

**CITY COUNCIL CALENDAR
THURSDAY, SEPTEMBER 12, 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 RAMIRO MONTEIRO, PASTOR
INTERNATIONAL CHURCH OF THE NAZARENE**

PLEDGE OF ALLEGIANCE

HEARINGS

1. HEARING, NSTAR Electric Company d/b/a Eversource Energy for location of one (1) 45” x 45” x 36” Handhole in BROCK AVENUE, between Harmony Street and Ruth Street.

1a. AN ORDER,

2. HEARING, NSTAR Electric Company d/b/a Eversource Energy for location of eight (8) 5” Conduits in BOLTON STREET, South of Jenkins Street.

2a. AN ORDER,

MAYOR’S PAPERS

M1. COMMUNICATION, Mayor Mitchell, to City Council, submitting a copy of a Host Community Agreement with Southcoast Apothecary, LLC; the company is currently seeking a license from the Marijuana Cannabis Control Commission to operate a recreational marijuana dispensary at 115 Coggeshall Street, New Bedford, MA 02746.

M1a. HOST COMMUNITY AGREEMENT, Southcoast Apothecary LLC to operate a recreational marijuana dispensary at 115 Coggeshall Street, New Bedford, MA 02746.

M2. COMMUNICATION, Mayor Mitchell, to City Council, submitting a copy of a Host Community Agreement with Tree Beard, Inc.; the company is currently seeking a license from the Marijuana Cannabis Control Commission to operate a recreational marijuana dispensary at 1 Nauset Street, New Bedford, MA 02746.

M2a. HOST COMMUNITY AGREEMENT, Tree Beard, Inc. to operate a recreational marijuana dispensary at 1 Nauset Street, New Bedford, MA 02746.

M3. COMMUNICATION, Mayor Mitchell, to City Council, submitting a copy of a Host Community Agreement with Metro Harvest, Inc.; the company is currently seeking a license from the Marijuana Cannabis Control Commission to operate a recreational marijuana dispensary at 606 Tarkiln Hill Road, New Bedford, MA 02745.

M3a. HOST COMMUNITY AGREEMENT, Metro Harvest, Inc., to operate a recreational marijuana dispensary at 606 Tarkiln Hill Road, New Bedford, MA 02745.

M4. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, authorizing the Mayor to execute on behalf of the City a Lease with a two (2) year term with four (4) additional two (2) year options between the City of New Bedford acting through its Airport Commission and the Airport Grille LLC.

M4a. AN ORDER,

9/10/2019 3:54:49 PM CITY CLERK

M5. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the APPROPRIATION of \$2,535,000.00 from ORDINARY REVENUE and MUNICIPAL RECEIPTS to SCHOOL DEPARTMENT.

M5a. AN ORDER,

M6. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the APPROPRIATION of \$170,000.00 from ORDINARY REVENUE and MUNICIPAL RECEIPTS to MIS SALARIES AND WAGES in the amount of \$10,000.00 and MIS CHARGES AND SERVICES in the amount of \$160,000.00.

M6a. AN ORDER,

M7. COMMUNICATION, Mayor Mitchell, to City Council, requesting a ONE-YEAR WAIVER OF RESIDENCY for SCOT SERVIS, AIRPORT MANAGER for the NEW BEDFORD REGIONAL AIRPORT, who currently resides in Lakeville, MA.

M8. COMMUNICATION, Mayor Mitchell, to City Council, requesting a ONE-YEAR WAIVER OF RESIDENCY for SHAWN SYDE, City Engineer for the Department of Public Infrastructure, who currently resides in Fall River, MA.

M9. COMMUNICATION, Mayor Mitchell, to City Council, requesting a ONE-YEAR WAIVER OF RESIDENCY for THOMAS J. MATHIEU, Associate City Solicitor with the Office of the City Solicitor, who currently resides in Raynham, MA.

M10. COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of WILLIAM ANDREWS, New Bedford, MA, to the VETERAN'S ADVISORY BOARD; Mr. Andrews will be replacing Oliver E. Moreau, Sr., whose term has expired; this term will expire December 2019.

M11. COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of DEBRA TRAHAN, New Bedford, MA 02745, to the ZONING BOARD OF APPEALS as an Alternate Member; this term will expire December 2023.

NEW BUSINESS

3. REPORT, Committee on Appointments & Briefings, recommending to the City Council APPROVAL of the APPOINTMENT of ELIZABETH C. MCNAMARA, New Bedford, MA to the VETERANS ADVISORY BOARD; Ms. McNamara will be replacing Nelson Ostiguy whose term has expired; this term will expire December 2020.

3a. COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of ELIZABETH C. MCNAMARA, New Bedford, MA to the VETERANS ADVISORY BOARD; Ms. McNamara will be replacing Nelson Ostiguy whose term has expired; this term will expire December 2020. (Referred to the Committee on Appointments and Briefings – July 18, 2019.)

4. REPORT, Committee on Appointments & Briefings, recommending to the City Council APPROVAL of the APPLICATION, Christopher Zammito, D/B/A RPCV Autobody, LLC, for a SPECIAL PERMIT for Motor Vehicles Sales and Rentals, Body Repair, General Repair and Light Service at 49 Potomska Street, New Bedford, MA 02740.

4a. SPECIAL PERMIT, CHRISTOPHER ZAMMITO, d/b/a RPCV AUTOBODY, LLC, for a SPECIAL PERMIT for Motor Vehicles Sales and Rentals, Body Repair, General Repair and Light Service at 49 Potomska Street, New Bedford, MA 02740.

5. REPORT, Committee on Appointments & Briefings, recommending to the City Council to take **“NO FURTHER ACTION”** on the Written Motion, Councillors Coelho and Giesta, requesting, that a representative from the New Bedford Public Schools meet with the Committee on Appointments and Briefings to discuss ideas on how to increase the amount of Crossing Guards at the public schools.

5a. WRITTEN MOTION, Councillors Coelho and Giesta, requesting, that a representative from the New Bedford Public Schools meet with the Committee on Appointments and Briefings to discuss ideas on how to increase the amount of Crossing Guards at the public schools. (Referred to the Committee on Appointments and Briefings – March 28, 2019.)

6. AN ORDINANCE, Amending Chapter 19, Section 19-7 (c), by inserting the title of Assistant Superintendent of Highways and Utility, M-12, and the title of Executive Finance and Operations Specialist, M-13, which were approved in the Department of Public Infrastructure budget for FY/2020. (Passed to a Second Reading – August 15, 2019.)

7. WRITTEN MOTION, Councillor Lopes, requesting, that the Committee on Ordinances review the establishment and membership of the New Bedford Redevelopment Authority. (To be Referred to the Committee on Ordinances.)

8. WRITTEN MOTION, Councillor Lopes, requesting, that that a representative from the Department of Public Infrastructure meet with the Committee on Appointments and Briefings, to discuss the street closures associated with the Rt. 18 Phase II project.

9. WRITTEN MOTION, Councillor Lopes, requesting that the Committee on Ordinances, amend the Code of Ordinances, Chapter 9, Section 4130B, by deleting the words “Marijuana Establishment” from Section 4131B (ii) (a). (To be Referred to the Committee on Ordinances.)

10. WRITTEN MOTION, Councillor Gomes, requesting that the Administration and the MIS Department release more information on the cyber-attack that happened on the City’s computer system, and if Residents and/or employees sensitive information was compromised and how will the City continue to address this issue now and in the future especially if personal information has been stolen; and further prior to the attack what computer safety measures should have been in place to prevent such a breach and if this attack was the first or have there been others. (To be Referred to the Committees on Internal Affairs and Public Safety and Neighborhoods.)

11. COMMUNICATION/DEMOLITION, COMMUNICATION/DEMOLITION, Anne Louro, Preservation Planner, to City Council, re: BUILDING DEMOLITION REVIEW of 697 ASHLEY BOULEVARD, (MAP 114/LOT 320), a Circa 1932 one-story concrete block, former gas/auto repair station, advising that “the structure is not located in a National Register Historic District; the structure is of no notable historic significance either recorded or found with the existing condition of the structure, in light of these findings, the Preservation Planner has determined that the residential structure at 697 Ashley Boulevard is neither a Historically Significant nor a Preferably Preserved Structure.”

12. COMMUNICATION/DEMOLITION, COMMUNICATION/DEMOLITION, Anne Louro, Preservation Planner, to City Council, re: BUILDING DEMOLITION REVIEW of 494 WOOD STREET, (MAP 114/LOT 131), a Circa 1930 one-story concrete block, commercial garage type structure, advising that “the structure is not located in a National Register Historic District; the structure is of no notable historic significance either recorded or found with the existing condition of the structure, in light of these findings, the Preservation Planner has determined that the residential structure at 494 Wood Street is neither a Historically Significant nor a Preferably Preserved Structure.”

13. COMMUNICATION, Council President Morad, submitting a copy of a Host Community Agreement, from Nicholas A. Gomes, Chief Legal Counsel, Tree Beard, Inc., for a proposed Recreational Marijuana Establishment at 1 Nauset Street, New Bedford, also enclosed is a zoning conformance letter from the Department of Inspection Services and a letter from Tabitha Harkin, City Planner stating the HCA Screening Committee’s favorable recommendation to negotiate a Host Agreement. (Copy all Councillors 08/27/2019.) (To be Referred to the Special Committee on Cannabis Regulation and Host Community Agreements Review.)

9/10/2019 3:54:49 PM CITY CLERK

14. COMMUNICATION, Foth-CLE Engineering Group submitting a copy of an Environmental Notification Form, dated August 30, 2019, on behalf of Cooke Island LLC for a proposal to license and maintain existing fill and building, pile anchored barges, a reconfiguration zone and a gangway supported by a concrete pad at 23 Pope's Island, New Bedford, MA. (To be Received and Placed on File.)

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.***