

REGULAR MEETING

Chambers of the City Council

Thursday, March 08, 2018

CITY COUNCIL

Municipal Building

7:05 p.m.

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

LATE: No One

ABSENT: Councillor Dunn

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

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Prayer Led By: Major Gilbert Parkhurst, Salvation Army

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

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COMMUNICATION, Councillor Dunn, to Members of the City Council informing that he will be absent for the City Council Meeting on Thursday, March 8, 2018, due to a previously scheduled work commitment.

Received and Placed on File.

(#0277)

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HEARING, on NSTAR Electric Company d/b/a Eversource Energy for location of one (1) 4" Conduit in ARCH STREET, North of Arnold Street.

Hearing Held.

Petition placed on file.

(#0278)

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AN ORDER,

Adopted and ordered recorded in Book of Location Order Records.

Presented to the Mayor for approval March 12, 2018.

Approved March 14, 2018.

(#0279)

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HEARING, on NSTAR Electric Company d/b/a Eversource Energy for location of two (2) 4" Conduits and one (1) 45"x45"x36" Handhole in ACUSHNET AVENUE, North of Homestead Street.

Hearing Held.

Petition placed on file.

(#0280)

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AN ORDER,

Adopted and ordered recorded in Book of Location Order Records.

Presented to the Mayor for approval March 12, 2018.

Approved March 14, 2018.

(#0281)

CITY OF NEW BEDFORD  
IN CITY COUNCIL  
MARCH 08, 2018

ORDERED, that the Mayor be authorized to execute a thirteen year extension to the existing Lease between the City of New Bedford and Pencilver, LLP for property located on Mt. Pleasant Street in New Bedford.

The Thirteen year extension for the Lease will have a fair market value rent. Fair market will be determined at the end of the original Lease term (17 years from now) by three appraisers. In all other respects, the original Lease will remain the same.

A copy of the Lease Extension and Amendment is attached hereto.

Adopted – Yeas 9, nays 1. (Council President Morad OPPOSED.)

Presented to the Mayor for approval March 12, 2018.

Approved March 15, 2018. (#0283)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER *amending* the Order adopted by the City Council on June 22, 2017, and signed by the Mayor on June 30, 2017, which, in accordance with Massachusetts General Law Chapter 44, Section 52E ½, authorized the revolving fund under the control of the Community Services Department known as the SENIOR TRAVEL REVOLVING FUND whose amount limited at \$120,000, is hereby authorized at \$133,000 for FISCAL YEAR 2018.

Received and Placed on File. (#0284)

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CITY OF NEW BEDFORD  
IN CITY COUNCIL  
MARCH 08, 2018

ORDERED, *amending* the order adopted by the City Council on June 22, 2017, and signed by the Mayor on June 30, 2017, which, in accordance with Massachusetts General Law Chapter 44, Section 53E ½, authorized the revolving fund under the control of the Community Services Department known as the **SENIOR TRAVEL REVOLVING FUND** whose amount limited at \$120,000, is hereby authorized at \$133,000 for **FISCAL YEAR 2018**.

Adopted.

Presented to the Mayor for approval March 12, 2018.

Approved March 15, 2018. (#0285)

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COMMUNICATION, Mayor Mitchell, to City Council, requesting a WAIVER OF RESIDENCY for MICHELLE BORRELLO, Nursing Supervisor, Health Department, who resides in Dighton, MA.

One-Year Waiver of Residency Granted – Yeas 10, Nays 0.

Presented to the Mayor for approval March 12, 2018.

Approved March 15, 2018. (#0286)

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COMMUNICATION, Mayor Mitchell, to City Council, requesting a WAIVER OF RESIDENCY for JULIETTE HOLT, Nursing Supervisor, Health Department, who resides in Somerset, MA.

COMMUNICATION, Mayor Mitchell, to City Council, requesting a SEWER ABATEMENT for ARMANDO DIAS, 399 John Street, New Bedford, MA, in the amount of \$266.20.

Abatement Granted.

Presented to the Mayor for approval March 12, 2018.

Approved March 15, 2018. (#0290)

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COMMUNICATION, Mayor Mitchell, to City Council, requesting a SEWER ABATEMENT for TERRY POTKAY, 1239 Cardinal Street, New Bedford, MA, in the amount of \$943.80.

Abatement Granted.

Presented to the Mayor for approval March 12, 2018.

Approved March 15, 2018. (#0291)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting to RE-APPOINTMENT of RANDALL G. MOTTA, New Bedford, MA, to the VETERANS ADVISORY BOARD; this term will expire in December 2020.

Rule 38 Waived and Reappointment Confirmed – Yeas 10, Nays 0. (#0292)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting to RE-APPOINTMENT of ANTHONY RESENDES, New Bedford, MA, to the VETERANS ADVISORY BOARD; this term will expire in December 2020.

Rule 38 Waived and Reappointment Confirmed – Yeas 10, Nays 0. (#0293)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting to APPOINTMENT of KAREN COSME, New Bedford, MA, to the VETERANS ADVISORY BOARD; Ms. Cosme will be replacing William Rogers whose term has expired; this term will expire in December 2020.

Referred to the Committee on Appointments and Briefings. (#0294)

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COMMUNICATION, Mayor Mitchell to City Council, submitting the APPOINTMENT OF JEFFREY TEIXEIRA, New Bedford, MA, 02740, as a SPECIAL POLICE OFFICER.

NO FURTHER ACTION. (#0295)

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APPLICATION, JEFFREY TEXEIRA, New Bedford, MA 02740, for APPOINTMENT as a SPECIAL POLICE OFFICER.

NO FURTHER ACTION. (#0296)

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COMMUNICATION, Mayor Mitchell to City Council, submitting the APPOINTMENT OF JUSTIN DION, East Taunton, MA, 02718, as a SPECIAL POLICE OFFICER.

NO FURTHER ACTION. (#0297)

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APPLICATION, JUSTIN DION, East Taunton, MA 02718, for APPOINTMENT as a SPECIAL POLICE OFFICER.

APPLICATION, VINCENT RODRIGUES, New Bedford, MA 02745, for APPOINTMENT as a SPECIAL POLICE OFFICER.

NO FURTHER ACTION. (#0302)

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COMMUNICATION, Mayor Mitchell to City Council, submitting the APPOINTMENT OF PAUL GORDON, Acushnet, MA, 02743, as a SPECIAL POLICE OFFICER.

NO FURTHER ACTION. (#0303)

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APPLICATION, PAUL GORDON, Acushnet, MA 02743, for APPOINTMENT as a SPECIAL POLICE OFFICER.

NO FURTHER ACTION. (#0304)

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COMMUNICATION, Mayor Mitchell to City Council, submitting the APPOINTMENT OF FRANK STEPHENS, New Bedford, MA, 02740, as a SPECIAL POLICE OFFICER.

NO FURTHER ACTION. (#0305)

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APPLICATION, FRANK STEPHENS, New Bedford, MA 02740, for APPOINTMENT as a SPECIAL POLICE OFFICER.

NO FURTHER ACTION. (#0306)

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COMMUNICATION, Mayor Mitchell to City Council, submitting the APPOINTMENT OF DONALD CARPENTER, Rehoboth, MA, 02769 as a SPECIAL POLICE OFFICER.

NO FURTHER ACTION. (#0307)

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APPLICATION, DONALD CARPENTER, Rehoboth, MA 02769, for APPOINTMENT as a SPECIAL POLICE OFFICER.

NO FURTHER ACTION. (#0308)

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COMMUNICATION, Mayor Mitchell to City Council, submitting the APPOINTMENT OF DAVID ST. AUBIN, New Bedford, MA, 02745 as a SPECIAL POLICE OFFICER.

NO FURTHER ACTION. (#0309)

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APPLICATION, DAVID ST. AUBIN, New Bedford, MA 02745, for APPOINTMENT as a SPECIAL POLICE OFFICER.

NO FURTHER ACTION. (#0310)

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COMMUNICATION, Mayor Mitchell to City Council, submitting the APPOINTMENT OF DAVID M. SIMOES, New Bedford, MA, 02740 as a SPECIAL POLICE OFFICER.

NO FURTHER ACTION. (#0311)

APPLICATION, KEVIN E. PAULSON, Dartmouth, MA 02747, for APPOINTMENT as a SPECIAL POLICE OFFICER.

NO FURTHER ACTION. (#0316)

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COMMUNICATION, Mayor Mitchell to City Council, submitting the RE-APPOINTMENT OF JAY J. LEWIS, New Bedford, MA, 02745 as a CONSTABLE.

Received and Placed on File. (#0317)

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APPLICATION, JAY J. LEWIS, New Bedford, MA 02745, for REAPPOINTMENT as a CONSTABLE.

Confirmed. (#0318)

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COMMUNICATION, Mayor Mitchell to City Council, submitting the APPOINTMENT OF CHRISTOPHER LEE ROGERS, New Bedford, MA, 02744 as a CONSTABLE.

Received and Placed on File. (#0319)

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APPLICATION, CHRISTOPHER LEE ROGERS, New Bedford, MA 02744, for APPOINTMENT as a CONSTABLE.

Reappointment Confirmed.

RECONSIDERED by Council President Morad – March 9, 2018 at 8:53 a.m. (#0320)

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REPORT, Committee on Public Safety & Neighborhoods, recommending to the City Council to take “NO FURTHER ACTION” on a WRITTEN MOTION, Councillor Gomes, requesting, that the Committee on Public Safety and Neighborhoods meet with the EMS Director Mark McGraw, to discuss EMS response time, equipment needs, and the number of requests for backup ambulance service in the City and what is the protocol when communication is requesting extreme emergency ambulance response; and further, that EMS Director McGraw provide the Committee with a breakdown of calls in a 24-hour period and a list of positions and duties within the EMS system.

Recommendation Followed. (#0321)

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WRITTEN MOTION, Councillor Gomes, requesting, that the Committee on Public Safety and Neighborhoods meet with EMS Director Mark McGraw, to discuss EMS response time, equipment needs, and the numbers of requests for backup ambulance service in the City and what is the protocol when communication is requesting extreme emergency ambulance response; and further, that EMS Director McGraw provide the Committee with a breakdown of calls in a 24-hour period and a list of positions and duties within the EMS system. (Referred to the Committee on Public Safety and Neighborhoods – August 18, 2016.)

Referred to the Committee on Public Safety and Neighborhoods – August 18, 2016.

NO FURTHER ACTION. (#1436)

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REPORT, Committee on Public Safety & Neighborhoods, recommending to the City Council to take “NO FURTHER ACTION” on the WRITTEN MOTION, Council President Gomes, requesting, that the Committee on Public

REPORT, Committee on Public Safety & Neighborhoods, recommending to the City Council to take “NO FURTHER ACTION” on the WRITTEN MOTION, Council President Gomes, requesting, that Superintendent Durkin and the School’s Transportation Director take another look at bus transportation for our City’s schools; the elimination of bus transportation has caused traffic gridlock at some area schools in the City and has increased the amount of vehicular traffic at the opening and closing of the school day, which is now causing an unsafe situation that needs to be addressed.

Recommendation Followed.

(#0323)

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WRITTEN MOTION, Council President Gomes, requesting that Superintendent Durkin and the School’s Transportation Director take another look at bus transportation for our City schools; the elimination of bus transportation has caused traffic gridlock at some area schools in the City and has increased the amount of vehicular traffic at the opening and closing of the school day, which is now causing an unsafe situation that needs to be addressed. (Referred to the Committee on Public Safety and Neighborhoods – September 10, 2015.)

Adopted and Rule 40 Waived – Yeas 11, Nays 0 – September 10, 2015.

Presented to the Mayor for approval September 14, 2015.

RETURNED UNSIGNED-September 29, 2015.

NO FURTHER ACTION.

(#1586)

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REPORT, Committee on Public Safety & Neighborhoods, recommending to the City Council to take “NO FURTHER ACTION” on a WRITTEN MOTION, Councillors Gomes and Carney, requesting immediate action be taken at the Keith Middle School, due to the dozens of complaints from parents and teachers about the on-going problems with students, calling the school out-of-control, disrespecting faculty and fellow students, not following directions and even unbecoming actions; and further, requesting a second Resource Officer be placed at the school until the school is brought under control, along with periodic walking patrols by New Bedford Police Department Gang Squad or any other public safety resource that is available throughout the day; further, that any Member of the City Council’s Committee on Public Safety and Neighborhoods be allowed at a moment’s notice to enter the school for a valuation of their own; furthermore, that the Superintendent Pia Durkin meet with the Committee on Public Safety and Neighborhoods to discuss these on-going issues of public safety in our public school system.

Recommendation Followed.

(#0324)

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WRITTEN MOTION, Councillors Gomes and Carney, requesting that immediate action be taken at the Keith Middle School, due to the dozens of complaints from parents and teachers about the on-going problems with students, calling the school out-of-control, disrespecting faculty and fellow students, not following directions and even unbecoming actions; and further, requesting a second Resource Officer be placed at the school until the school is brought under control, along with periodic walking patrols by New Bedford Police Department Gang Squad or any other public safety resource that is available throughout the day; further, that any Member of the City Council’s Committee on Public Safety and Neighborhoods be allowed at a moment’s notice to enter the school for a valuation of their own; furthermore, that the Superintendent Pia Durkin meet with the Committee on Public Safety and Neighborhoods to discuss these on-going issues of public safety in our public school system. (Referred to the Committee on Public Safety and

WRITTEN MOTION, Councillors Coelho, Winterson, Council President Lopes and Councillor Martins, requesting, that Police Chief Cordeiro be invited to a meeting of the Committee on Public Safety and Neighborhoods to discuss current policy on community policing and foot patrols. (Referred to the Committee on Public Safety and Neighborhoods – January 12, 2017.)

Referred to the Committee on Public Safety and Neighborhoods and Police Chief Cordeiro – January 12, 2017.

Presented to the Mayor for approval January 17, 2017.

Returned unsigned February 16, 2017.

NO FURTHER ACTION.

(#0034)

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REPORT, Committee on Public Safety & Neighborhoods, recommending to the City Council to take “NO FURTHER ACTION” on a WRITTEN MOTION, Councillor Coelho, requesting, that the Police Department enforce Ordinance, Chapter 17, Section 17-25 Relative to Recreational Vehicles, due to the havoc that certain individuals are causing in neighborhoods by the illegal use of recreational vehicles i.e. mini motorcycles, ATVs, dirt bikes, etc; and further, for any individual violating this Section of the City Code that the penalty be strictly enforced.

Recommendation Followed.

(#0326)

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WRITTEN MOTION, Councillor Coelho, requesting, that the Police Department enforce Ordinance, Chapter 17, Section 17-25 Relative to Recreational Vehicles, due to the havoc that certain individuals are causing in neighborhoods by the illegal use of recreational vehicles i.e. mini motorcycles, ATVs, dirt bikes, etc; and further, for any individual violating this Section of the City Code that the penalty be strictly enforced. (Referred to Committee on Public Safety and Neighborhoods – September 28, 2017.)

Referred to Mayor Mitchell, Police Chief Cordeiro and the Committee on Public Safety and Neighborhoods – September 28, 2017.

Presented to the Mayor for approval October 02, 2017.

RETURNED UNSIGNED - October 26, 2017.

NO FURTHER ACTION.

(#1674)

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REPORT, Committee on Public Safety & Neighborhoods, recommending to the City Council to take “NO FURTHER ACTION” on a WRITTEN MOTION, Councillor Gomes, requesting that Mayor Mitchell and Fire Chief Gomes take immediate action to address and explain why the Downtown New Bedford Firehouse – Station One has no reserve ladder truck in place; and once more explain why preventative maintenance is not being taken with fire apparatus across the City, black outs are leaving the Downtown area and neighborhoods without a functioning ladder truck especially the high-rise buildings in the Downtown area; and further, that immediate action be taken to borrow a ladder truck from another company in the surrounding area while this matter is being addressed; furthermore, that the Committee of Public Safety and Neighborhoods once more meet with the Administration, the Fire Chief and the Department of Facilities and Fleet Management to discuss the problems, to make sure that the Fire Department has the best working fire apparatus to protect and serve the City in New Bedford.

Recommendation Followed.

(#0327)

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REPORT, Committee on Public Safety & Neighborhoods, recommending to the City Council to take “NO FURTHER ACTION” on a WRITTEN MOTION, Councillor Coelho, requesting, that immediate action be taken to remove the well known vagrant from his current position on the sidewalk by the Post Office at 282 Coffin Avenue, he sleeps, loiters, litters and harasses people who attempt to use this Federal building or the sidewalk, he has become a public nuisance.

Recommendation Followed.

(#0328)

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WRITTEN MOTION, Councillor Coelho, requesting, that immediate action be taken to remove the well known vagrant from his current position on the sidewalk by the Post Office at 282 Coffin Avenue, he sleeps, loiters, litters and harasses people who attempt to use this Federal building or the sidewalk, he has become a public nuisance. (Referred to the Committee on Public Safety and Neighborhoods – October 12, 2017.)

Rule 42 Waived – Yeas 10, Nays 0.

Referred to the Mayor’s Office, the Chief of Police and the Committee on Public Safety and Neighborhoods.

Presented to the Mayor for approval October 16, 2017.

RETURNED UNSIGNED-November 13, 2017.

Vote Taken on October 12, 2017 Ratified – All Ayes – November 21, 2017.

NO FURTHER ACTION.

(#1792)

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REPORT, Committee on Public Safety & Neighborhoods, recommending to the City Council to take “NO FURTHER ACTION” on a WRITTEN MOTION, Councillor Coelho, congratulating and inviting Captain Amos Melo, the new Commander of Station 3 to a Committee on Public Safety and Neighborhoods meeting to discuss Chief Cordeiro’s Community Policing strategy.

Recommendation Followed.

(#0329)

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WRITTEN MOTION, Councillor Coelho, congratulating and inviting Captain Amos Melo, the new Commander of Station 3 to a Committee on Public Safety and Neighborhoods meeting to discuss Chief Cordeiro’s Community Policing strategy. (Referred to the Committee on Public Safety and Neighborhoods – October 12, 2017.)

Rule 42 Waived – Yeas 10, Nays 0.

Referred to the Committee on Public Safety and Neighborhoods – October 12, 2017.

Vote taken on October 12, 2017 Ratified – All Ayes – November 21, 2017.

NO FURTHER ACTION.

(#1793)

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REPORT, Committee on Ordinances, recommending to the City Council to take “NO FURTHER ACTION” on a WRITTEN MOTION, Councillor Gomes, requesting, that the City enforce the laws pertaining to repairing vehicles on City streets and that any vehicle being repaired or left unattended on car jacks on City streets be towed immediately at the owners expense and further, that the City Council create a fine for those in violation of the City Ordinance, and that all departments including public safety departments be required to report any vehicles in violation immediately for actions, this issue is becoming a safety, damage and environmental concern.

Recommendation Followed.

(#0330)

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WRITTEN MOTION, Councillors Lopes and Martins, requesting that the Committee on Ordinances draft an Ordinance as it relates to House Bill 3074, An Act permitting the use of traffic control signal violation monitoring system devices as a means of prompting traffic safety in the City of New Bedford. (Referred to the Committee on Ordinances – May 9, 2013.)

Referred to the Committee on Ordinances – May 09, 2013.

NO FURTHER ACTION.

(#0776)

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REPORT, Committee on Ordinances, recommending to the City Council to take “NO FURTHER ACTION” on a WRITTEN MOTION, Councillor Gomes, requesting, that the City Council send a letter to our State Delegation asking for legislation making it mandatory that production of toy guns do not replicate real handguns, this legislation will serve to save lives and not put Police and law-enforcement agencies in situations where they are dealing with criminals using toy guns in criminal activity and to protect our Citizens against crime.

Recommendation Followed.

(#0332)

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WRITTEN MOTION, Councillor Gomes, requesting that the City Council send a letter to our State Delegation in support of pending legislation making it mandatory that production of toy guns do not replicate real handguns, this legislation will serve to save lives and not put Police and law-enforcement agencies in situations where they are dealing with criminals using toy guns in criminal activity and to protect our Citizens against crime. (Referred to the Committee on Ordinances – January 14, 2016.)

Rule 17 Waived – Yeas 9, Nays 0 – January 14, 2016.

NO FURTHER ACTION.

(#0040)

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REPORT, Committee on Ordinances, recommending to the City Council to take “NO FURTHER ACTION” on a RELATED MOTION, Councillor Gomes, requesting that Legal Counsel Gerwatowski draft an Ordinance that would place regulations on replica guns in public spaces and would allow the New Bedford Police Department to confiscate these replica guns if someone under the age of 18 was found with the device and notify their parents; and further, that the Ordinance also ban anyone from carrying a replica gun within City limits, and that they be subject to arrest and fine.

Recommendation Followed.

(#0333)

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RELATED MOTION, Councillor Gomes, requesting that Legal Counsel Gerwatowski draft an Ordinance that would place regulations on replica guns in public spaces and would allow the New Bedford Police Department to confiscate these replica guns if someone under the age of 18 was found with the device and notify their parents; and further, that the Ordinance also ban anyone from carrying a replica gun within City limits, and that they be subject to arrest and fine. (Referred to the Committee on Ordinances – January 14, 2016.)

Referred to the Committee on Ordinances – Yeas 9, Nays 0 – January 14, 2016.

NO FURTHER ACTION.

(#0041)

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REPORT, Committee on Ordinances, recommending to the City Council to take “NO FURTHER ACTION” on a WRITTEN MOTION, Councillors Rebeiro, Lopes, Council President Gomes, Morad and Oliveira, requesting that the

REPORT, Committee on Ordinances, recommending to the City Council to take “NO FURTHER ACTION” on a WRITTEN MOTION, Councillor Bousquet, requesting, that the Committee on Ordinances look into updating the 1963 law in the City Code, Chapter 1, Section 1-5, regarding advertising Ordinances to reflect modern mass communication methods in an age where smart phones, tablets and laptops reign and print media has a small and ever shriveling audience.

Recommendation Followed. (#0335)

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WRITTEN MOTION, Councillor Bousquet, requesting, that the Committee on Ordinances look into updating the 1963 law in the City Code, Chapter 1, Section 1-5, regarding advertising Ordinances to reflect modern mass communication methods in an age where smart phones, tablets and laptops reign and print media has a small and ever shriveling audience. (To be Referred to the Committee on Ordinances- January 12, 2017.)

Referred to the Committee on Ordinances – January 12, 2017.

NO FURTHER ACTION. (#0031)

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REPORT, Committee on Ordinances, recommending to the City Council to take “NO FURTHER ACTION” on a WRITTEN MOTION, Council President Lopes, requesting that the Committee on Ordinances amend Chapter 2, Section 2-56 of the City Code, relative to Committees, that the Special Committee on Budget Review be a Standing Committee of the City Council.

Recommendation Followed. (#0336)

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WRITTEN MOTION, Council President Lopes, requesting that the Committee on Ordinances amend Chapter 2, Section 2-56 of the City Code, relative to Committees, that the Special Committee on Budget Review be a Standing Committee of the City Council. (To be Referred to the Committee on Ordinances.)

Referred to the Committee on Ordinances – January 26, 2017.

NO FURTHER ACTION. (#0152)

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REPORT, Committee on Ordinances, recommending to the City Council to take “NO FURTHER ACTION” on a WRITTEN MOTION, Councillor Abreu, Council President Lopes, Councillors Winterson, Martins and Bousquet, requesting that both the City Solicitor and Mayor's Office work with and come before the Committee on Ordinances to re-evaluate the proposed "municipal marketing" strategy as a means to generate a potential substantial amount of positive revenue for the City of New Bedford; Chapter 9, Section 3228 of the City Code currently prohibits the construction of new off-premise signs, if this code were to be amended to allow such "municipal marketing" opportunities for private sector industries, the City would need to establish a competitive procurement process to insure its legality.

Recommendation Followed. (#0337)

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WRITTEN MOTION, Councillor Abreu, Council President Lopes, Councillors Winterson, Martins and Bousquet, requesting that both the City Solicitor and Mayor's Office work with and come before the Committee on Ordinances to re-evaluate the proposed "municipal marketing" strategy as a means to generate a potential substantial amount of positive revenue for the City of New Bedford; Chapter 9, Section 3228 of the City Code currently prohibits

WRITTEN MOTION, Councillors Abreu, Winterson, Bousquet, Martins, Oliveira, Morad and Coelho, requesting that Chief Financial Officer Ari Sky and City Solicitor Mikaela McDermott assess the feasibility of leasing advertising space on City buildings, and to report on the concept, in writing, to the Committee on City Property within the next 60 days. (Referred to the Committee on City Property – January 28, 2015.)

Adopted – January 28, 2015.

NO FURTHER ACTION.

(#0152)

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REPORT, Committee on City Property, recommending to the City Council to take “NO FURTHER ACTION” on a WRITTEN MOTION, Councillors Gomes and Oliveira, requesting, that the Administration reconsider its decision to take down the wall of former Mayors, located outside of the Ashley room named after former Mayor Charles Ashley, the history and it’s intent was for the wall to be located in City Hall, not in some conference room in the south end library; and further, that the City Council go on record in support of putting back the wall of Mayors, to its original location in City Hall.

Recommendation Followed.

(#0339)

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WRITTEN MOTION, Councillors Gomes and Oliveira, requesting, that the Administration reconsider its decision to take down the wall of former Mayors, located outside of the Ashley room named after former Mayor Charles Ashley, the history and it's intent was for the wall to be located in City Hall, not in some conference room in the south end library; and further, that the City Council go on record in support of putting back the wall of Mayors, to its original location in City Hall.

Referred to the Mayor and Committee on City Property – May 12, 2016.

Presented to the Mayor for approval May 16, 2016.

RETURNED UNSIGNED – June 03, 2016.

NO FURTHER ACTION.

(#0791)

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WRITTEN MOTION, Councillors Carney and Coelho, requesting that the Special Committee on Creating a Dog Park invite Park Director Mary Rapoza, Chairperson of the Friends of a Dog Park and Park Board Chairman Peter Boswell, to update the Committee Members on the progress and opening date for the Captain Jack Peterson Dog Park; and further to discuss the number of key fobs sold and maintenance plan once the dog park is operational.

Adopted.

(#0340)

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WRITTEN MOTION, Councillor Lopes, requesting that the Committee on Public Safety and Neighborhoods invite Kristine Arsenault, from Mayor Mitchell’s Office, Police Chief Cordeiro, DPI Commissioner Ponte, and Health Director Chaplin to review the homeless encampment removal policy.

Referred to the Committee on Public Safety and Neighborhoods.

(#0341)

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WRITTEN MOTION, Councillor Markey and Council President Morad, requesting that Airport Manager Scot Servis provide the Special Committee for the Airport with a update of daily operations, upcoming airport projects, status of TSA certification and expanded airline service with Elite Airlines and other potential carriers. (To be Referred to the

WRITTEN MOTION, Councillor Gomes, requesting, that Mayor Mitchell and City Solicitor McDermott begin the process of filing a lawsuit against the pharmaceutical companies that produce Opioid pain killer medication based on the damage done to our community, the lives lost, the epidemic of overdoses, and the added calls for services from our EMS, POLICE and FIRE DEPARTMENTS, along with the distraction and deterioration of the Cities, people and communities; and further, that the City Solicitor ask the State for records of the pharmaceutical companies that have done business in the area along with records of any area doctors that may have overprescribed Opioid drugs in the greater New Bedford area; this request and lawsuit is similar to other communities that are taking this action and this Councillor is requesting it on behalf of our City.

Referred to Mayor Mitchell, City Solicitor McDermott, and the Committee on Appointments and Briefings.

Rule 40 Waived – Yeas 10, Nays 0.

Presented to the Mayor for approval March 09, 2018.

RETURNED UNSIGNED-March 21, 2018. (#0345)

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COMMUNICATION, Derek Santos, Executive Director, New Bedford Economic Development Council, to Council President Morad and Members of the City Council, submitting a TIF application and Resolution approved by the Tax Increment Financing Board for a fifteen (15) year STA Agreement for Plumbers' Supply Company, Inc., Approving Certified Project Application and Special Tax Assessment Agreement with Plumbers' Supply Company, Inc., NB Business Park, Flaherty Drive, Lot 10, New Bedford, MA 02745. (Copies provided and distributed to all Councillors on 03/05/2018.)

Referred to the Committee on Finance. (#0346)

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RESOLUTION, Approving Certified Project Application and Special Tax Assessment Agreement with Plumbers' Supply Company, Inc.

Referred to the Committee on Finance. (#0347)

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COMMUNICATION/ DEMOLITION, Anne Louro, Preservation Planner, to City Council, re: BUILDING DEMOLITION REVIEW: PARTIAL DEMOLITION- SWIMMING POOL SECTION ONLY at 66 Spring Street, (Map 46, Lot 64), circa 1911 one story brick structure, the property owner is proposing the partial demolition of a rear one story section of the building which currently houses an indoor swimming pool, no other demolition work has been proposed at this time or reviewed by the Preservation Planner; the property is located in the Central New Bedford National Register Historic District; the pool enclosure structure is in poor condition due to extensive deferred maintenance and is of no notable historic significance either recorded or found with the existing condition of the structure; and therefore, **in light of these findings, the Preservation Planner has determined that the one story swimming pool structure located in the rear of 66 Spring Street is neither a Historically Significant nor a Preferably Preserved structure, this determination is applicable to demolition of the swimming pool section only.**

Demolition Granted – Swimming Pool Section Only.

Presented to the Mayor for Approval March 12, 2018.

Approved March 15, 2018. (#0348)

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CITATIONS, Councillor Gomes, honoring LT. KURT HOUGHTON, FIREFIGHTERS KEVIN SWEET and PETER KATSOULES, New Bedford Fire Department, in recognition of their outstanding display of professionalism and heroic lifesaving measures which resulted in the saving of lives during a fire on January 17, 2018.

Adopted, to be presented at a later date. (#0352)

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CITATION, Councillor Gomes, honoring DISTRICT CHIEF SCOTT KRUGER, New Bedford Fire Department, in recognition of his successful efforts in obtaining hydroxocobalamin for EMS to treat victims of smoke inhalation and was used during a fire on January 17, 2018.

Adopted, to be presented at a later date. (#0353)

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CITATION, Councillors Gomes, Lopes and Council President Morad, honoring the DENNISON MEMORIAL COMMUNITY CENTER, in recognition of the Center's 150th anniversary celebration and their continuing commitment and dedication to providing New Bedford youth with educational and recreational skills.

Adopted, to be presented at a later date. (#0354)

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CITATIONS, Councillors Gomes, Lopes and Council President Morad, honoring the Dennison Memorial Community Center President and CEO, JAMES MATHES, Executive Director SEAN HARGRAVES, and Associate Directors JOE NEVES and WILFRED "JOE" GILL, in recognition of their unlimited passionate commitment and dedication to New Bedford Youth, providing educational and recreational skills for their future.

Adopted, to be presented at a later date. (#0355)

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WRITTEN MOTION, Councillor Lima, requesting, that the following street(s) be CLOSED: ONEIDA STREET, from Lake Street to Fuller Memorial Parkway; LAKE STREET, from Oneida Street to Buttonwood Street; BUTTONWOOD STREET, from Lake Street to Fuller Memorial Parkway; FULLER MEMORIAL PARKWAY, from Rockdale Avenue to Brownell Avenue, AND BROWNELL AVENUE, from Hawthorn Street to Fuller Memorial Parkway, to be Re-opened as soon as the runners pass, (SAID CLOSING TO ENSURE THE SAFETY OF THE PARTICIPANTS IN THE RACE), ON SUNDAY, APRIL 08, 2018, FROM 9:00 A.M, TO 2:00 P.M. for the purpose of RUN WITH C.A.R.E.

Permission Granted.

Presented to the Mayor for approval March 12, 2018.

Approved March 14, 2018. (#0356)

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WRITTEN MOTION, Councillor Rebeiro, requesting, on behalf of the United Way of Greater New Bedford, that the following street(s) be CLOSED: WILLIAM STREET, from North Sixth Street to Pleasant Street, ON FRIDAY, MAY 04, 2018, FROM 7:00 A.M. TO 9:00 A.M., for the purpose of the United Way's 24th Annual Youth Day of Caring Event on the Main Library's Steps and Parking for the Student's Buses.

Permission Granted.

Presented to the Mayor for approval March 12, 2018.

Approved March 14, 2018. (#0357)

Councillor Rebeiro, requesting, on behalf of The Zeiterion Theatre, that the following street(s) be CLOSED: PURCHASE STREET, between School Street and Spring Street (In Front of the Zeiterion Theatre) ON FRIDAY, MAY 04, 2018 AT 4:00 A.M. TO SUNDAY, MAY 06, 2018 AT 8:00 P.M. AND ACUSHNET AVENUE, between Spring Street and Union Street; SPRING STREET, between Pleasant Street and Acushnet Avenue AND PURCHASE STREET, from Spring Street and Union Street, ON FRIDAY, MAY 04, 2018, FROM 4:00 A.M., TO SUNDAY, MAY 06, 2018, 12:00 P.M. (NOON) for the purpose of VIVA PORTUGAL.

Permission Granted.

Presented to the Mayor for approval March 12, 2018.

Approved March 14, 2018. (#0359)

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COMMUNICATION/EMAIL, Council President Morad, submitting correspondence from a concerned citizen regarding the overtime hours worked by EMS Personnel.

Received and Placed on File. (#0360)

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COMMUNICATION/EMAIL, Council President Morad, submitting correspondence from Paula Robinson Deare, Member of the Board of Park Commissioners, regarding the Board of Park Commissioners voting to approve management of the Whaling City Golf Course by the W/S Management team and Considerations for City Council Expedition of Golf Course Approval.

Received and Placed on File. (#0361)

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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 the Licensing Board for a meeting held on October 23, 2017, Library Board of Trustees for a meeting held on December 19, 2017, Greater New Bedford Refuse Management District for a meeting held on January 3, 2018, Commission for Citizens with Disabilities for a meeting held on January 16, 2018, Airport Commission for a meeting held on January 17, 2018, Zoning Board of Appeals for a meeting held on January 18, 2018, Board of Assessors for a meeting held on February 15, 2018 and January 08, 2018, Bristol County PHEP Executive Board for a meeting held on February 20, 2018.

Received and Placed on File. (#0362)

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CONSTABLE BOND, STEVEN ROGER VERRONNEAU, New Bedford, MA 02745, in the amount of \$5,000.00 with Western Surety Company.

Approved.

Presented to the Mayor for approval March 12, 2018.

Approved March 14, 2018. (#0363)

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APPLICATION, **Greenwood Industries**, for permission to maintain a STREET OBSTRUCTION at **1213 Purchase Street (Quest Building)**, provisionally granted by the City Clerk on February 27, 2018, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval March 12, 2018.

APPLICATION, **Precision Valley Communications of Vermont, LLC.**, for permission to maintain a STREET OBSTRUCTION at **51 Chancery Street**, provisionally granted by the City Clerk on February 28, 2018, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval March 12, 2018.

Approved March 14, 2018. (#0367)

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APPLICATION, **Farland Corp. Inc.**, for permission to maintain a STREET OBSTRUCTION at **Plot 134 – Lot 472 Phillips Road**, provisionally granted by the City Clerk on March 07, 2018, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval March 12, 2018.

Approved March 14, 2018. (#0368)

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APPLICATION, **Farland Corp. Inc.**, for permission to maintain a STREET OBSTRUCTION at **Plot 134 – Lot 473 Phillips Road**, provisionally granted by the City Clerk on March 07, 2018, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval March 12, 2018.

Approved March 14, 2018. (#0369)

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APPLICATION, **R.J. Canessa Excavating Co.**, for permission to maintain a STREET OBSTRUCTION at **Eastland Terrace (Plot 74/Lot 179)**, provisionally granted by the City Clerk on March 07, 2018, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval March 12, 2018.

Approved March 14, 2018. (#0370)

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APPLICATION, **Farland Corp.**, to DISTURB THE SURFACE, of **568 Lantern Lane**, provisionally granted by the City Clerk on February 23, 2018, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval March 12, 2018.

Approved March 14, 2018. (#0371)

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APPLICATION, **R.J. Canessa Excavating**, to DISTURB THE SURFACE, of **Plot 124C – Lot 52 (Duplex)**, provisionally granted by the City Clerk on February 26, 2018, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval March 12, 2018.

Approved March 14, 2018. (#0372)

APPLICATION, **Farland Corp., Inc.**, to DISTURB THE SURFACE, of **Plot 134 – Lot 473 Philips Road**, provisionally granted by the City Clerk on March 07, 2018, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval March 12, 2018.

Approved March 14, 2018. (#0375)

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APPLICATION, **R.J. Canessa Excavating Co.**, to DISTURB THE SURFACE, of **Eastland Terrace (Plot74/Lot 179)**, provisionally granted by the City Clerk on March 07, 2018, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval March 12, 2018.

Approved March 14, 2018. (#0376)

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APPLICATIONS, **Eversource Gas**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on February 23, 2018, subject to ratification by the Mayor and City Council as follows:

1299 East Rodney French Boulevard (#0377)

39 North 6<sup>th</sup> Street (#0378)

38 Bethel Street (#0379)

Lot 52 Shawmut Avenue (#0380)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval March 12, 2018.

Approved March 14, 2018.

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APPLICATIONS, **Eversource Gas**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on February 26, 2018, subject to ratification by the Mayor and City Council as follows:

12, 42, 88 Birchwood Drive (#0381)

Hillman Street Lot across the street from 283 – 289 Hillman Street (#0382)

41 Holden Street (#0383)

977 Maplewood Street (#0384)

1494 Phillips Road (#0385)

279 Elm Street (#0386)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval March 12, 2018.

Approved March 14, 2018.

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APPLICATIONS, **Eversource Gas**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on February 28, 2018, subject to ratification by the Mayor and City Council as follows:

1 Shirley Street, Corner w/Ayer Street/working on Ayer Street side (#0387)

243 Lawrence Street (#0388)

81 Maywood Street (#0389)

APPLICATIONS, **Eversource Gas**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on March 06, 2018, subject to ratification by the Mayor and City Council as follows:

640 Maxfield Street (#0400)

Trinity Street (#0401)

Hazard Court working from Austin Street to Hazard Street (#0402)

Ashley Street working from Ruth Street to Cove Street (#0403)

149 Tinkham Street (#0404)

Reynolds Street (#0405)

Myrtle Street working from Clark Street to Linden Street (#0406)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval March 12, 2018.

Approved March 14, 2018.

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APPLICATIONS, **Frade's Disposal, Inc.**, for permission to maintain a STREET OBSTRUCTION, provisionally granted by the City Clerk on February 28, 2018, subject to ratification by the Mayor and City Council as follows:

353 Wood Street (#0407)

26 Rutland Street (#0408)

1103 Chaffee Street (#0409)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval March 12, 2018.

Approved March 14, 2018.

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APPLICATIONS, **Frade's Disposal, Inc.**, for permission to maintain a STREET OBSTRUCTION, provisionally granted by the City Clerk on March 08, 2018, subject to ratification by the Mayor and City Council as follows:

121 Ash Street (#0410)

121 Ash Street (#0411)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval March 12, 2018.

Approved March 14, 2018.

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PETITION, NSTAR ELECTRIC COMPANY d/b/a Eversource Energy for location of two (2) 4" Conduits in MACARTHUR DRIVE, North of Elm Street.

RECEIVED AND HEARING ORDERED FOR THURSDAY, MARCH 22, 2018.

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PETITION, NSTAR ELECTRIC COMPANY d/b/a Eversource Energy for location of one (1) Pole in COTTAGE STREET, Opposite Merrimac Street.

RECEIVED AND HEARING ORDERED FOR THURSDAY, MARCH 22, 2018.