

NEW BEDFORD, MASSACHUSETTS

MEETING: COMMITTEE ON APPOINTMENTS & BRIEFINGS
DATE: OCTOBER 15, 2018
TIME: 7:02 P.M.
PLACE: CITY COUNCIL CHAMBER, ROOM 214, MUNICIPAL BUILDING

PRESENT: COUNCILLORS DEBORA COELHO, CHAIRPERSON; LINDA MORAD, VICE CHAIRPERSON; IAN ABREU; NAOMI CARNEY; HUGH DUNN; MARIA GIESTA; BRIAN GOMES; SCOTT LIMA; WILLIAM BRAD MARKEY; DANA REBEIRO (7:06)

ABSENT: COUNCILLOR JOSEPH LOPES

* * *

Councillor Coelho called the Appointments & Briefings Committee Meeting to order and took attendance. The Clerk read a Communication from Councillor Lopes stating he would be late in attending this meeting. This Communication was received and placed on file by Councillor Morad and seconded by Councillor Dunn.

* * *

Notice, City Clerk of reference of a COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of ZOE HANSEN-DIBELLO, New Bedford, MA, to the HUMAN RELATIONS COMMISSION, replacing Herbert B. Johnson, who has resigned; this term will expire April 2019 (Ref'd 9/27/18) was received and placed on file by Councillor Morad and seconded by Councillor Dunn. (1)

Zoe Hansen-DiBello was present and answered questions from the Committee. She explained she has lived in New Bedford for ten years, has worked with the School Department and has a background in dealing with Social Justice and Civil Rights issues.

Councillor Abreu asked if she is familiar with the Commission and if she has any ideas to address within it. Ms. Hansen-DiBello stated she is interested in advancing National Human Rights Day and would look to advance that within the Commission.

Councillor Rebeiro asked her about her education and she explained she has a Ph.D. in Educational Leadership Policy.

On motion by Councillor Morad and seconded by Councillor Rebeiro, the Committee VOTED: To recommend to the City Council APPROVAL of the APPOINTMENT of ZOE HANSEN-DIBELLO, New Bedford, MA, to the HUMAN RELATIONS COMMISSION, replacing Herbert B. Johnson, who has resigned; this term will expire April 2019. This motion passed on a voice vote.

* * *

Notice, City Clerk of reference of a COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of BARRY G. TRAHAN, New Bedford, MA, to the LIBRARY BOARD OF TRUSTEES, Mr. Trahan will be replacing Jill Horton-Simms who has resigned; this term will expire APRIL 2020 (Ref'd 7/19/18)

(9/24/18-tabled) was removed from the table by Councillor Morad and seconded by Councillor Rebeiro. (2)

Councillor Coelho explained that Mr. Trahan has been dealing with his wife's illness at home and is unable to attend this meeting.

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

* * *

Notice, City Clerk of reference of a COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of **Henry N. Lee, 25 Sycamore Street, New Bedford, MA 02740 d/b/a LEE TRANSPORTATION CORP., 271 County Street, New Bedford, MA 02740**, hereby submitting a copy of the Application requesting a **RENEWAL of a 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 (**Current License expired June 8, 2018.**) (Ref'd 8/16/18) (9/24/18-tabled) was removed from the table by Councillor Morad and seconded by Councillor Rebeiro. (3)

Henry Lee was present and answered questions from the Committee.

Councillor Morad asked Mr. Lee why he waited so long to renew his livery application when it had expired in June 2018. Mr. Lee stated he was confused by the process and simply had forgotten. Councillor Morad asked if he would pay more attention and apply for the renewal the next time it comes due in time, and he said he would.

On motion by Councillor Morad and seconded by Councillor Carney, the Committee VOTED: To recommend to the City Council APPROVAL on behalf of **Henry N. Lee, 25 Sycamore Street, New Bedford, MA 02740 d/b/a LEE TRANSPORTATION CORP., 271 County Street, New Bedford, MA 02740** for the Application for a **RENEWAL of a PRIVATE LIVERY LICENSE**, under the provisions of Massachusetts, Chapter 159A, Section 1, and amendments thereto, and M.G.L. Chapter 270, Section 22 (Smoke Free Workplace Law) and all other law's applicable to such operation to carry passengers for hire over the streets of New Bedford. (**Current License expired June 8, 2018.**) This motion passed on a voice vote.

* * *

Notice, City Clerk of reference of a WRITTEN MOTION, Councillor Gomes, requesting that the Committee on Appointments and Briefings meet with DPI Commissioner Ponte, a Representative of the Mayor's Office, Purchasing Agent Bruce, and City Solicitor McDermott to discuss the present road conditions in New Bedford and the City's plan of action to address the decaying roads; and further, that the City Solicitor explain to the Committee as to how the City is dealing with the utility companies and private contractor's poor road work that has been done, such as how these companies are being held accountable for their work; and furthermore that the City notify all utility companies and private contractors of what we expect when they work and repair our City

streets (Ref'd 3/8/18) (4/9/18-tabled 60 days) was removed from the table and received and placed on file by Councillor Morad and seconded by Councillor Markey. (4)

Notice, City Clerk of reference of a RELATED MOTION, Councillor Lima, requesting that the Committee on Appointments and Briefings meet with DPI Commissioner Ponte, CFO Sky and a Representative from the Mitchell Administration to discuss a bonding and/or budget strategy to address patches for city streets, that each Ward gets an equal amount of money each year for fixing or patching City streets (Ref 3/8/18) (4/9/18-tabled 60 days) was removed from the table and received and placed on file by Councillor Morad and seconded by Councillor Markey. (4a)

Notice, City Clerk of reference of a RELATED MOTION, Councillor Morad, requesting that the Committee on Appointments & Briefings requests DPI Commissioner Jamie Ponte to provide the Committee on Appointments & Briefings with a review of similar municipalities' bonding requirements for permitted contractors and that said review be presented back to the Committee on Appointments & Briefings in the next sixty (60) days (Ref'd 4/9/18) was received and placed on file by Councillor Morad and seconded by Councillor Giesta. (4b)

Notice, City Clerk of reference of a COMMUNICATION, Jamie Ponte, Commissioner, Department of Public Infrastructure, to the Committee on Appointments and Briefings, submitting a review of similar municipalities' bonding requirements for permitted contractors (Rec'd 6/6/18) was received and placed on file by Councillor Morad and seconded by Councillor Markey. (4c)

Councillor Gomes asked about specific street projects and what DPI was doing to enforce proper patching procedures by contractors. Commissioner Ponte explained that they have procedures in place that address issues, but they have a working relationship with all contractors and it has not really been an issue. He asked if Route 6, on Kempton Street is able to apply for State funds to maintain. Commissioner Ponte explained he did not know but would find out and reach back to Councillor Gomes.

Councillor Gomes asked Solicitor McDermott how the Solicitors have dealt with contractors that have not lived up to their contracts as far as street patching/repairs has been done. Solicitor McDermott explained her office has not had to deal with anything like that; she reiterated Commissioner Ponte's response that the city has a very good relationship with its contractors.

Councillor Gomes asked CFO Sky how the paving on Hawthorn Street was funded and CFO Sky explained he believed it was paid for out of a previous bond. He would check and revert back to Councillor Gomes.

Councillor Abreu asked about the city purchasing its own equipment to do patching. Commissioner Ponte explained, per this previous conversation that the machinery costs would be near one million and the city would have to train and hire a staff to do the job. The job is so entailed that it requires specific training and is high paid, much higher than the city would be able to offer.

Councillor Morad thanked Commissioner Ponte for providing the Committee with a review of similar municipalities bonding requirement for permitted contractors. She asked if he found any major differences. Commissioner Ponte explained he did not

and that he was satisfied with the way the city handles and enforces its bonding requirements.

On motion by Councillor Morad and seconded by Councillor Giesta, the Committee VOTED: To take “No Further Action” on items 4b and 4c. This motion passed on a voice vote.

Councillor Lima asked Commissioner Ponte if the 1.6 million dollars was spent on street patches throughout the six wards and he was told it was. Commissioner Ponte was asked if in his estimation it was a success and he said it was; the original plan was to do forty projects they ended up funding over fifty.

On motion by Councillor Gomes and seconded by Councillor Lima, the Committee VOTED: To recommend to the City Council to take “No Further Action” on a WRITTEN MOTION, Councillor Gomes, requesting that the Committee on Appointments and Briefings meet with DPI Commissioner Ponte, CFO Sky and a Representative of the Mayor’s Office, Purchasing Agent Bruce, and City Solicitor McDermott to discuss the present road conditions in New Bedford and the City’s plan of action to address the decaying roads; and further, that the City Solicitor explain to the Committee as to how the City is dealing with the utility companies and private contractor’s poor road work that has been done, such as how these companies are being held accountable of their work; and furthermore that the City notify all utility companies and private contractors of what we expect when they work and repair our City streets. This motion passed on a voice vote.

On motion by Councillor Gomes and seconded by Councillor Lima, the Committee VOTED: To recommend to the City Council to take “No Further Action” on the Related Motion, Councillor Lima, requesting that the Committee on Appointments & Briefings meet with DPI Commissioner Ponte, CFO Sky and a Representative from the Mitchell Administration to discuss a bonding and/or budget strategy to address patches for city streets, that each Ward gets an equal amount of money each year for fixing or patching City streets. This motion passed on a voice vote.

Notice, City Clerk of reference of a WRITTEN MOTION, Councillors Gomes, Winterson, Abreu, Coelho, Martins and Rebeiro, requesting, that the Committee on Appointments and Briefings meet with the City Solicitor, Acting DPI Commissioner Silva and a Representative of the Mayor’s Office, for the purpose of discussing the conditions of City streets and holding all contractors and utility companies responsible for putting the streets back together after disruption or utilities installation; and further, that the City once more look at holding the bonds on any company that does not complete road work according to the City's bonding rules and be signed off after inspection. (Ref'd 9/14/17) (7/31/18-Remain in Committee) (5)

On motion by Councillor Morad and seconded by Councillor Abreu, the Committee VOTED: To waive the reading and recommend to the City Council to take “No Further Action” on the WRITTEN MOTION, Councillors Gomes, Winterson, Abreu, Coelho, Martins and Rebeiro, requesting, that the Committee on Appointments & Briefings meet with the City Solicitor, Acting DPI Commissioner Silva and a Representative of the Mayor’s Office, for the purpose of discussing the conditions of City streets and holding all contractors and utility companies responsible for putting the streets back together after disruption or utilities installation; and further, that the City once more

look at holding the bonds on any company that does not complete road work according to the City's bonding rules and be signed off after inspection. This motion passed on a voice vote.

Councillor Giesta made a motion to adjourn, which was seconded by Councillor Rebeiro.

This meeting adjourned @ 7:37 p.m.

ATTEST:

Denis Lawrence, Jr.,
Clerk of Committees