



Council Meeting – Minutes

CITY COUNCIL CALENDAR

Chambers of the City Council Municipal Building

Thursday, February 11, 2016 – 7:03 p.m.

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

LATE: Councillor Gomes 8:01 p.m.

ABSENT: No One

Council President Morad called the meeting to order and presided.

Prayer Led By: Reverend Debra Lee, Pastor of North Baptist Church.

Councilor Martins led the Assembly in the Pledge of Allegiance to the flag.

COMMUNICATION, Councillor Winterson, to Members of the City Council, informing that he will be absent for the City Council Meeting on Thursday, February 11, 2016, due to a prior commitment.

Received and Placed on File. (#0212)

COMMUNICATION, Councillor Gomes, to Members of the City Council, informing that he will be late for the City Council Meeting on Thursday, February 11, 2016, due to a prior commitment.

Received and Placed on File. (#0213)

CITATION, Councillor Lopes, honoring JILL HORTON-SIMMS, New Bedford Local Cultural Council, in recognition of her Leadership Circle Award for excellence in individual contributions to community arts and culture – 2016.

TABLED. (#0214)

CITATION, Councillors Abreu and Martins, honoring New Bedford Resident and Celebrity Chef JOSE REGO, in recognition of winning “Cutthroat Kitchen” on the Food Network in January.

Adopted. (#0215)

The following resolution was presented by Councillors Gomes, Carney and Rebeiro.

IN CITY COUNCIL
FEBRUARY 11, 2016

RESOLUTION IN HONOR AND CELEBRATION OF BLACK HISTORY MONTH - FEBRUARY 2016

WHEREAS, Dr. Carter G. Woodson, a high school teacher, discovered that schools did not teach the history of Black Americans; and in 1915, he set out to change that by establishing the Association for the Study of African-American Life and History (ASALH) and in 1926, he established “Negro History Week” to be held during the second week of February, this date was chosen because it marked the birthdays of famed abolitionists Abraham Lincoln and Frederick Douglass; and

WHEREAS, The Celebration of Black History Week was then expanded to encompass the month of February 1976, the Country’s Bicentennial year, but not without some controversy and debate regarding designating a month to the history of one race rather than overall history; therefore, the importance of providing a Theme to focus the attention of the public occurred, to show that the intention was never to dictate or limit the exploration of the Black experience, but to bring to the public’s attention important developments that merit emphasis; and

WHEREAS, The ongoing mission of the Association for the Study of African American Life and History, now holding its 101st Annual ASALH Convention, is to promote, research, preserve, interpret and disseminate information about Black life, history and culture and to be the premier Black Heritage learned society with a strong network of national and international branches whose diverse and inclusive membership will continue the Woodson Legacy, and one of the most successful means to achieve this goal has been, and still is, BLACK HISTORY MONTH and its powerful Themes; and

WHEREAS, The **THEME** for **2016** is **HALLOWED GROUNDS: SITES OF AFRICAN AMERICAN MEMORIES**, honoring important locations that date back to before the arrival of the Mayflower and continue to the present, from port cities where Africans disembarked from slave ships to the battlefields where their descendants fought for freedom, from the colleges and universities where they pursued education, to the cities where they created communities, the imprint of Americans of African descent is deeply embedded in the narrative of the American past, there are sites that should be remembered; and with the passing of time certain sites have become hallowed ground, of which there are more than twenty-five, the Underground Railroad Network to Freedom being one of them, others include the home of the father of Black History, Dr. Carter G. Woodson, the Frederick Douglass home, 125th Street in Harlem, with its notable buildings which include the Apollo Theatre, the Adam Clayton Powell, Jr. State Office Building, the Studio Museum and the West End Theatre; Beale Street in Memphis, the home site of Jean Baptiste Point DuSable, a Haitian of African and French Descent, who in 1779, established the trading post and permanent settlement which would become known as Chicago, where the DuSable Museum of African American History is named in his honor, Sweet Auburn Avenue in Atlanta, Georgia, designated a National Historic Landmark District in 1976, significant for its history and development as a segregated area under the State’s Jim Crow laws, honoring these sites helps to keep alive the memories of our forbearer’s struggles for freedom and justice; and

WHEREAS, We cannot allow Black History Month to pass without recognizing our many local people of color who have accomplished great things against great odds, such as Frederick Douglass, who began his new, free life in our great City; Medal of Honor recipient Sgt. William Carney, who led his Civil War Regiment to victory; Westport’s Paul Cuffe, son of an African slave and Wampanoag Indian, born in Cuttyhunk, who, in the years after the American Revolution built an American shipbuilding fortune on the Westport River and founded the first elementary school in Westport, MA; New Bedford Whaling Era’s Lewis Temple, inventor of the toggle harpoon; abolitionist and confectioner Polly Johnson; escaped slave Henry “Box” Brown; Edward M. Brooke, III, of Massachusetts, who was the first African-American Attorney General of any State, first African-American United States Senator and a Presidential Medal of Freedom Winner; Deval Patrick, who was the first African-American Governor of Massachusetts; former Illinois Senator Barack Obama, who became the first African-American elected to the Office of President of the United States; as well as many, many other individuals whose accomplishments have not yet been fully recognized; and

WHEREAS, Black History Month continues to pay tribute to the African-American history makers of the past and present, and the sacrifices made to ensure equality among all men and women of this great Nation, and serves as an occasion to examine the collective creativity, cultural and political experience of the masses of Africans and people of

African descent, through lectures, exhibitions, banquets and cultural activities held throughout the United States in schools, communities, Churches and political arenas:

NOW, THEREFORE, BE IT RESOLVED, that the New Bedford City Council takes note and celebrates the **MONTH OF FEBRUARY 2016**, as **BLACK HISTORY MONTH**, urges Citizens to honor and remember the Black Heroes of the past and present, and encourages everyone to take part in activities held Citywide in recognition of our community’s rich heritage of diversity; and **BE IT FURTHER RESOLVED**, That this Resolution be posted outside of the City Council Chamber for the entire month of February 2016, in recognition of **BLACK HISTORY MONTH**.

Tabled.

Removed from the Table and Adopted. (#0216)

COMMUNICATION, Mayor Mitchell, to City Council, submitting a LOAN ORDER, under the City’s Capital Improvement Program (CIP), appropriating \$5,509,000.00 for the purpose of making critically-needed repairs to City-owned buildings including, but not limited to, projects for the repair and renovations of public safety facilities, recreational facilities and general office space.

Referred to the Committee on Finance. (#0217)

LOAN ORDER,

Referred to the Committee on Finance. (#0218)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$82,600.00 from DEBT SERVICES OTHER FINANCING USES, to ELECTION, SALARIES & WAGES in the amount of \$58,000.00 and ELECTIONS, CHARGES & SERVICES, in the amount of \$24,600.00.

Received and Placed on File. (#0219)

CITY OF NEW BEDFORD
IN CITY COUNCIL
FEBRUARY 11, 2016

ORDERED, that the sum of **EIGHTY TWO THOUSAND SIX HUNDRED DOLLARS (\$82,600.00)** now standing to the credit of the account from **DEBT SERVICES OTHER FINANCING USES** be and the same is hereby transferred and appropriated to as follows:

ELECTIONS SALARIES AND WAGES.....\$58,000.00
ELECTIONS CHARGES AND SERVICES.....\$24,600.00

To be certified and approved by the Department Head.

Adopted – Yeas 9, Nays 0. (Councillor Gomes not present for vote.)

Presented to the Mayor for approval February 16, 2016.

Approved February 25, 2016. (#0220)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$80,000.00 from DEBT SERVICES OTHER FINANCING USES, to FIRE, CHARGES & SERVICES.

Received and Placed on File. (#0221)

CITY OF NEW BEDFORD
IN CITY COUNCIL
FEBRUARY 11, 2016

ORDERED, that the sum of **EIGHTY THOUSAND DOLLARS (\$80,000.00)** now standing to the credit of the account from **DEBT SERVICES OTHER FINANCING USES** be and the same is hereby transferred and appropriated to as follows:

FIRE CHARGES AND SERVICES.....\$80,000.00

To be certified and approved by the Department Head.

Adopted – Yeas 9, Nays 0. (Councillor Gomes not present for vote.)

Presented to the Mayor for approval February 16, 2016.

Approved February 25, 2016. (#0222)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$9,800.00 from PARKS AND RECREATION, SALARIES & WAGES, to PARKS AND RECREATION, CHARGES & SERVICES.

Received and Placed on File. (#0223)

CITY OF NEW BEDFORD
IN CITY COUNCIL
FEBRUARY 11, 2016

ORDERED, that the sum of **NINE THOUSAND EIGHT HUNDRED DOLLARS (\$9,800.00)** now standing to the credit of the account from **PARKS AND RECREATION SALARIES AND WAGES** be and the same is hereby transferred and appropriated to as follows:

PARKS AND RECREATION CHARGES AND SERVICES.....\$9,800.00

To be certified and approved by the Department Head.

Adopted – Yeas 9, Nays 0. (Councillor Gomes not present for vote.)

Presented to the Mayor for approval February 16, 2016.

Approved February 25, 2016. (#0224)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER authorizing the Mayor to execute a Termination of Easement with Laurindo M. Vasconcelos and Margarida Vasconcelos the current owners of property located at the corner of Becket and Adelaide Street.

Received and Placed on File. (#0225)

CITY OF NEW BEDFORD
IN CITY COUNCIL
FEBRUARY 11, 2016

ORDERED, that the Mayor on behalf of the City of New Bedford is authorized to execute a Termination of easement for the sewer easement granted to the City on July 13, 1981 by Herman and Victoria Mazewski for property shown as Lot 4A on a plan of land entitled, “ Plan of Land situated in New Bedford, MA surveyed for Irma Spiliopoulos November 1, 2009” as evidenced by deed dated July 1, 2014, recorded in the Bristol County S.D. Registry of deeds in Book 11116, page 162. A copy of said Termination of Easement is attached hereto and made a part thereof.

Adopted.

Presented to the Mayor for approval February 16, 2016.

Approved February 25, 2016. (#0226)

COMMUNICATION, Mayor Mitchell, to City Council, submitting a SIX-MONTH WAIVER OF RESIDENCY for JONATHAN NUNES, Dartmouth, MA, the preferred candidate, for the Department of Management Information System’s vacant Systems Analyst position.

SIX-MONTH Waiver of Residency Granted – Yeas 9, Nays 0. (Councillor Gomes not present for vote.)

Presented to the Mayor for approval February 16, 2016.

Approved February 25, 2016. (#0227)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of COREY PACHECO, New Bedford, MA, to the HISTORICAL COMMISSION; this term will expire February 2019.

Rule 38 Waived and Reappointment Confirmed – Yeas 9, Nays 0. (Councillor Gomes not present for vote.)

(#0228)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of KERI COX, New Bedford, MA, to the HISTORICAL COMMISSION as an ALTERNATE MEMBER, replacing James Lopes; this term will expire February 2018.

Rule 38 Waived and Appointment Confirmed Yeas 8, Nays 1. (Councillor Gomes not present for vote.)

(#0229)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of JAMES LOPES, New Bedford, MA, to the HISTORICAL COMMISSION, replacing Keri Cox; this term will expire February 2019.

Rule 38 Waived and Appointment Confirmed – Yeas 9, Nays 0. (Councillor Gomes not present for vote.)

(#0230)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of PAUL A. GORDON, Acushnet, MA 02743, as a SPECIAL POLICE OFFICER.

Referred to the Committee on Appointments and Briefings. (#0231)

APPLICATION, PAUL A. GORDON, Acushnet, MA 02743, for APPOINTMENT as a SPECIAL POLICE OFFICER.

Referred to the Committee on Appointments and Briefings. (#0232)

WRITTEN MOTION, Councillors Gomes, Winterson, Lopes, Martins, Rebeiro, Coelho, Carney, Oliveira, Abreu and Bousquet, requesting, AGAIN, that the New Bedford City Council go on record in support of ATI (Allegheny Technologies, Inc.) steelworkers of New Bedford and send a letter to the ATI Steelworkers President and CEO, urging them to bargain in good faith and respect the veteran workmanship, and get the steelworkers back to work; and further, that the City begin the process of recouping the thousands of dollars in Police detail and vehicle costs used during the details provided from day one in this steelworkers lockout.

Adopted. (#0233)

WRITTEN MOTION, Councillors Carney, Abreu, Lopes, Martins, Council President Morad, Councillor Gomes, Winterson, Coelho, Bousquet and Rebeiro and Oliviera, requesting that the City Council send a letter to our Federal Delegation in opposition of our boat owners paying \$700.00 a day for the at-sea fishing monitor, which was previously paid by NOAA, said new fee was put into place on January 1, 2016, by the United States Department of Commerce, this will have a devastating effect on New Bedford's fishing industry, which is a major part of the economy in New Bedford and all of New England.

Rule 17 Waived – Yeas 9, Nays 0. (Councillor Gomes not Present for vote.)

Adopted. (#0234)

RELATED MOTION, Councillor Carney, requesting that a letter be sent to our State Delegation and Governor Baker asking them to support the New Bedford City Council's objection of our boat owners paying \$700.00 a day for the at-sea fishing monitor, this fee will have a devastating effect on New Bedford's fishing industry.

Adopted. (#0235)

RELATED MOTION, Councillor Lopes requesting, that the United States Department of Agriculture Secretary, Tom Vilsack, provide the members of the New Bedford City Council with the annual federal allocation of funds used to pay the annual salaries of the 7,500 meat safety inspectors housed at the United States Department of Agriculture's Food Safety and Inspection Service Office.

Adopted. (#0236)

RELATED MOTION, Councillor Lopes requesting that a letter be sent to our Federal Delegation for the clarification as to why the National Oceanic and Atmospheric Administration (NOAA), National Marine Fisheries Service (NMFS), Northeast Fisheries Science Center (NEFSC) are allowed to partners with private contractors to supply At Sea Monitoring support services, instead of using federal inspectors; and further, requesting clarification as to why the At-Sea Monitoring program is not funded under the United States Department of Agriculture's Food Safety and Inspection Service Office.

Adopted. (#0237)

WRITTEN MOTION, Councillor Lopes, requesting that the City of New Bedford consider installing a "Before I Die Wall" in a central and visible location, said wall is a global art project that invites people to reflect on their lives and share their personal aspirations in a public space. (To be Referred to the Special Committee on Memorials and Dedication, Mayor Mitchell, and the AHA! Steering Committee.)

Adopted. (#0238)

WRITTEN MOTION, Councillor Lopes, requesting that Superintendent Pia Durkin provide the members of the City Council with a complete list of New Bedford Public Schools that have Wrap Around Managers in place, as well as the criteria and justification for the position, and a complete list of schools that have out of district students, the number of ELL students in each school, as well as the 2015/2016 school testing calendar. (To be Referred to Superintendent Pia Durkin.)

Referred to Superintendent Durkin and requesting a response within 30 days.

Presented to the Mayor for approval February 16, 2016.

RETURNED UNSIGNED March 09, 2016. (#0239)

WRITTEN MOTION, Councillors Abreu, Lopes, Martins, Winterson and Bousquet, requesting that the Health Director, Dr. Brenda Weis, attend an upcoming Committee on Ordinances meeting to discuss a potential collaborative strategy regarding the City's plan to address the on-going epidemic as it relates to the smoking and consumption of synthetic drugs (including, but not limited to K12, Spice, Potpourri) which are still being sold on store shelves; and further, that Mayor Mitchell engage in dialogue with the City Council in a search of a collaborative effort to help confront this matter. (To be Referred to the Committee on Ordinances, Health Director Dr. Brenda Weis and Mayor Mitchell.)

Adopted.

Presented to the Mayor for approval February 16, 2016.

RETURNED UNSIGNED March 09, 2016. (#0240)

COMMUNICATION, Councillor Abreu submitting AN ORDINANCE from the City of Lowell regarding Synthetic drugs. (To be Referred to the Committee on Ordinances, Health Director Dr. Brenda Weis and Mayor Mitchell.)

Referred to the Committee on Ordinances, Heath Director Dr. Brenda Weis and Mayor Mitchell.

Presented to the Mayor for approval February 16, 2016.

RETURNED UNSIGNED March 09, 2016.

(#0241)

COMMUNICATION, Councillor Martin's, submitting the Town of Wareham's Ordinance on Synthetic drugs.
Referred to the Committee on Ordinance.

(#0242)

WRITTEN MOTION, Councillor Winterson, requesting on behalf of the residents of the newly accepted Eastland Terrace, that a letter be sent to the United States Post Office, asking that the residents be allowed to have mailboxes in front of their said properties instead of their mailboxes located on Rockdale Avenue at the corner of Eastland Terrace. (To be Referred to the United States Post Office.)

Referred to the United States Post Office.

(#0243)

WRITTEN MOTION, Councillor Lopes, requesting that the Committee on Ordinances and the Planning Board consider rezoning the lot at 458 Dartmouth Street, Map 18/Lot 106, from Industrial "B" to MIXED-USE BUSINESS. (To be Referred to the Committee on Ordinances and the Planning Board.)

Referred to the Committee on Ordinances and the Planning Board.

(#0244)

COMMUNICATION, Richard Brisson, property owner of 458 Dartmouth Street, to Councillor Lopes, regarding a zoning change for said property. (To be Referred to the Committee on Ordinances and the Planning Board.)

Referred to the Committee on Ordinances and the Planning Board.

(#0245)

WRITTEN MOTION, Councillor Bousquet, requesting, that our State Legislative Delegation consider advocating for additional funding for the Hayden-McFadden Elementary School to aid in its Local Stake Holders Group new turnaround plan.

Adopted.

(#0246)

WRITTEN MOTION, Councillor Gomes, requesting, once more that the Committees on Ordinances and Public Safety and Neighborhoods meet with Acting Police Chief David Lizotte, a Representative from Massachusetts State Police in Dartmouth, City Solicitor McDermott, and Legal Counsel Gerwatowski, to discuss the best legal action that can be taken immediately and collectively against panhandling on the City streets, businesses and highways, which has become a real problem for the Police Officers, residents and tourists. (To be Referred to the Committees on Ordinances and Public Safety and Neighborhoods.)

Referred to the Committee on Ordinances and Public Safety and Neighborhoods.

(#0247)

WRITTEN MOTION, Councillor Gomes, requesting, increasing Police patrols and also D runs in the area of Pleasant Street at Grinnell Street, north to Bedford Street, west to Sixth Street, south to Wing Street, and east to Acushnet Avenue; and further, that DPI Commissioner Labelle increase the lighting in this area to help Police control the criminal activity in said area. (Referred to the Mayor, Acting Police Chief Lizotte and DPI Commissioner Labelle.)

Adopted.

Presented to the Mayor for approval February 16, 2016.

RETURNED UNSIGNED March 09, 2016.

(#0248)

COMMUNICATION, Election Commissioner Maria Tomasia, to City Council, submitting a list of locations to be designated as polling precincts for the upcoming Presidential Primary, scheduled for Tuesday, March 01, 2016. (To be Received and Placed on File.)

Received and Placed on File.

(#0249)

COMMUNICATION, Council President Morad, submitting a letter from the Massachusetts School Building Authority regarding the Board's approval of repair projects for the Alfred J. Gomes Elementary School, Casimir Pulaski Elementary School, Hayden-McFadden Elementary School and the Sgt. William H. Carney Memorial Academy (Copy all Councillors via mail on 02/01/2016.)

Received and Placed on File.

(#0250)

COMMUNICATION, City Solicitor Mikaela A. McDermott, to City Council, providing an overview of how the funds in the Judgments, Claims, and Settlements line item in the General Government Unclassified account have been spent thus far in FY16; an overview of the claims and litigation currently pending against the City and finally an estimate of how much additional funding will be needed for Judgments/Claims/Settlements line item for the remainder of FY16. (Copy all Councillors 02/05/2016.)

Received and Placed on File.

(#0251)

WRITTEN MOTION, Councillors Coelho, Abreu, Oliveira, Lopes, Winterson, Bousquet and Carney, requesting, that the Mayor's Office update the City Council on how he is utilizing his staff and inform us who is responsible for what Neighborhood Group/section of the City. (To be Referred to the Mayor's Office and the Committee on Public Safety and Neighborhoods.)

TABLED – January 28, 2016.

Removed from the Table and NO FURTHER ACTION TAKEN.

(#0155)

WRITTEN MOTION, Councillor Gomes, requesting, that the City step up its enforcement laws, during and after a major winter snow storm and issue tickets and fines to those who violate the law by throwing snow back into the plowed street and who neglect to shovel sidewalks in residential or business areas throughout the City; and further, that the City report to the Committee on Public Safety and Neighborhoods as to how many tickets were issued during the January 23rd snowstorm, to also include how many tickets were issued for parking violations and how many motor vehicles were towed

during the storm. (To be Referred to the Mayor, the Acting Police Chief, David Lizotte, the Department of Public Infrastructure Commissioner Ronald Labelle and the Committee on Public Safety and Neighborhoods.)

TABLED – January 28, 2016.

Removed from the Table and ADOPTED.

Presented to the Mayor for approval February 16, 2016.

RETURNED UNSIGNED March 09, 2016. (#0156)

WRITTEN MOTION, Councillor Winterson, requesting, on behalf of Ms. Jeannie Dolan, homeowner, 90 Rounds Street, New Bedford, MA, that the Traffic Commission install a “HANDICAP PARKING” space in front of said address. (Copy of Handicap Placard enclosed.) (To be Referred to the Traffic Commission.)

Referred to the Traffic Commission. (#0252)

COMMUNICATION, Council President Morad, submitting a letter from Richard Spoor, Fairhaven, MA, dated January 25, 2016, regarding the Buttonwood Park Zoo’s elephants Emily and Ruth.

Received and Placed on File. (#0253)

COMMUNICATION, Council President Morad, submitting a letter from South Coast Neighbors United, regarding the Access Northeast Project to develop a major Liquefied Natural Gas (LNG) storage facility and pipeline expansion in the residential communities of Acushnet and East Freetown, MA.

Received and Placed on File. (#0254)

MINUTES, Zoning Board of Appeals, submitting MINUTES of a meeting held on December 17, 2015.

Received and Placed on File. (#0255)

MINUTES, Board of Assessors, submitting MINUTES of a meeting held on January 22, 2016.

Received and Placed on File. (#0256)

MINUTES, Board of Assessors, submitting MINUTES of a meeting held on January 29, 2016.

Received and Placed on File. (#0257)

MINUTES, Council on Aging, submitting MINUTES of a meeting held on December 10, 2015.

Received and Placed on File. (#0258)

MINUTES, Planning Board, submitting MINUTES of a meeting held on January 13, 2016.

Received and Placed on File. (#0259)

APPLICATION, **Able Asphalt, Inc.**, for permission to maintain a STREET OBSTRUCTION at **15 Avon Street**, provisionally granted by the City Clerk on January 29, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval February 16, 2016.

Approved February 25, 2016. (#0260)

APPLICATION, **Able Asphalt, Inc.**, for permission to maintain a STREET OBSTRUCTION at **EA Oswald 172 sx Chaffee Street**, provisionally granted by the City Clerk on January 29, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval February 16, 2016.

Approved February 25, 2016. (#0261)

APPLICATION, **JLC Construction**, for permission to maintain a STREET OBSTRUCTION at **173 Townsend Street**, provisionally granted by the City Clerk on February 01, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval February 16, 2016.

Approved February 25, 2016. (#0262)

APPLICATION, **JLC Construction**, for permission to maintain a STREET OBSTRUCTION at 91 Willis **Street**, provisionally granted by the City Clerk on February 01, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval February 16, 2016.

Approved February 25, 2016. (#0263)

APPLICATION, **W.C. Smith & Son, Inc.**, for permission to maintain a STREET OBSTRUCTION at **206 Dartmouth Street**, provisionally granted by the City Clerk on February 03, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval February 16, 2016.

Approved February 25, 2016. (#0264)

APPLICATION, **W.C. Smith & Son, Inc.**, for permission to maintain a STREET OBSTRUCTION at **106 James Street**, provisionally granted by the City Clerk on February 03, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval February 16, 2016.

Approved February 25, 2016. (#0265)

APPLICATION, **W.C. Smith & Son, Inc.**, for permission to maintain a STREET OBSTRUCTION at **2 Hazard Court**, provisionally granted by the City Clerk on February 03, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval February 16, 2016.

Approved February 25, 2016. (#0266)

APPLICATION, **W.C. Smith & Son, Inc.**, for permission to maintain a STREET OBSTRUCTION at **264 County Street**, provisionally granted by the City Clerk on February 03, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval February 16, 2016.

Approved February 25, 2016. (#0267)

APPLICATION, **W.C. Smith & Son, Inc.**, for permission to maintain a STREET OBSTRUCTION at **10 Gould Street**, provisionally granted by the City Clerk on February 04, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval February 16, 2016.

Approved February 25, 2016. (#0268)

APPLICATION, **Century Paving and Construction**, for permission to maintain a STREET OBSTRUCTION at **County Street (Palace Pizza)**, provisionally granted by the City Clerk on February 09, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval February 16, 2016.

Approved February 25, 2016. (#0269)

APPLICATION, **Farland Corp. Inc.**, for permission to maintain a STREET OBSTRUCTION at **1283 Acushnet Avenue**, provisionally granted by the City Clerk on February 10, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval February 16, 2016.

Approved February 25, 2016. (#0270)

APPLICATION, **Able Asphalt, Inc.**, to DISTURB THE SURFACE, of **15 Avon Street**, provisionally granted by the City Clerk on January 29, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval February 16, 2016.

Approved February 25, 2016.

(#0271)

APPLICATION, **Able Asphalt, Inc.**, to DISTURB THE SURFACE, of **EA Oswald 172 sx Chaffee Street**, provisionally granted by the City Clerk on January 29, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval February 16, 2016.

Approved February 25, 2016.

(#0272)

APPLICATION, **JLC Construction**, to DISTURB THE SURFACE, of **173 Townsend Street**, provisionally granted by the City Clerk on February 01, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval February 16, 2016.

Approved February 25, 2016.

(#0273)

APPLICATION, **JLC Construction**, to DISTURB THE SURFACE, of **91 Willis Street**, provisionally granted by the City Clerk on February 01, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval February 16, 2016.

Approved February 25, 2016.

(#0274)

APPLICATION, **W.C. Smith & Son, Inc.**, to DISTURB THE SURFACE, of **206 Dartmouth Street**, provisionally granted by the City Clerk on February 03, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval February 16, 2016.

Approved February 25, 2016.

(#0275)

APPLICATION, **W.C. Smith & Son, Inc.**, to DISTURB THE SURFACE, of **106 James Street**, provisionally granted by the City Clerk on February 03, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval February 16, 2016.

Approved February 25, 2016.

(#0276)

APPLICATION, **W.C. Smith & Son, Inc.**, to DISTURB THE SURFACE, of **2 Hazard Court**, provisionally granted by the City Clerk on February 03, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval February 16, 2016.

Approved February 25, 2016.

(#0277)

APPLICATION, **W.C. Smith & Son, Inc.**, to DISTURB THE SURFACE, of **264 County Street**, provisionally granted by the City Clerk on February 03, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval February 16, 2016.

Approved February 25, 2016. (#0278)

APPLICATION, **W.C. Smith & Son, Inc.**, to DISTURB THE SURFACE, of **10 Gould Street**, provisionally granted by the City Clerk on February 04, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval February 16, 2016.

Approved February 25, 2016. (#0279)

APPLICATION, **Century Paving and Construction**, to DISTURB THE SURFACE, of **County Street (Palace Pizza)**, provisionally granted by the City Clerk on February 09, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval February 16, 2016.

Approved February 25, 2016. (#0280)

APPLICATION, **Farland Corp. Inc.**, to DISTURB THE SURFACE, of **1283 Acushnet Avenue**, provisionally granted by the City Clerk on February 10, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval February 16, 2016.

Approved February 25, 2016. (#0281)

APPLICATIONS, **Eversource Gas**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on February 02, 2016, subject to ratification by the Mayor and City Council as follows:

70 Spruce Street (#0282)

154 Davis Street (#0283)

David Court (#0284)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval February 16, 2016.

Approved February 25, 2016.

APPLICATIONS, **Eversource Gas**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on February 09, 2016, subject to ratification by the Mayor and City Council as follows:

344 Church Street (#0285)

277 Nash Road (#0286)

Pontiac Street from hse #37 west to Pine Grove Street (#0287)

Oakdale Street from hse #251 east to Anthony Terrace (#0288)

Appleton Street from hse #229 west to Raymond Street (#0289)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval February 16, 2016.

Approved February 25, 2016.

APPLICATION, **Doctor Disposal Inc.**, for permission to maintain a STREET OBSTRUCTION, provisionally granted by the City Clerk on February 03, 2016, subject to ratification by the Mayor and City Council as follows:

991 Homestead Street

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval February 16, 2016.

Approved February 25, 2016. (#0290)

APPLICATION, **Frade's Disposal Service**, for permission to maintain a STREET OBSTRUCTION, provisionally granted by the City Clerk on February 09, 2016, subject to ratification by the Mayor and City Council as follows:

964 Elliot Street

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval February 16, 2016.

Approved February 25, 2016. (#0291)

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.

REPORT, Committee on Appointments and Briefings, recommending to the City Council to grant permission of the SPECIAL PERMIT for MOTOR VEHICLE SALES & RENTAL, GENERAL REPAIRS and LIGHT SERVICE for Francisco Rosales d/b/a UNIVERSAL AUTO SALES at 1519 Purchase Street, New Bedford, MA 02740.

Rule 42 Waived – Yeas 10, Nays 0.

Recommendation Followed. (#0292)

SPECIAL PERMIT, Francisco Rosales d/b/a/ UNIVERSAL AUTO SALES, for a Special Permit for MOTOR VEHICLE SALES & RENTAL, GENERAL REPAIRS and LIGHT SERVICE at 1519 Purchase Street, New Bedford, MA 02740.

Rule 42 Waived – Yeas 10, Nays 0.

SPECIAL PERMIT Granted.

Presented to the Mayor for approval February 16, 2016.

Approved February 25, 2016.

(#0293)

REPORT, Committee on Appointments and Briefings, recommending to the City Council to grant permission of the SPECIAL PERMIT for MOTOR VEHICLE SALES & RENTAL AND GENERAL REPAIRS for Leonardo Massa d/b/a DRIVE TIME at 1680 Purchase Street, New Bedford, MA 02740.

Rule 42 Waived – Yeas 10, Nays 0.

Recommendation Followed.

(#0294)

SPECIAL PERMIT, Leonardo Massa d/b/a DRIVE TIME, for a Special Permit for MOTOR VEHICLE SALES & RENTALS and GENERAL REPAIRS at 1680 Purchase Street, New Bedford, MA 02740.

Rule 42 Waived – Yeas 10, Nays 0.

SPECIAL PERMIT Granted.

Presented to the Mayor for approval February 16, 2016.

Approved February 25, 2016.

(#0295)

On a motion, the Council then adjourned at 8:35pm.

ATTEST:

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

TABLED BUSINESS

01/28/2016 WRITTEN MOTION, Councillors Coelho, Abreu, Oliveira, Lopes, Winterson, Bousquet and Carney, requesting, that the Mayor's Office update the City Council on how he is utilizing his staff and inform us who is responsible for what Neighborhood Group/section of the City. (To be Referred to the Mayor's Office and the Committee on Public Safety and Neighborhoods.)

01/28/2016 WRITTEN MOTION, Councillor Gomes, requesting, that the City step up its enforcement laws, during and after a major winter snow storm and issue tickets and fines to those who violate the law by throwing snow back into the plowed street and who neglect to shovel sidewalks in residential or business areas throughout the City; and further, that the City report to the Committee on Public Safety and Neighborhoods as to how many tickets were issued during the January 23rd snowstorm, to also include how many tickets were issued for parking violations and how many motor vehicles were towed during the storm. (To be Referred to the Mayor, the Acting Police Chief, David Lizotte, the Department of Public Infrastructure Commissioner Ronald Labelle and the Committee on Public Safety and Neighborhoods.)