

REGULAR MEETING
Chambers of the City Council
Thursday, October 11, 2018

CITY COUNCIL
Municipal Building
7:01 p.m.

PRESENT: Council President Morad, Councillors Abreu, Carney, Coelho, Dunn, Giesta, Gomes, Lima, Lopes,
Markey and Rebeiro.

LATE: No One

ABSENT: No One

Council President Linda M. Morad called the meeting to order and presided.

Prayer Led By: Rabbi Raphael Kanter, Tifereth Israel Congregation.

Councillor Abreu led the Assembly in the Pledge of Allegiance to the flag.

HEARING, on NSTAR Electric Company d/b/a Eversource Energy for location of one (1) 4" Conduit, three (3)
4" Conduits, five (5) 4" Conduits, nine (9) 4" Conduits, one (1) 6'x10'x8' Manhole, one (1) 3'x3'x4' Switching Station
and one (1) 45"x45"x36" Handhole in CAMPBELL STREET, West of Purchase Street.

Hearing held.

Petition Placed on File. (#1682)

AN ORDER,

Adopted and ordered recorded in Book of Location Order Records.

Presented to the Mayor for approval October 15, 2018.

Approved October 19, 2018. (#1683)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, amending the Order adopted
by the City Council on June 25, 2018, and signed by the Mayor on June 29, 2018, which provided the payment of
current expenses for the CITY for the fiscal year beginning July 1, 2018 and ending June 30, 2019 which appropriated
\$319,534,745 from Ordinary Revenue and Municipal Receipts is hereby authorized at **\$318,849,999** with the following
amended budgets: **GREATER NEW BEDFORD REGIONAL VOCATIONAL TECHNICAL HIGH SCHOOL**,
Charges & Services Account in the amount of **\$5,471,998.00** and **HEALTH INSURANCE**, Charges & Services
Account in the amount of **\$43,476,000.00**.

Received and Placed on File. (#1684)

CITY OF NEW BEDFORD
IN CITY COUNCIL
OCTOBER 11, 2018

ORDERED, amending the order adopted by the City Council on June 25, 2018, and signed by the Mayor on
June 29, 2018, which provided for the payment of current expenses of the CITY for the fiscal year beginning July 1,
2018, and ending June 30, 2018, which appropriated **\$319,534,745** from Ordinary Revenue and Municipal Receipts is
hereby authorized at **\$318,849,999** with the following **amended budgets**:

GREATER NEW BEDFORD REGIONAL VOC TECH HS

Charges and Services \$5,471,998

HEALTH INSURANCE

Charges and Services \$43,476,000

Adopted.

Presented to the Mayor for approval October 15, 2018.

Approved October 19, 2018. (#1685)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER authorizing the City of New
Bedford to enter into a five (5) year Lease with All American Investment Group, LLC, for the purchase of five trucks, 5
SUVs, three vehicles, one crane and one vactor, submitted for City Council approval in accordance with M.G.L. c.30B,
Section 12 (b) for contracts in excess of three years' duration.

Received and Placed on File. (#1686)

CITY OF NEW BEDFORD
IN CITY COUNCIL
OCTOBER 11, 2018

ORDERED, that the City of New Bedford is hereby authorized to enter into a give (5) year lease with All American Investment Group, LLC, for the purchase of five trucks, 5 SUVs, three vehicles, one crane and one vactor, Submitted for the City Council approval in accordance with the M.G.L. c.30B, Section 12 (b) for contracts in excess of three years' duration.

Adopted.

Presented to the Mayor for approval October 15, 2018.

Approved October 19, 2018. (#1687)

COMMUNICATION, Mayor Mitchell, to City Council, submitting a ONE YEAR WAIVER OF RESIDENCY for SUSAN BRUCE, Director of the Purchasing Department, who currently resides in Plymouth, MA.

One- Year Waiver of Residency – Yeas 9, Nays 2. (Councillors Carney & Rebeiro OPPOSED.)

Presented to the Mayor for approval October 15, 2018.

Approved October 19, 2018. (#1688)

COMMUNICATION, Mayor Mitchell, to City Council, submitting a ONE YEAR WAIVER OF RESIDENCY for DANIELA MOUTINHO FERREIRA, Librarian-II/Branch Manager at the Casa da Saudade Library Branch, who currently lives in Norton, MA.

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

Presented to the Mayor for approval October 15, 2018.

Approved October 19, 2018. (#1689)

COMMUNICATION, Mayor Mitchell, to City Council, submitting a ONE YEAR WAIVER OF RESIDENCY for CAROLINE HAWTHORNE, Education Curator for the Buttonwood Park Zoo, who currently lives in Fairhaven, MA.

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

Presented to the Mayor for approval October 15, 2018.

Approved October 19, 2018. (#1690)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of JONATHAN SOUSA MELO, New Bedford, MA, 02745, as a CONSTABLE.

Referred to the Committee on Appointments and Briefings. (#1691)

AN APPLICATION,

Referred to the Committee on Appointments and Briefings. (#1692)

REPORT, Committee on Ordinances, recommending to the City Council to amend the Ordinance, Chapter 18, Parks and Recreation, Section 18-1 Board of Park Commissioners – Establishment, there shall be a Board of Park Commissioners consisting of five (5) persons, with one being the DPI Commissioner or a designee appointed by the DPI Commissioner.

Recommendation Followed. (#1693)

AN ORDINANCE, Amending Section 18-1 of Code of Ordinances – Relative to the Board of Park Commissioners.

Passed to a Second Meeting. (#1694)

REPORT, Committee on Memorials and Dedications, recommending to the City Council APPROVAL of the naming of the Solicitor's Law Library "The Arthur J. Caron, Jr., Esq. Law Library."

Recommendation Followed. (#1695)

COMMUNICATION, Mayor Mitchell, to City Council, requesting that the City Council formally recognize the achievements and contributions of the late Arthur J. Caron, Jr., who passed away on January 19, 2018, after many decades of service to New Bedford, by naming the City Solicitor's Office Law Library "The Arthur J. Caron, Jr., Esq. Law Library", in honor of Mr. Caron's dedicated service and contributions to the City of New Bedford. (Referred to the Committee on Memorials and Dedications – May 24, 2018.)

Referred to the Special Committee on Memorials and Dedications – May 24, 2018.

Approval of naming the Law Library "The Arthur J. Caron, Jr., Esq. Law Library."

Presented to the Mayor for approval October 15, 2018.

Approved October 19, 2018. (#0805)

REPORT, Committee on Memorials and Dedications, recommending that the City Council inform the Park Board that the Committee on Memorials and Dedications supports the naming of the basketball courts at Ashley Park in honor of Tom Barao and that his name be painted in the center circle of the courts and requests that the Park Board hear the matter and follow the Committee's recommendation.

Recommendation Followed and Referred to the Park Board.

Presented to the Mayor for approval October 15, 2018.

Approved October 19, 2018. (#1696)

WRITTEN MOTION, Councillor Giesta, requesting, that the City Council direct the Committee on City Property, prior to taking any votes on any proposals regarding the Phillips Avenue School, hold a public hearing in order to acquire information, thoughts and opinions from the various citizens in and around the neighborhood or from anyone else who may be interested in the fate of the former Phillips Avenue School property.

Referred to the Committee on City Property. (#1697)

WRITTEN MOTION, Councillors Carney, Gomes, Abreu and Markey, on behalf of the south end neighborhood groups, requesting that a traffic study be conducted on Brock Avenue at the intersection of Cove Road, to determine the best traffic flow for the new public safety building; further that this matter be referred to the Committee on Public Safety and Neighborhoods, and that Police Chief Cordeiro, Fire Chief Gomes, EMS Director McGraw, Deputy DPI Commissioner Silva, Executive Secretary to the Traffic Commissioner Downing, and Celiene Saravia from the south end neighborhood groups be invited to said meeting.

Referred to the Committee on Public Safety and Neighborhoods. (#1698)

WRITTEN MOTION, Councillor Gomes, requesting, once more that letters be sent to Congressman William Keating, Senators Elizabeth Warren and Edward Markey, for their immediate action in releasing the fishing licenses to New Bedford that were once held by Carlos Rafael of Carlos Seafood, this request is on behalf of the ground fishing industry and the fishermen that have been put out of work due to the federal investigation showing Carlos Rafael's scheme, due to the implementation of the Federal Government rules on ground fishing, that targeted boat owners in obtaining boats and ground fish licenses and his mission plan to dominate the fishing industry in the City, said licenses being held by NOAA and the Federal government should be released and re-issued to new owners in the New Bedford fishing industry which is a livelihood and economic boom to our City and working waterfront.

Adopted and Rule 40 Waived – Yeas 11, Nays 0. (#1699)

WRITTEN MOTION, Councillor Gomes, requesting, that the Fire Chief Gomes and the Administration report to the Committee on Public Safety and Neighborhoods as to what is the delay in the reconstruction of the downtown fire station which had a three month plan of completion; and further if this project completion continues to be delayed action must be taken to address the housing of Ladder One and Engine Two under the original plan proposed by this Councillor, said plan would be to locate Ladder One at Liberty Street and rent a house camper for the firefighters and place Engine Two on Kempton Street at former Station Three, strong consideration has to be taken in light of the weather conditions changing and Engine Two cannot be kept outside once the inclement weather and freezing temperatures approach which would not be good for the mechanics of that apparatus or in the best interest of response time to the residents living in high-rise units and the business community of the central and west areas of the City.

Referred to the Committee on Public Safety and Neighborhoods and Mayor Mitchell – Yeas 11, Nays 0.

Presented to the Mayor for approval October 15, 2018.

RETURNED UNSIGNED – November 1, 2018. (#1700)

WRITTEN MOTION, Councillor Gomes, requesting, that letters be sent to the Respective Captains of Police Stations 1, 2, and 3 of each sector of the City, thanking all special units, uniform patrol for their continued initiative to make the City streets safer, and commending them for their quick work and major arrests over the summer which has resulted in taking some major crime figures, weapons and drugs off the streets, and closing the case immediately after the crime has been committed; further, stating that we the City Council have your backs as you have our backs and the people of the City of New Bedford, and continue to protect and to serve the City as a whole as you are our frontline and heroes.

Adopted. (1701)

COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of **Christopher Okafor, 27 Maddie Drive, New Bedford, MA 02745 d/b/a KIK TRANSPORTATION, 27 Maddie Drive, New Bedford, MA 02745**, hereby submitting a copy of the 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.

Referred to the Committee on Appointments and Briefings. (1702)

COMMUNICATION/ DEMOLITION, Anne Louro, Preservation Planner, to City Council, re: BUILDING DEMOLITION REVIEW OF 3 WILDWOOD ROAD, (MAP 130F, LOT 8) a Circa 1901, two storey, wood framed residence and associated out-buildings – advising that “the structures are not located in a National Register Historic District; the structures are of no notable historic significance either recorded or found with the existing condition of the structures; the structures are in poor condition due to extensive deferred maintenance; restoration or preservation efforts would be impractical due to the existing condition of the structures; “in light of these findings, the Preservation Planner has determined that the residential structures at 3 Wildwood Road are neither Historically Significant nor Preferably Preserved Structures.”

Demolition Granted.
Presented to the Mayor for approval October 15, 2018.
Approved October 19, 2018. (1703)

COMMUNICATION, Manuel DeBrito, Board of Election Commissioners, to City Council, submitting the Election Warrant for the Tuesday, November 6, 2018, State Election, 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.

Received and Placed on File. (1704)

COMMUNICATION, Council President Morad and Councillor Rebeiro, submitting a copy of a letter to Dr. Gallaudet, Assistant Secretary of Commerce for Oceans and Atmosphere requesting that New Bedford be the site of the new Northeast Fisheries Science Center. (Copy all Councillors via email October 9, 2018; To be Referred to the Committee on Fisheries.)

Referred to the Committee on Fisheries. (1705)

COMMUNICATION, City Clerk/Clerk of the City Council Farias, submitting a response letter from MassDOT, dated September 19, 2018, regarding Councillors Gomes & Dunn’s request that was made at the City Council Meeting of July 19, 2018, for a traffic study at the intersection of the Route 140 northbound ramps at Hathaway Road and grass cutting at various ramps systems throughout the City. (Copy all Councillors via email September 28, 2018.)

Received and Placed on File. (1706)

WRITTEN MOTION, Councillor Rebeiro, requesting, on behalf of the New Bedford Veterans Services, that the following street(s) be CLOSED: WATSON STREET, from North Street to Kempton Street AND NORTH STREET, from Jenny Lind Street to Kempton Street, ON SATURDAY, NOVEMBER 10, 2018, FROM 12:00 P.M. (NOON) TO 4:00 P.M., for the purpose of an event Commemorating the 100th Anniversary of the End of World War I.

Permission Granted.
Presented to the Mayor for approval October 15, 2018.
Approved October 19, 2018. (1707)

PETITION/INDEMNITY AGREEMENT, VASCO DA GAMA RESTAURANT, for Permission to Erect and Maintain an Illuminated, Projecting Sign at 86 Dartmouth Street, New Bedford, MA 02740. Provisionally Granted, subject to Approval of the Building Commissioner and subject to Ratification by Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval October 15, 2018.

Approved October 19, 2018. (#1708)

COMMUNICATION, City Clerk/Clerk of the City Council Farias, submitting a copy of a letter addressed to Ms. Maria Raposo, owner of T&R Transportation, New Bedford, MA regarding the City Council's denial of her renewal application of a Private Livery License during its September 27th City Council Meeting.

Received and Placed on File. (#1709)

COMMUNICATION, City Clerk/Clerk of the City Council, to the City Council, notifying that the Office of the City Clerk has received Meeting Minutes from Board of Assessors for a meeting held on September 14, 2018, Board of Health for a meeting held on April 26, 2018, Bristol County PHEP Coalition for a meeting held on June 19, 2018, and the Park Board for meetings held on June 27, 2018 and July 18, 2018.

Received and Placed on File. (#1710)

APPLICATION, **JLC Construction**, for permission to maintain a STREET OBSTRUCTION at **81 Oak Street**, provisionally granted by the City Clerk on October 1, 2018, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval October 15, 2018.

Approved October 18, 2018. (#1711)

APPLICATION, **JLC Construction**, to DISTURB THE SURFACE, of **81 Oak Street**, provisionally granted by the City Clerk on October 1, 2018, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval October 15, 2018.

Approved October 18, 2018. (#1712)

APPLICATIONS, **Eversource Gas**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on July 22, 2018, subject to ratification by the Mayor and City Council as follows:

- | | |
|--|---------|
| 29 Seventh Street | (#1713) |
| 147 Bullard Street | (#1714) |
| Cottage Street/Kempton Street | (#1715) |
| Intersection of Old Plainville Road & Shawmut Avenue | (#1716) |
| 155 North Street | (#1717) |
| 3573 Acushnet Avenue | (#1718) |
| 88 Luke Street | (#1719) |
| 185 Cottage Street | (#1720) |
| 14 Calumet Street | (#1721) |
| 48 Parker Street | (#1722) |
| 148 Rounds Street | (#1723) |
| 15 Ruth Street | (#1724) |
| 294 – 296 Hersom Street | (#1725) |
| 163 Clifford Street | (#1726) |
| Nelson Street | (#1727) |

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval October 15, 2018.

Approved October 18, 2018.

On a motion, the Council then adjourned at 7:53 p.m.

ATTEST:

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