

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Councillor Carney made a motion to take item number ten (10) out of order, which was seconded by Councillor Rebeiro. This motion passed on a Roll Call Vote of Yeas 7, Nays 4, with Councillors Abreu, Bousquet, Lopes & Morad opposed.

Notice, City Clerk of reference of a Written Motion, Councillor Carney, on behalf of Jeanne Costa, resident of New Bedford, requesting, that the City consider Out Door Fitness Equipment to be located in parks across the City, in an effort to promote good health and continue wellness for the City residents; and further, that the City Council support this initiative with funds generated from the Community Preservation Act (Ref'd 7/16/15, 10/28/15- tabled- invite Jeanne Costa to next meeting) was removed from the table by Councillor Lopes and seconded by Councillor Carney.

Ms. Jeanne Costa, 599 Union Street, was present to address the Committee and gave an overview of the project. She submitted a packet of her proposal to the Committee, which was received and placed on file by Councillor Carney and seconded by Councillor Rebeiro.

Councillor Carney asked her where the idea for such a project came from and Ms. Costa explained she has seen such equipment in Cape Verde and her research has showed equipment like the proposal are in parks worldwide.

Councillor Lopes said this was a fantastic idea.

On motion by Councillor Carney and seconded by Councillor Rebeiro, the Committee VOTED: To take "No Further Action" on this matter at this time. This motion passed on a voice vote.

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Councillor Abreu made a motion to take item number 5, 5a out of order, which was seconded by Councillor Rebeiro.

Notice, City Clerk of reference of a Communication, Mayor Mitchell, to City Council, submitting the APPOINTMENT of PAUL A. GORDON, Acushnet, MA 02743, as a SPECIAL POLICE OFFICER (Ref'd 2/11/16) was received and placed on file by Councillor Lopes and seconded by Councillor Abreu. (5, 5a)

Mr. Gordon was present and addressed the Committee. He was asked by Councillor Rebeiro to explain what Special Police appointments entails. He explained he is currently employed at St. Luke's Hospital. He is

primarily a private Police Officer charged with protecting the hospital. They do have arrest authority but only on the hospital property, they notify police who would come and formally arrest if needed.

Councillor Oliveira stated he was correct in sending this motion to Committee as it was a new application. He had no objections to the motion.

On motion by Councillor Oliveira and seconded by Councillor Abreu, the Committee VOTED: To recommend to the City Council APPROVAL of the APPOINTMENT of PAUL A. GORDON, Acushnet, MA 02743, as a SPECIAL POLICE OFFICER. This motion passed on a voice vote

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Notice, City Clerk of reference of a Communication/Demolition , New Bedford Historical Commission, to City Council, re: BUILDING DEMOLITION REVIEW OF 255 RIVER ROAD, MAP 119, PARCEL 94- advising that “ a portion of the structure is the original barn associated with the abutting Captain Humphrey Hathaway House (circa 1795); the barn retains historical significance due to its association with the Hathaway family, Acushnet Village and the social and economic development of 19th century New Bedford; the original barn portion of the structure provides insight to the building materials and construction methods of early 19th century New England; the barn portion of the structure has been acutely altered, has experienced long-term deferred maintenance, and the level of rehabilitation required to meet current building code standards far exceeds the value of the property; “ in light of these findings the New Bedford Historical Commission has determined that the structure at 255 River Road IS Historically Significant, but is not a Preferably Preserved structure.” (Ref’d 1/14/16) Advertised in the Standard-Times on Wednesday, February 24, 2016) (2)

Councillor Lopes made a motion to open the hearing, which was seconded by Councillor Martins.

Anne Louro, Preservation Planner was present and addressed the Committee. She explained the Historic Commission’s recommendation to grant the demolition and gave a brief history of the building and why it is recommended to be demolished.

Councillor Martins asked if Ms. Louro knew what was proposed for the site once the demolition took place and she informed him that she was told it would be a fabrication storage area.

Councillor Oliveira expressed his concern of a prefabricated building going up.

The Chair asked if there was anyone present who would like to speak in favor of the demolition:

Mr. Joe Medeiros, 18 Brown Street, Fairhaven, the owner of the property spoke in favor of the demolition.

Mr. Lael St. Tripp, 14 Hamlin Street, New Bedford, neighbor to the property, spoke in favor of the demolition.

Councillor Martins asked to hear from the developer on his plans for the property. Mr. Abilio Fernandes, 7 North Pleasant Street, Dartmouth, informed the Committee that he was originally planning a prefab storage building, but has decided to put up a two family duplex with a three car garage.

The Chair asked if there was anyone who would like to be recorded in favor of the demolition; there were none. The Chair asked if there was anyone who would like to speak in opposition of the demolition; there were none. He asked if there was anyone who would like to be recorded in opposition of the demolition; there was none.

The hearing was closed.

On motion by Councillor Oliveira and seconded by Councillor Morad, the Committee VOTED: To recommend that the City Council Grant Permission for the DEMOLITION of 255 RIVER ROAD, Map 119, Parcel 94. This motion passed on a Roll Call Vote of Yeas 11, Nays 0.

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Notice, City Clerk of reference of a Communication, Mayor Mitchell, to City Council, submitting the APPOINTMENT of DR. RUSSELL OLSON, Westport, MA 02790 to the NEW BEDFORD REGIONAL AIRPORT COMMISSION; to fill the seat vacated by Sean Collins, this term will expire December 2019; and further requesting a WAIVER OF RESIDENCY to enable Dr. Olson to serve (Ref'd 1/14/16) was received and placed on file by Councillor Morad and seconded by Councillor Oliveira. (3)

Dr. Olson of Westport was present and gave an overview of his qualifications. He explained he attends all Commission meetings and was disheartened when meetings could not happen due to a lack of a quorum. This is why he agreed to be appointed to the Commission.

Councillor Oliveira expressed his support of this appointment.

Councillor Morad echoed her support of this appointment also.

On motion by Councillor Oliveira and seconded by Councillor Rebeiro, the Committee VOTED: To recommend to the City Council APPROVAL of the APPOINTMENT of DR. RUSSELL OLSON, Westport, MA 02790 to the NEW BEDFORD REGIONAL AIRPORT COMMISSION, to fill the seat vacated by Sean Collins, this term will expire December 2019; and the APPROVAL of a WAIVER OF RESIDENCY to enable Dr. Olson to serve. This motion passed on a voice vote.

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Notice, City Clerk of reference of a Communication, Mayor Mitchell, to City Council, submitting the APPOINTMENT of MARTHA CROWLEY, New Bedford, MA, to the CEMETERY BOARD, replacing Judith Downey, this term will expire December 2018 (Ref'd 12/17/15) was received and placed on file by Councillor Rebeiro and seconded by Councillor Abreu. (4)

Ms. Crowley was present to answer questions from the Committee. Councillor Rebeiro asked about her qualifications and she explained she is just semi-retired and is looking to give back to her community. She is willing to learn and will represent her position well.

On motion by Councillor Oliveira and seconded by Councillor Winterson, the Committee VOTED: To recommend to the City Council APPROVAL of the APPOINTMENT of MARTHA CROWLEY, New Bedford, MA, to the CEMETERY BOARD, replacing Judith Downey, this term will expire December 2018. This motion passed on a voice vote.

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Notice, City Clerk of reference of a Communication, Mayor Mitchell, to City Council, submitting the APPOINTMENT of HERBERT B. JOHNSON, New Bedford, MA 02745, to the HUMAN RELATIONS COMMISSION, replacing Janice Baptist; this term will expire April 2019 (Ref'd 2/25/16) was received and placed on file by Councillor Morad and seconded by Councillor Rebeiro. (6)

Mr. Johnson of 39 Briarwood Court, New Bedford, was present to answer questions from the Committee. Councillor Oliveira asked him what prompted him to be on the Human Relation Commission. He told the Committee that he works for Coastline Elderly and he was here as a mediator and Marcy Christian spoke to him about being on the Board and he felt this was something he would really appreciate doing.

On motion by Councillor Martins and seconded by Councillor Rebeiro, the Committee VOTED: To recommend to the City Council APPROVAL of the APPOINTMENT of HERBERT B. JOHNSON, New Bedford, MA 02745, to the HUMAN RELATIONS COMMISSION, replacing Janice Baptist, this term will expire April 2019. This motion passed on a voice vote.

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Notice, City Clerk of reference of a Communication, City Clerk/ Clerk of the City Council, to City Council, on behalf of **Joseph Migliori, d/b/a JOE'S TRANSPORTATION, 99 David Street, New Bedford, MA 02744**, hereby submits a copy of Application requesting a **NEW PRIVATE LIVERY LICENSE**, under the provisions of Massachusetts General Laws, Chapter 159A, Section 1, and amendments thereto, and M.G.L. Chapter 270, Section 22 (Smoke Free Workplace Law) and all other laws applicable to such operation to carry passengers for hire over the streets of New Bedford.(Ref'd 1/14/16) (7)

On motion by Councillor Abreu and seconded by Councillor Coelho, the Committee VOTED: To table this matter at this time. This motion passed on a voice vote.

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Notice, City Clerk of reference of a Communication, City Clerk/ Clerk of the City Council, to City Council, on behalf of **Henry N. Lee, 23 Sycamore Street, New Bedford, MA 02740 d/b/a/ LEE TRANSPORTATION CORP., P.O. Box 5622, New Bedford, MA 02742** 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 (**The last known Livery License expired June 06, 2010**) (Ref'd 2/25/16) was received and placed on file by Councillor Lopes and seconded by Councillor Abreu. (8)

Mr. Lee was present to answer questions from the Committee. Councillor Coelho asked about his last livery license issued in 2010. He explained he deactivated his livery license and concentrated on his taxi license; but he was booking his taxi ahead of time for airport runs, etc. He was told he could not do that and he needed a livery license for that activity.

Councillor Rebeiro explained she had heard that Mr. Lee was caught operating his taxi as a livery vehicle by the City Clerk and was told he was operating as such, illegally. Mr. Lee explained he did not know he could not pre-book taxi runs. When it was brought to his attention he applied for a livery license.

Councillor Carney asked if he will have an additional vehicle to do livery runs. He told her yes, that if the license was granted he would be purchasing an additional vehicle.

On motion by Councillor Morad and seconded by Councillor Rebeiro, the Committee VOTED: To recommend to the City Council APPROVAL on behalf of **Henry N. Lee, 23 Sycamore Street, New Bedford, MA 02740 d/b/a LEE TRANSPORTATION CORP., P. O. Box 5622, New Bedford, MA 02742**, the APPLICATION for 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. This motion passed on a voice vote.

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Notice, City Clerk of reference of a Written Motion, Councillor Coelho, requesting, once again, that the Committee on Ordinances look into the possibility of streamlining the Building Permits application process, so all Permits can be applied for and obtained in a one stop and shop manner, allowing contractors to obtain the necessary paperwork in on stop and be able to meet all of their permitting needs in one application. (Ref'd 9/24/15, 12/14/15- waive reading) (11)

On motion by Councillor Coelho and seconded by Councillor Rebeiro, the Committee VOTED: To take “No Further Action” on this matter at this time. This motion passed on a voice vote.

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A motion was made to waive the reading and follow the Chairs recommendation of taking “No Further Action” on items twelve (12), thirteen (13) and fourteen (14) and Councillor Gomes asked to sever item fourteen (14) to remain in Committee.

On motion by Councillor Morad and seconded by Councillor Rebeiro, the Committee VOTED: To take “No Further Action” on items twelve (12) and thirteen (13). This motion passed on a voice vote. They are as follows:

Notice, City Clerk of reference of a Written Motion, Councillor Coelho, Council President Lopes, Councillors Winterson, Alves, Oliveira, Carney, Martins, Rebeiro and Morad, in light of the United States Postal Service’s final decision to relocate the Downtown Post Office, requesting that Mr. Joseph Mulvey, Real Estate Specialist with the United States Postal Service be invited to the next Committee on Appointments and Briefings meeting to update the Council on plans for the building, when will the Post Office be moved and where will the Downtown Post Office be located.(Ref’d 7/17/14, 8/12/14-tabled, 10/14/14-tabled) (12)

Notice, City Clerk of reference of a Written Motion, Councillor Rebeiro, requesting that at Member of Economic Development Commission meet with the Committee on Appointments and Briefings to discuss the plan if any, to assist more local residents to become business owners; and further, if there is a desired ratio of local businesses opened to each business opened by non-residents. (Ref’d 10/14/14) (13)

Notice, City Clerk of reference of a Written Motion, Council President Gomes, requesting, that the Committee on Appointments and Briefings meet with local banks, mortgage institutions and credit unions, along with all local realtors, for the purpose of putting together a strategic plan of action to maintain and protect any deterioration in the neighborhoods across the City dealing with the over 1000 bank-owned or homes in foreclosure; and further, more importantly to protect those homes from becoming part of a growing number of properties deteriorating within our neighborhoods across the City. (Ref’d 9/24/15) (Remain in Committee) (14)

Councillor Lopes made a motion to adjourn, which was seconded by Councillor Abreu.

This meeting adjourned @ 8:08 p.m.

ATTEST:

Clerk of Committees