

**CITY COUNCIL CALENDAR
THURSDAY, FEBRUARY 14, 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 PAMELA J. COLE, PRESIDENT
GNB CHAPTER OF CHURCH WOMEN UNITED**

PLEDGE OF ALLEGIANCE

RESOLUTION

1. RESOLUTION, Councillor Lima, presenting a Resolution calling for the United States to “PULL BACK FROM THE BRINK” and Prevent Nuclear War.

HEARINGS

2. HEARING, NSTAR Electric Company d/b/a Eversource Energy for location of two (2) 4" Conduits and one (1) 45"x45"x36" Handhole in EAST CLINTON STREET, West of Cottage Street.

2a. AN ORDER,

MAYOR'S PAPERS

M1. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, that the City accept the provisions of M.G.L. c.43, §53F ½, establishing Cable Television Public Access as an Enterprise Fund effective Fiscal Year 2020, which begins on July 1, 2019.

M1a. AN ORDER,

M2. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$160,000.00 from DOWNTOWN ENTERPRISE FUND, FREE CASH, to DOWNTOWN ENTERPRISE FUND, CHARGES & SERVICES in the amount of \$60,000.00 and DOWNTOWN ENTERPRISE FUND, CAPITAL OUTLAY in the amount of \$100,000.00.

M2a. AN ORDER,

M3. COMMUNICATION, Mayor Mitchell, to City Council, submitting a ONE-YEAR Waiver of Residency for MR. WILLIAM SHURTLEFF, Carpenter and Tradesman for the Department of Facilities and Fleet Management, who currently resides in Dartmouth, MA.

M4. COMMUNICATION, Mayor Mitchell, to City Council, submitting a ONE-YEAR Waiver of Residency for SEAN SILVA, Marketing Assistant for the Buttonwood Park Zoo, who resides in Acushnet, MA.

M5. COMMUNICATION, Mayor Mitchell, to City Council, submitting a ONE-YEAR Waiver of Residency for PHILIP STANLEY, Plumbing and Gas Inspector for the Department of Inspectional Services, who currently resides in Marion, MA.

M6. COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of ARI SKY, Chief Financial Officer for a THREE-YEAR TERM that will expire March 11, 2022.

M7. COMMUNICATION, Mayor Mitchell to City Council, submitting a request that MICHAEL THOMAS, who has been selected to take over the position Emergency Medical Services Deputy Director in April 2019, be placed at a salary of M-9, Step 7, \$71,656.00 per year.

M8. COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of CAROL GRIMES, New Bedford, MA to the CEMETERY BOARD; this term will expire April 2021.

M9. COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of JILL M. USSACH, New Bedford, MA to the CEMETERY BOARD; this term will expire December 2021.

M10. COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of PATRICIA L. ANDRADE, M.D., South Dartmouth, MA to the BOARD OF HEALTH; this term will expire February 2022.

M11. COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of WILLIAM T. BARR, New Bedford, MA to the HISTORICAL COMMISSION; this term will expire February 2022.

M12. COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of JAMES LOPES, New Bedford, MA to the HISTORICAL COMMISSION; this term will expire February 2022.

M13. COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of ALEXANDER JARDIN, New Bedford, MA as an ALTERNATE MEMBER to the HISTORICAL COMMISSION; this term will expire February 2022.

M14. COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of NANCY FEENEY, New Bedford, MA to COUNCIL ON AGING, replacing Stanley Ociesa, who has resigned August 2018; this term will expire November 2021.

M15. COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of REBEKAH A. TOMLINSON, Acushnet, MA as a CONSTABLE.

M15a. APPLICATION,

NEW BUSINESS

3. REPORT, Committee on Appointments & Briefings, Recommending to the City Council, to GRANT a ONE-YEAR WAIVER OF RESIDENCY for BRUCE HEBBEL, who is in consideration for the position of Environmental Project Manager for the Department of Environmental Stewardship, who currently resides in Marion, MA.

3a. COMMUNICATION, Mayor Mitchell, to City Council, requesting a ONE-YEAR WAIVER OF RESIDENCY for BRUCE HEBBEL, who is in consideration for the position of Environmental Project Manager for the Department of Environmental Stewardship, who currently resides in Marion, MA. (Referred to the Committee on Appointments and Briefings – December 13, 2018.)

4. REPORT, Committee on Appointments & Briefings, Recommending to the City Council, APPROVAL on behalf of **Albert Williams III, 1 Deerfield Lane, Fairhaven, MA 02719 d/b/a ELITE TRANSPORTATION, INC., 1 Deerfield Lane, Fairhaven, MA 02719**, of the Application for a **NEW PRIVATE LIVERY LICENSE** to carry passengers for hire over the streets of New Bedford.

4a. COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of **Albert Williams III, 1 Deerfield Lane, Fairhaven, MA 02719 d/b/a ELITE TRANSPORTATION, INC., 1 Deerfield Lane, Fairhaven, MA 02719**, hereby submitting a copy of the Application requesting a **NEW PRIVATE LIVERY LICENSE** to carry passengers for hire over the streets of New Bedford. (Referred to the Committee on Appointments and Briefings – January 10, 2019.)

5. REPORT, Committee on Finance, Recommending to the City Council, APPROVAL of the following Orders, transferring FREE CASH to various accounts as follows: *a.* To STABILIZATION FUND in the amount of \$1,150,000; *b.* To OPEB TRUST FUND in the amount of \$455,000; *c.* To FACILITIES AND FLEET MANAGEMENT, CAPITAL OUTLAY in the amount of \$175,000; *d.* To PUBLIC INFRASTRUCTURE, CAPITAL OUTLAY in the amount of \$300,000; *e.* To FACILITIES & FLEET MANAGEMENT, CHARGES & SERVICES in the amount of \$235,000; *f.* To MIS DEPARTMENT, CAPITAL OUTLAY in the amount of \$150,000; *g.* To PUBLIC INFRASTRUCTURE, CAPITAL OUTLAY in the amount of \$50,000.

5a. AN ORDER, transferring to STABILIZATION FUND in the amount of \$1,150,000.

5b. AN ORDER, transferring to OPEB TRUST FUND in the amount of \$455,000.

5c. AN ORDER, transferring to FACILITIES AND FLEET MANAGEMENT, CAPITAL OUTLAY in the amount of \$175,000.

5d. AN ORDER, transferring to DEPARTMENT OF PUBLIC INFRASTRUCTURE, CAPITAL OUTLAY in the amount of \$300,000.

5e. AN ORDER, transferring to FACILITIES & FLEET MANAGEMENT, CHARGES & SERVICES in the amount of \$235,000.

5f. AN ORDER, transferring to MIS DEPARTMENT, CAPITAL OUTLAY in the amount of \$150,000.

5g. AN ORDER, transferring to DEPARTMENT OF PUBLIC INFRASTRUCTURE, CAPITAL OUTLAY in the amount of \$50,000.

6. REPORT, Committee on Finance, Recommending to the City Council APPROVAL of the Order transferring FREE CASH to FACILITIES & FLEET MANAGEMENT, CAPITAL OUTLAY, in the amount of \$125,000, ***FAILED IN COMMITTEE.***

6a. AN ORDER, transferring to FACILITIES & FLEET MANAGEMENT, CAPITAL OUTLAY in the amount of \$125,000.

7. REPORT, Committee on Finance, recommending to the City Council to take “**NO FURTHER ACTION**” on the RELATED MOTION, Councillor Lopes, requesting that Police Chief Cordeiro provide the Committee on Finance with a full detail list of all vehicles that will be ordered as part of the \$500,000 Free Cash Transfer, said list should include make, model, outlay that each vehicle will be fitted with, and what station each vehicle will be assigned to.

7a. RELATED MOTION, Councillor Lopes, requesting that Police Chief Cordeiro provide the Committee on Finance with a full detail list of all vehicles that will be ordered as part of the \$500,000 Free Cash Transfer, said list should include make, model, outlay that each vehicle will be fitted with, and what station each vehicle will be assigned to. (Referred to the Committee on Finance – December 13, 2018.)

8. LOAN ORDER, ORDERED, that \$69,643.00 is appropriated to pay the costs of improving River's End Park for recreational purposes. (Passed to a Second Reading - January 10, 2019.)

9. WRITTEN MOTION, Councillor Lopes requesting that the Committee on Ordinances begin the process of drafting and approving an Ordinance that would require multi-state and national grocery store chains that are 20,000 square feet or larger begin phasing out the use of single-use plastic bags in the City of New Bedford; said Ordinance would require multi-state and national grocery store chains that are 20,000 square feet or larger adhere to the proposed Ordinance that prohibit from providing lightweight, single-use plastic bags to customers in the city of New Bedford by December 31, 2019.

10. WRITTEN MOTION, Councillor Gomes, requesting, once more, that the Library Director Melo, provide the Committee on City Property with a list and monetary value of all historic and valuable pieces of art belonging to the City; and further that the list include the pieces of art that have been loaned out by the City and the location of said pieces, furthermore, that the list be provided to the Committee on City Property within 30 days. (To be Referred to the Committee on City Property.)

11 WRITTEN MOTION, Councillor Gomes, requesting, that a letter be sent ALDI Inc., attention Jason Hart and Bruno Lourenco inviting the supermarket chain to consider locating a supermarket in the City at the former Shaw's site located on King's Highway; said letter should include a map of the location and the highway accessibility; further, that the Economic Development Council also reach out to ALDI Company Officials inviting them to meet with City Officials to discuss the possibility of a good company with good paying jobs having a location in the City in New Bedford. (To be Referred to the Economic Development Council and that Rule 40 be Waived.)

12. WRITTEN MOTION, Councillor Dunn, requesting, on behalf of Michael Khalife, that 157–161 Coggeshall Street, Plot 93/Lot 169, New Bedford, MA, be Rezoned from Mixed-Use Business to Industrial "B". (To be Referred to the Committee on Ordinances and the Planning Board.)

13. WRITTEN MOTION, Councillor Gomes, requesting, that while the Massachusetts Department of Transportation put the final plans together for the new Route I-195 east and west exchange along with exits for Route 18, that MassDOT pave the on and off ramps of Route 18 due to the bad conditions of the exit ramps, said ramps are in desperate need of repaving and will only deteriorate as the weather changes, these exit ramps are a gateway to the City of New Bedford; and further that our State Delegation be sent letters requesting their assistance in getting this road work done as soon as possible.

13a. COMMUNICATION, Councillor Gomes, submitting a copy of a letter from the Massachusetts Department of Transportation regarding the proposed viaduct rehabilitation and construction time frame of the Bridges and two off-ramps that carry Interstate I-195 over the Route 18 interchange. (Copy all Councillors via email-January 29, 2019.)

14. COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of **Edward Pacheco, 188 Hixville Road, Dartmouth, MA 02747 d/b/a PLACES TO GO, LLC, 1 Wamsutta Street, New Bedford, MA 02745**, hereby submitting a copy of the Application requesting a **RENEWAL OF A PRIVATE LIVERY LICENSE** to carry passengers for hire over the streets of New Bedford. **(Expired June 08, 2018.)**

15. COMMUNICATION, Derek Santos, Executive Director, New Bedford Economic Development Council, to Council President Morad and Members of the City Council, submitting TIF Agreement and Resolution approved by the Tax Increment Financing Board for a ten (10) year Agreement for **Northern Wind, Inc. and Streetside Realty, LLC., 75 MacArthur Drive, New Bedford, MA 02740**. (Copies provided and distributed to all Councillors on February 12, 2019.)

15a. RESOLUTION, Approving Certified Project Application and Special Tax Assessment Agreement with Northern Wind Inc., and Streetside Realty LLC.

16. COMMUNICATION, Councillor Abreu, Chairman of the Committee on Cannabis Regulations and Host Community Agreements Review submitting a copy of memo regarding the first upcoming meeting on March 13, 2019. (To be Referred to the Special Committee on Cannabis Regulations and Host Community Agreement Review.)
17. COMMUNICATION, Council President Morad, submitting a copy of letter from DPI Commissioner Ponte listing the completed roadwork in 2018. (To be Received and Placed on File.)
18. COMMUNICATION, Councillor Lopes and Council President Morad, submitting the recently revised Tax Increment Financing Program Policy and Guidelines (To be Received and Placed on File.)
19. COMMUNICATION, Councillor Lopes and Council President Morad, submitting the 2018 New Bedford Economic Development Council Tax Increment Financing Program Annual Report. (To be Referred to the Committee on Finance.)
20. COMMUNICATION, City Clerk/Clerk of the City Council Farias, submitting a copy of letter from Representative Hendricks, dated January 25, 2019, responding to a Written Motion submitted by Councillor Gomes and Council President Morad at the December 13th City Council Meeting regarding the exterior condition of the New Bedford Superior Court House. (Copy all Councillors via email – February 1, 2019.)

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 Control 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 City Council as to whether this Application process and zoning map applies to the laws of the Commonwealth of Massachusetts' Cannabis 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.***