

CITY COUNCIL CALENDAR
THURSDAY, FEBRUARY 28, 2019
7 P.M. CITY COUNCIL CHAMBERS – ROOM 214
CITY HALL, 133 WILLIAM STREET, NEW BEDFORD, MA

OPENING OF SESSION BY: CITY COUNCIL PRESIDENT LINDA M. MORAD

PRAYER LED BY: REVEREND CHRISTOPHER MORCK, GRACE EPISCOPAL CHURCH

PLEDGE OF ALLEGIANCE

MAYOR'S PAPERS

M1. COMMUNICATION, Mayor Mitchell, to City Council, submitting A LOAN ORDER, appropriating \$17 Million to construct the South Public Safety Center located on the property at Brock Avenue and Ruth Street and to include the demolition of the former St. Anne's Church and School.

M1a. LOAN ORDER,

M2. COMMUNICATION, Mayor Mitchell, to City Council, submitting a response to its RFP of 45 Salisbury Street, for its inclusion in the proposed Public Safety Facility at Ruth and Salisbury Street and Brock Avenue. (A copy of the RFP response is included.)

M3. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, requesting on behalf of the New Bedford Airport Commission that the City Council purchase from Tifereth Israel Congregation, two Lots for a total consideration of \$35,000.00.

M3a. AN ORDER,

M4. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, requested by the New Bedford Airport Commission that the City sell a parcel of real estate to Tifereth Israel Congregation for \$35,000.00. (To be Referred to the Committee on City Property for its Recommendation.)

M4a. AN ORDER,

M5. COMMUNICATION, Mayor Mitchell, to City Council, submitting a request, that pursuant to Section 2-65 of the City Code, the Council begin Committee on City Property proceedings to seek proposals for the disposition of a twenty-year leasehold interest in property owned by the City of New Bedford, consisting of approximately 2.745 acres of vacant land located on the West Side of East Rodney French Boulevard, shown on City of New Bedford Assessor's Map 12, as Lot 298.

M6. COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of GARY RAPOSA to the position of DISTRICT FIRE CHIEF, effective March 03, 2019.

M7. COMMUNICATION, Mayor Mitchell, to City Council, submitting a WAIVER OF RESIDENCY for ELIZABETH LYDON, a candidate to fill the vacant position of Associate City Solicitor; Ms. Lydon currently resides in Rochester, MA. Also, requesting Council approval of Ms. Lydon's salary at Step 3, Grade M-12 (74,900).

M8. COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of SHAYNE M. TRIMBELL, New Bedford, MA 02740, as an Alternate Member to the PLANNING BOARD; Mr. Trimbell will be replacing George N. Smith, whose term has expired; this term will expire September 2021.

M9. COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of CELESTE PALEOLOGOS, New Bedford, MA, 02746, to the ZONING BOARD OF APPEALS; this term will expire in December 2020.

NEW BUSINESS

1. REPORT, Committee on Appointments and Briefings, recommending to the City Council APPROVAL of the APPOINTMENT of JENNIFER SMITH, New Bedford, MA 02740, as an Alternate Member to the HISTORICAL COMMISSION; Ms. Smith will be replacing Meghan Kish, whose term has expired; this term will expire March 2021.

1a. COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of JENNIFER SMITH, New Bedford, MA 02740, as a ALTERNATE MEMBER to the HISTORICAL COMMISSION; Ms. Smith will be replacing Meghan Kish, whose term has expired; this term will expire March 2021. (Referred to the Committee on Appointments and Briefings – November 08, 2018.)

2. REPORT, Committee on Appointments and Briefings, recommending to the City Council APPROVAL of the APPOINTMENT of CAROL PIMENTEL, New Bedford, MA to the REDEVELOPMENT AUTHORITY, replacing Celia Brito, whose term has expired and recently ceased being a City resident; this term will expire July 2022.

2a. COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of CAROL PIMENTEL, New Bedford, MA to the REDEVELOPMENT AUTHORITY, replacing Celia Brito, whose term has expired and recently ceased being a City resident; this term will expire July 2022. (Referred to the Committee on Appointments and Briefings – November 20, 2018.)

3. REPORT, Committee on Appointments and Briefings, recommending to the City Council APPROVAL of the APPOINTMENT of ANN R. O'LEARY, New Bedford, MA to the LIBRARY BOARD OF TRUSTEES, replacing Jill Horton Simms who has resigned, this term will expire APRIL 2020.

3a. COMMUNICATION, Mayor Mitchell, to City Council, submitting a request to rescind Mr. Barry Trahan's appointment to serve on the Library Board of Trustees replacing Jill Horton Simms; and further submitting the APPOINTMENT of ANN R. O'LEARY, New Bedford, MA to the LIBRARY BOARD OF TRUSTEES, replacing Jill Horton Simms who has resigned, this term will expire APRIL 2020. (Referred to the Committee on Appointments and Briefings – January 10, 2019.)

4. REPORT, Committee on Appointments and Briefings, recommending to the City Council APPROVAL of the APPOINTMENT of MARTIN BENTZ, New Bedford, MA, to the HUMAN RELATIONS COMMISSION, replacing Kevin Thomas, whose term has expired; this term will expire FEBRUARY 2021.

4a. COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of MARTIN BENTZ, New Bedford, MA, to the HUMAN RELATIONS COMMISSION, replacing Kevin Thomas, whose term has expired; this term will expire FEBRUARY 2021. (Referred to the Committee on Appointments and Briefings – January 10, 2019.)

5. REPORT, Committee on Appointments and Briefings, recommending to the City Council to follow the Recommendations of the Historical Commission and Grant Partial Demolition and replacement of existing windows at 61 WAMSUTTA STREET, (MAP 78, LOT 125).

5a. COMMUNICATION/DEMOLITION, Anne Louro Preservation Planner, to City Council, re: BUILDING DEMOLITION REVIEW OF 61 WAMSUTTA STREET, (MAP 78, LOT 125) a Circa 1889 two-story brick mill structure – advising that “the purpose of the Demolition Delay Ordinance is to preserve and protect significant buildings and structures within New Bedford and to encourage owners of Preferably Preserved Historic Buildings and Structure to seek out alternative options that will preserve, rehabilitate or restore such buildings; the structure is located in the Wamsutta Mill National Register Historic District and is associated with the broad architectural, cultural, economic, political and social history of the City; as part of the rehabilitation and adaptive reuse of the structure to accommodate 30 units of housing, partial demolition of non-historic fabric will occur; including the replacement of windows; the rehabilitation is utilizing both the Federal and the State Rehabilitation Tax Credit Programs; as such, the project must meet the Secretary of the Interior's Standards for Rehabilitation; **“in light of these findings, the Preservation Planner has determined that the structure at 61 Wamsutta Street is a Historically Significant and a Preferably Preserved Historic Building; however, the building is not regulated by the Demolition Delay Ordinance, as the intent is to restore and preserve the building, not to demolish.”** (Referred to the Committee on Appointments and Briefings – January 10, 2019.)

6. REPORT, Committee on Appointments and Briefings, recommending to the City Council APPROVAL of the APPLICATION, Dennis and Grace Madeira, D/B/A Manny's Auto Body, for a SPECIAL PERMIT for Motor Vehicle Sales and Rentals, Body Repair, General Repair and Light Service at 262 Myrtle Street, New Bedford, MA 02746.

6a. SPECIAL PERMIT, Dennis and Grace Madeira, d/b/a Manny's Auto Body, for a SPECIAL PERMIT for Motor Vehicle Sales and Rentals, Body Repair, General Repair and Light Service at 262 Myrtle Street, New Bedford, MA 02746.

7. REPORT, Committee on Appointments & Briefings, recommending to the City Council to take **"NO FURTHER ACTION"** on the 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.

7a. 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. (Referred to the Committee on Appointments and Briefings – July 19, 2018.)

8. WRITTEN MOTION, Councillor Coelho, requesting, that the City Council inquire of the Massachusetts Department of Public Health and Massachusetts Public Health Council whether or not the State has any regulatory requirements to prevent photos from being taken of nursing home residents by staff or by visitors without their express consent as a result of various cases arising whereby such residents have appeared in photos, whether they were the subject of the photo or recognizably appearing in the background of a photo, that were posted on various social media outlets without the resident's knowledge or consent thereby infringing on the privacy of an extremely vulnerable population in our community; and if such regulations exist, how the City government can assist in the enforcement; if such regulations do not exist, whether such regulations can be promulgated to preserve the privacy of these residents.

9. WRITTEN MOTION, Councillor Gomes, requesting, that the Committee on Public Safety and Neighborhoods meet with a Representative of Avigilon Surveillance Camera Company, a Representative of America Security the company responsible for the installation and monitoring of City Hall surveillance cameras, Police Chief Cordeiro, Department of Facilities and Fleet Management Director Champagne, and a Representative of the Mayor's Office for the purpose of discussing the break-in that occurred at City Hall, and whether all security and camera systems were in working order; further, requesting that outside cameras be installed at the north west, north east, south east and south west corners of City Hall; and further, that a surveillance monitor system be placed in City Hall in an assigned office of the Police Officer for the day, along with a recording system that records all movements of the interior and exterior of City Hall 24 hours of day, seven days a week, and all cameras be hooked up to the Police Department's surveillance system. (To Referred to the Committee on Public Safety and Neighborhoods.)

10. COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of JOSEPH A. NEVES, 574 Allen Street, New Bedford, MA 02740 d/b/a NEVES BUS COMPANY, INC., 574 Allen Street, New Bedford, MA 02740, hereby submits a copy of the Application requesting a **NEW PRIVATE LIVERY LICENSE**, to carry passengers for hire over the streets of New Bedford.

11. COMMUNICATION, Council President Morad, submitting a copy of a letter from City Solicitor McDermott, to Ms. Ericca Kennedy, Whisk & Jane, LLC, regarding Whisk and Jane's request to locate a recreational cannabis facility at Pope's Island, New Bedford, MA.

12. COMMUNICATION, Council President Morad, submitting copies of emails from and to Martha Worley, from Worleybeds Factory Outlet, 197 Pope's Island, regarding a Zoning Waiver Request for Whisk & Jane, LLC, to locate a recreational cannabis business at 161 Pope's Island, New Bedford, MA. (To be Referred to the Chairperson of the Zoning Board of Appeals.)

13. COMMUNICATION, Councillor Giesta, submitting a copy of the Zoning for Marijuana Establishments and Medical Marijuana Treatment Centers Ordinance.

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14. COMMUNICATION, Councillor Giesta, submitting a copy of a letter from Department of Inspectional Services Commissioner Danny Romanowicz relative to zoning restrictions for a recreational cannabis facility at 161 Pope's Island - Plot 60/Lot 26.

15. COMMUNICATION, Councillor Giesta, submitting a copy of Marine Park (Pope's Island) deed which proves that it has been a park since 1928.

16. COMMUNICATION, Council President Morad, submitting a copy of an email from Mr. Cynthia Roy, New Bedford, MA, regarding the Alma del Mar Charter School Expansion. (To be Received and Placed on File.)

17. COMMUNICATION, Councillor Abreu, submitting a copy of a letter sent to our State Legislative Delegation in support of House Bill HD. 986 – An Act regarding pay parity for Correctional Officers of the fourteen county Sheriffs' Offices.

18. COMMUNICATION, Councillor Lopes, submitting a copy of a letter sent to our State Legislative Delegation urging legislative action regarding House Bill HD. 986 – An Act regarding pay parity for Correctional Officers of the fourteen county Sheriffs' Offices.

TABLED BUSINESS

01/10/2019 WRITTEN MOTION, Councillor Gomes, requesting that the City Council forward a letter of request to the Commonwealth of Massachusetts' Cannabis Commission as to whether the City is following State Law regarding marijuana establishments in the City; and further, enclosed in the letter, please include a copy of the 11-page "Screening Form/Application for a Marijuana Establishment Host Community Agreement", and a copy of the City's zoning map that has been put forth by the Mayor's Review Committee, comprised of the City Solicitor, the City Planner, the Chief of Police, the Chief Financial Officer, the Director of Inspectional Services, the Director of Planning, Housing and Community Development and the City's Health Director; asking that the Cannabis Control Commission review the application and the zoning map and report back to the City Council as to whether this Application process and zoning map applies to the laws of the Commonwealth of Massachusetts' Cannabis Control Commission; and further, that Steven Hoffman, Chairman of the Massachusetts Cannabis Control Commission or a representative, meet with the Special Committee on Licensing and Zoning for Cannabis to discuss whether the City has followed Massachusetts Laws and policies regarding marijuana establishments in the City of New Bedford.

***In accordance with the Americans with Disabilities Act (ADA),
if any accommodations are needed, please contact the City Council Office at 508-979-1455.
Requests should be made as soon as possible but at least 48 hours prior to the scheduled meeting.***

