

REGULAR MEETING
Chambers of the City Council
Thursday, April 27, 2017

CITY COUNCIL
Municipal Building
7:02 p.m.

PRESENT: Council President Lopes, Councillors Abreu, Carney, Coelho, Dunn, Gomes, Martins,
Morad, Oliveira, Rebeiro and Winterson.

LATE: No One.

ABSENT: No One.

Council President Lopes called the meeting to order and presided.

Reverend Pamela J. Cole, President – GNB Chapter of Church Women United, led the Assembly
in Prayer.

Kerry Winterson, Councillor Ward Five led the Assembly in the Pledge of Allegiance to the Flag.

HEARING, ORDERED, that the following petroleum license hereby be REVOKED: 1476
PURCHASE STREET – originally granted on June 24, 1971 – one (1) 4,000 gallon gasoline tank, one (1)
2,000 gallon gasoline tank, one (1) 1,000 gallon tank of motor oil, one (1) 2,000 gallon tank of motor oil
and one (1) 1,000 gallon tank of waste oil was removed on were removed on August 1, 1997.

Adopted.

Presented to the Mayor for approval May 01, 2017.

Approved May 05, 2017 (#0582)

COMMUNICATION, Doug Glassman, President DGRE, LLC, 1476 Purchase Street, to City
Clerk Farias, requesting that the petroleum license for 1476 Purchase Street be REVOKED. (To be
Received and Placed on File.)

Received and Placed on File. (#0583)

HEARING, ORDERED, that the following petroleum license hereby be REVOKED: 27
HEALEY STREET formerly 34 Healey Street – originally granted on October 11, 1956 – one (1) 2,000
gallon fuel oil tank and one (1) 15,000 gallon fuel oil tank were removed on November 9, 2010.

Adopted.

Presented to the Mayor for approval May 01, 2017.

Approved May 05, 2017 (#0584)

COMMUNICATION, International Parallel Machines, Inc., 50 Conduit Street, owner of 27
Healey Street, to City Clerk Farias, requesting that the petroleum license for 27 Healey Street be
REVOKED. (To be Received and Placed on File.)

Received and Placed on File. (#0585)

HEARING, ORDERED, that the following petroleum license hereby be REVOKED: 51
DUNCAN STREET – originally granted on August 13, 1935 – one (1) 8,000 gallon heating oil tank was
removed November 27, 2006 and one (1) 2,000 gallon heating oil tank was removed May 22, 2007.

Adopted.

Presented to the Mayor for approval May 01, 2017.

Approved May 05, 2017 (#0586)

COMMUNICATION, Reverend Philip N. Hamel, Pastor St Joseph-St. Therese Parish, 51 Duncan
Street, to City Clerk Farias, requesting that the petroleum license at 51 Duncan Street be REVOKED. (To
be Received and Placed on File.)

Received and Placed on File. (#0587)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the following individuals for confirmation as New Bedford Police Officers: TURNER RYAN, VICTORIA WAGNER and TIMOTHY DACOSTA.

Received and Placed on File. (#0588)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$180,000.00 from FREE CASH to GENERAL GOVERNMENT UNCLASSIFIED – RESERVE FOR APPROPRIATION.

Referred to the Committee on Finance. (#0589)

ORDER,

Referred to the Committee on Finance. (#0590)

COMMUNICATION, Mayor Mitchell to City Council, submitting AN ORDER for the TRANSFER of \$182,167.00 from AIRPORT, FREE CASH to AIRPORT, CAPITAL OUTLAY in the amount of \$106,000.00 and AIRPORT, STABILIZATION FUND in the amount of \$76,167.00.

Referred to the Committee on Finance. (#0591)

ORDER,

Referred to the Committee on Finance. (#0592)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$15,000.00 from RECREATION AND PARKS, SALARIES & WAGES, to RECREATION AND PARKS, CHARGES & SERVICES in the amount of \$8,000.00 and RECREATION AND PARKS, SUPPLIES & MATERIALS in the amount of \$7,000.00.

Received and Placed on File. (#0593)

CITY OF NEW BEDFORD
IN CITY COUNCIL
APRIL 27, 2017

ORDERED, that the sum of FIFTEEN THOUSAND DOLLARS (\$15,000.00) now standing to the credit of the account from RECREATION AND PARKS, SALARIES AND WAGES be and the same is hereby transferred and appropriated to as follows:

RECREATION AND PARKS

CHARGES AND SERVICES\$8,000.00
SUPPLIES AND MATERIALS\$7,000.00

To be certified and approved by the Department Head.

Adopted.

Presented to the Mayor for approval May 01, 2017.

Approved May 05, 2017. (#0594)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$15,000.00 from CITY COUNCIL, SALARIES & WAGES, to CITY COUNCIL, CHARGES & SERVICES.

Received and Placed on File. (#0595)

CITY OF NEW BEDFORD
IN CITY COUNCIL
APRIL 27, 2017

ORDERED, that the sum of FIFTEEN THOUSAND DOLLARS (\$15,000.00) now standing to the credit of the account from CITY COUNCIL SALARIES AND WAGES be and the same is hereby transferred and appropriated to as follows:

CITY COUNCIL CHARGES AND SERVICES.....\$15,000.00

To be certified and approved by the Department Head.

Adopted.

Presented to the Mayor for approval May 01, 2017.

Approved May 05, 2017. (#0596)

COMMUNICATION, Mayor Mitchell, to City Council, submitting a WAIVER OF RESIDENCY for ROBERT TETREAUULT, Waterfront Supervisor in the Parks, Recreation and Beaches Department, who resides in Mattapoisett.

Waiver of Residency GRANTED – Yeas 11, Nays 0.

Presented to the Mayor for approval May 01, 2017.

Approved May 05, 2017. (#0597)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER granting a utility easement to NSTAR Electric Company d/b/a Eversource Energy for the purpose of placement of a transformer pad and distribution of electricity over the premises 64-66 Emma Street and 33 Emery Street, said premises constituting a portion of the property dedicated to the Irwin Jacobs Elementary School and located at Assessors Map 13, Lots 3 and 122.

Received and Placed on File. (#0598)

CITY OF NEW BEDFORD
IN CITY COUNCIL
APRIL 27, 2017

ORDERED, that the grant of a utility easement to NSTAR Electric Company d/b/a Eversource Energy for the purpose of placement of a transformer pad and distribution of electricity over the premises located at 64-66 Emma Street and 33 Emery Street, New Bedford, Massachusetts, said premises constituting a portion of the property dedicated to the Hannigan Elementary School and located at Assessors Map 13, Lots 3 and 122 as described on the document enclosed herewith entitled “EASEMENT” and as shown on a plan entitled “EASEMENT PLAN, EMMA STREET, Job No. 14-630 drawn by Farland Corp. and dated January 30, 2017, be and is hereby granted.

Adopted – Yeas 11, Nays 0.

Presented to the Mayor for approval May 01, 2017.

Approved May 05, 2017. (#0599)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of LESLIE J. MAGALIOS, New Bedford, MA to the AIRPORT COMMISSION, replacing Moira Tierney, this term will expire December 2018.

Referred to the Committee on Appointments and Briefings. (#0600)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of CHANCERY PERKS, New Bedford, MA to the CONSERVATION COMMISSION, replacing John G. Radcliffe whose term has expired; this term will expire June 2019.

Rule 38 Waived and Appointment Confirmed and Rule 40 Waived – Yeas 11, Nays 0.

(#0601)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of ELSIE FRAGA, New Bedford, MA to the LIBRARY BOARD OF TRUSTEES; this term will expire April 2020.

Rule 38 Waived, Reappointment Confirmed and Rule 40 Waived – Yeas 11, Nays 0.

(#0602)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of JILL HORTON-SIMMS, New Bedford, MA to the LIBRARY BOARD OF TRUSTEES; this term will expire April 2020.

Rule 38 Waived, Reappointment Confirmed and Rule 40 Waived – Yeas 11, Nays 0.

(#0603)

COMMUNICATION, Mayor Mitchell, to the City Council, submitting the REAPPOINTMENT of HELEN ROGERS, New Bedford, MA, to the LIBRARY BOARD OF TRUSTEES; this term will expire April 2020.

Rule 38 Waived, Reappointment Confirmed and Rule 40 Waived – Yeas 11, Nays 0.

(#0604)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of HERVE WILLIAM VANDAL, JR., New Bedford, MA, as a CONSTABLE.

Received and Placed on File.

(#0605)

APPLICATION, HERVE WILLIAM VANDAL, JR., New Bedford, MA 02740, for REAPPOINTMENT as a CONSTABLE.

Confirmed and Reappointed.

(#0606)

RECONSIDERATION, Councillor Morad having voted with the prevailing side on the question of : REPORT, Committee on Finance, recommending to the City Council ADOPTION of the Communication of A Host Community Agreement with ARL Healthcare, Inc. of Newton, MA, to operate a Registered Marijuana Dispensary (“RMD”) cultivation and processing facility in New Bedford, to be located at 167 John Vertente Boulevard, New Bedford Industrial Park; facility at said location and COMMUNICATION, Mayor Mitchell, to City Council, submitting a copy of A Host Community Agreement with ARL Healthcare, Inc., of Newton, MA, to operate a Registered Marijuana Dispensary (“RMD”) cultivation and processing facility in New Bedford, to be located at 167 John Vertente Boulevard, New Bedford Industrial Park; ARL Healthcare, Inc. at the regular City Council meeting held on April 12, 2017, hereby files a Motion to RECONSIDER said vote. (Filed April 13, 2017, at 8:06 a.m. to Assistant City Council Clerk.)

Referred to the Committee on Finance – Yeas 11, Nays 0.

(#0607)

REPORT, Committee on Finance, recommending to the City Council ADOPTION of the Communication of A Host Community Agreement with ARL Healthcare, Inc. of Newton, MA, to operate a Registered Marijuana Dispensary (“RMD”) cultivation and processing facility in New Bedford, to be located at 167 John Vertente Boulevard, New Bedford Industrial Park; ARL Healthcare, Inc. is currently seeking approval from the Massachusetts Department of Public Health to operate a medical marijuana cultivation/production facility at said location. (RECONSIDERATION FILED by Councillor Morad on April 13, 2017 at 8:06 a.m.)

Recommendation Followed – April 12, 2017.

Referred to the Committee on Finance – Yeas 11, Nays 0.

(#0506)

COMMUNICATION, Mayor Mitchell, to City Council, submitting a copy of A Host Community Agreement with ARL Healthcare, Inc., of Newton, MA, to operate a Registered Marijuana Dispensary (“RMD”) cultivation and processing facility in New Bedford, to be located at 167 John Vertente Boulevard, New Bedford Industrial Park; ARL Healthcare, Inc., is currently seeking approval from the Massachusetts Department of Public Health to operate a medical marijuana cultivation/production facility at said location. (RECONSIDERATION FILED by Councillor Morad on April 13, 2017 at 8:06 a.m.)

Referred to the Committee on Finance – December 08, 2016.

Host Agreement Adopted – Yeas 6, Nays 1. (Councillor Martins OPPOSED; Councillor Rebeiro not present for vote.) – April 12, 2017.

Referred to the Committee on Finance – Yeas 11, Nays 0. (#2207)

REPORT, Committee on Ordinances, recommending to the City Council ADOPTION of the ORDINANCE, rezoning 671 Summer Street, Plot 91/Lot 152 from RESIDENTIAL “B” to MIXED USE BUSINESS and 674 Summer Street, Plot 91/Lot 249 from RESIDENTIAL “C” to MIXED USE BUSINESS.

Recommendation Followed. (#0608)

ORDINANCE,

Passed to a Second Reading. (#0609)

REPORT, Committee on Ordinances, recommending to the City Council Adoption of AN ORDINANCE - RELATIVE TO BOARDS & COMMISSIONS, and that it be Passed to a Second Reading.

Referred to the Committee on Ordinances. (#0610)

ORDINANCE,

Referred to the Committee on Ordinances. (#0611)

REPORT, Committee on Ordinances, Recommending that the City Council take “NO FURTHER ACTION” on the ORDINANCE amending Chapter 9 ZONING by adding Section 5720 Temporary Moratorium on Recreational Marijuana Establishments.

Recommendation Followed. (#0612)

ORDINANCE,

Rule 42 Waived – Yeas 9, Nays 0. (Councillor Winterson not present for vote.)

Referred to the Committee on Ordinances and the Planning Board – Yeas 8, Nays 1. (Councillor Morad OPPOSED and Councillor Oliveira not present for vote.) – February 23, 2017.

NO FURTHER ACTION. (#0316)

REPORT, Committee on Appointments & Briefings, recommending that the City Council Follow the Recommended Actions on the WRITTEN MOTION, Councillor Gomes, requesting, an increase in Police patrols especially on weekends in Hazelwood Park, on the West Beach side of the park due to the amount of complaints from residents from the south and north side abutting the park of drug activity, inappropriate activity, including persons openly urinating on residential properties; and further, that the Police Chief consider using motorcycle Police patrols in these Park areas due to the fact that motorcycle patrols can get through the whole entire park; and further, that the Department of Parks, Recreation and Beaches consider putting up signage on both sides of the park reminding visitors of the rules and regulations of our City Parks.

Recommendation Followed and Referred to the Chief of Police and Department of Parks, Recreation and Beaches.

Presented to the Mayor for approval May 01, 2017.

RETURNED UNSIGNED May 22, 2017. (#0613)

REPORT, Committee on Appointments & Briefings, relative to the APPOINTMENT of CAROL PIMENTEL, New Bedford, MA, 02740 to the NEW BEDFORD HOUSING AUTHORITY; this appointment FAILED in Committee.

Recommendation Followed to NOT accept Appointment and Rule 40 Waived – Yeas 9, Nays 2.
(Councillors Oliveira and Winterson OPPOSED.) (#0614)

REPORT, Committee on Appointments & Briefings, recommending that the City Council take “NO FURTHER ACTION” on the WRITTEN MOTION, Councillor Bousquet and Council President Morad, requesting, that Den DeMarinis, Chairperson of the Commission for Citizens with Disabilities and Cynthia Wallquist, Director of the Department of Community Services, appear before the Committee on Appointments and Briefings to provide an overview of the projects and initiatives the Commission is currently undertaking.

Recommendation Followed. (#0615)

WRITTEN MOTION, Councillor Bousquet and Council President Morad, requesting, that Den DeMarinis, Chairperson of the Commission for Citizens with Disabilities and Cynthia Wallquist, Director of the Department of Community Services, appear before the Committee on Appointments and Briefings to provide an overview of the projects and initiatives the Commission is currently undertaking.

Referred to the Committee on Appointments and Briefings – August 18, 2016.

NO FURTHER ACTION. (#1426)

CITY OF NEW BEDFORD
IN CITY COUNCIL
FEBRUARY 23, 2017

AN ORDER TO AMEND THE ORDER APPROVED ON JUNE 25, 2004 APPROPRIATING \$21,608,000.00 AND AUTHORIZING BONDS AND NOTES OF THE CITY FOR VARIOUS SEWER PROJECTS TO ADD THE UNION STREET SEWER SEPARATION PROJECT AND GENERAL SYSTEM IMPROVEMENTS TO THE PURPOSES FOR WHICH THE FUNDS MAY BE BORROWED AND PERMITTED ANY BOND PREMIUM TO BE SPENT ON PROJECTS COSTS

BE IT ORDERED, BY THE CITY COUNCIL OF THE CITY OF NEW BEDFORD AS FOLLOWS:

ORDERED, that the Order of the City Council approved by the Mayor on June 25, 2004 be and hereby is amended to add the Union Street Sewer Separation Project and general system improvements purposes, such that the amended order reads in its entirety as follows:

“ORDERED, that \$21,608,000.00 is appropriated for the purpose of financing the construction of the West End Sewer Separation Project – Phase 4, West End Sewer Separation Project – Phase 5, Deane Street Sewer Separation Project and Coggeshall Street Sewer Separation Project, Union Street Sewer Separation Project, and general system improvements, and the planning costs related to the development of the CSO Long-Term Control Plan Update, and including without limitation all costs thereof as defined in G.L. c.29C, §1; that to meet this appropriation the Treasurer with the approval of the Mayor and the Committee on Finance is authorized to borrow \$21,608,000.00 and issue bonds or notes therefore under G.L. c.44 and/or G.L. c.29C or any other enabling authority; that such bonds or notes shall be general obligations of the City unless the Treasurer with the approval of the Mayor and the Committee on Finance determines that they should be issued a limited obligations and may be secured by local system revenues as defines in G.L. c.29C, § 1; that the Treasurer with the approval of the Mayor and the Committee on Finance is authorized to borrow all or a portion of such amount from the Massachusetts Clean Water Trust established pursuant to G.L. c.29C and in connection therewith to enter into a loan agreement and/or a security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; that the Mayor is authorized to enter into a project regulatory agreement with the Department of Environmental Protection to expend all funds available for the project and to take any other action necessary to carry out the project; and further that any premium received by the City upon the sale of any bonds or notes approved by this order, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved

by this order in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a life amount.”

Referred to the Committee on Finance – February 23, 2017.

Passed, to a Second Reading – March 23, 2017.

Adopted – Yeas 10, Nays 1. (Councillor Morad was OPPOSED)

Presented to the Mayor for approval May 01, 2017.

Approved May 05, 2017. (#0201)

CITY OF NEW BEDFORD
IN CITY COUNCIL
JANUARY 26, 2017

ORDERED, That the City appropriates ~~\$4,480,000.00~~ **\$4,113,000.00** for the purpose of making critically-needed repairs to City-owned buildings, including, but not limited to, projects for the repair and renovation of public safety facilities, recreational facilities, general office space, and roads and infrastructure and all costs incidental and related thereto. To meet this appropriation, the Treasurer, with approval of the Mayor, is 7 (3A), or any other enabling authority.

FURTHER ORDERED, That the Treasurer is authorized to file an application with the appropriate officials of the Commonwealth of Massachusetts (“Commonwealth”) to qualify under Chapter 44A of the General Laws any and all bonds of the City authorized by this Order, and to provide such information and execute such documents as such officials of the Commonwealth may require in connection therewith.

Referred to the Committee on Finance - Yeas 11, Nays 0 - January 26, 2017.

Passed to a Second Reading, as amended – April 12, 2017.

Referred to the Committee on Finance – FAILED – Yeas 4, Nays 7. (Councillors Abreu, Carney, Morad and Rebeiro IN FAVOR.)

Adopted – Yeas 9, Nays 2. (Councillors Morad and Rebeiro OPPOSED)

Presented to the Mayor for approval May 01, 2017.

Approved May 05, 2017. (#0137)

COMMUNICATION, Councillor Morad, submitting a Traffic Commission petition for a HANDICAP PARKING SIGN in front of 415 Summer Street, for Patricia Langis, Tenant at said address, and the Handicap parking is needed because Ms. Langis does not own the home and has no access to the small driveway on the property. (Copy of Ms. Langis’ Handicap Placard and letter from owner of 415 Summer Street; To be Referred to the Traffic Commission.)

Referred to the Traffic Commission. (#0616)

WRITTEN MOTION, Councillor Morad, requesting that CFO Ari Sky, brief the Committee on Finance on the Fiscal Year 2018 Budget, before the Mayor’s budget submission in May. (To be Referred to Committee on Finance.)

TABLED – March 23, 2017.

Removed from the TABLE and No Further Action Taken. (#0488)

CITATION, Councillors Martins and Morad, honoring JAMES and DOLORES LEAL, in recognition of the celebration of their 65th wedding anniversary and with wishes that the Good Lord will give them many more happy and healthy years together.

Adopted, to be presented at a later date. (#0617)

CITATION, Councillors Morad, Carney, Coelho and Rebeiro, honoring the CAPE VERDEAN WOMEN’S SOCIAL CLUB, in recognition of the celebration of the Club’s 80th Anniversary and with heartfelt thanks for their commitment to the Cape Verdean Community over the past 80 years.

Adopted, to be presented at a later date. (#0618)

CITATION, Councillors Morad and Oliveira, honoring MARGARET TRAPILO, in recognition of Margaret’s Boutique’s 25th anniversary, where beautiful merchandise and excellent customer service have made the dreams of so many ladies in our community come true.

Adopted, to be presented at a later date. (#0619)

CITATION, Councillors Martins and Morad, honoring LILLIAN DONAGHY, in recognition of her leadership in creating and overseeing the Senior Travel Program and with sincere appreciation for her many years of dedicated volunteer service to the seniors of our community.

Adopted, to be presented at a later date. (#0620)

CITATION, Councillors Martins and Morad, honoring the CITY OF NEW BEDFORD – COUNCIL ON AGING, in recognition of the celebration of the 50th Anniversary of the Senior Travel Program and with sincere thanks for making the travel dreams of so many seniors come true.

Adopted, to be presented at a later date. (#0621)

CITATION, Councillors Abreu and Gomes, honoring HAIR IN MOTION COSMETOLOGY ACADEMY in recognition of the Grand Opening and Ribbon Cutting Ceremony to be held on April 29, 2017.

Adopted, to be presented at a later date. (#0622)

CITATION, Councillor Gomes, honoring PATRICIA ANDRADE, M.D., in recognition of her 22 years of commitment and dedication in providing Surgical Healthcare to the Citizens of the Greater New Bedford Area in gratitude and appreciation.

Adopted, to be presented at a later date. (#0623)

CITATION, Councillor Gomes, honoring RICHARD D. DEMOPOULOS, M.D., in recognition of his 23 years of commitment and dedication in providing Surgical Healthcare to the Citizens of the Greater New Bedford Area in gratitude and appreciation.

Adopted, to be presented at a later date. (#0624)

WRITTEN MOTION, Councillor Winterson, requesting, that the following street(s) be CLOSED: FULLER MEMORIAL PARKWAY, from Rockdale Avenue, westerly through Buttonwood Park, to Brownell Avenue; BUTTONWOOD STREET, from the Monument to Lake Street AND ONEIDA STREET, from Lt. Walter P. Fuller Memorial Parkway to Lake Street, FROM: 8:00 A.M. THURSDAY, JULY 06, 2017, THROUGH: 7:00 P.M., MONDAY, JULY 10, 2017, for the purpose of THE NEW BEDFORD POLICE UNION FAMILY FUN FESTIVAL.

Permission Granted.

Presented to the Mayor for approval May 01, 2017.

Approved May 05, 2017. (#0625)

WRITTEN MOTION, Councillor Winterson, requesting, on behalf of Southcoast LGBTQ Network, that the following street(s) be CLOSED: ONEIDA STREET, from Lt. Walter P. Fuller Memorial Parkway to Lake Street, ON SUNDAY, JUNE 03, 2017, FROM 8:00 A.M. TO 5:00 P.M. for the purpose of New Bedford Pride Day.

Permission Granted.

Presented to the Mayor for approval May 01, 2017.

Approved May 05, 2017. (#0626)

WRITTEN MOTION, Councillor Martins, requesting, on behalf of Our Lady of Perpetual Help Church, that the following street(s) be CLOSED: NORTH FRONT STREET, from Coggeshall Street to Beetle Street, ON SATURDAY, JUNE 17, 2017, FROM 8:00 A.M. TO 8:30 P.M., or shortly after, AND SUNDAY, JUNE 18, 2017, from 8:00 A.M. TO 8:30 P.M., or shortly after, for the purpose of the “POLISH FESTIVAL”; and further, requesting, that ‘NO PARKING’ Signs be POSTED ON NORTH FRONT STREET, from Coggeshall Street to Beetle Street, ON FRIDAY EVENING, JUNE 16, 2017, at 6:00 P.M., THROUGH SUNDAY, JUNE 18, 2017, at 10:00 P.M. (NOTE: WOODEN BARRELS WILL ALSO BE USED.)

Permission Granted.

Presented to the Mayor for approval May 01, 2017.

Approved May 05, 2017. (#0627)

WRITTEN MOTION, Councillor Oliveira, requesting, on behalf of the Portuguese-American War Veterans, that ALLEN STREET, from Brownell Avenue to John Street, be CLOSED on MONDAY, MAY 29, 2017, FROM 8:30 A.M. TO 9:30 A.M., for THE ANNUAL MEMORIAL DAY CEREMONIES.

Permission Granted.

Presented to the Mayor for approval May 01, 2017.

Approved May 05, 2017. (#0628)

WRITTEN MOTION, Councillor Oliveira, requesting, on behalf of the Portuguese-American War Veterans, that WILLIS STREET, from Purchase Street to Pleasant Street, be CLOSED on MONDAY, MAY 29, 2017, FROM 11:00 A.M. TO 3:00 P.M., for the purpose of A Veteran's Reception After the Memorial Day Parade.

Permission Granted.

Presented to the Mayor for approval May 01, 2017.

Approved May 05, 2017. (#0629)

WRITTEN MOTION, Councillor Oliveira, requesting, on behalf of the Department of Veteran's Services, that the following street(s) be CLOSED: PEARL STREET, from Pleasant Street to County Street; PLEASANT STREET, from Pope Street to Pearl Street; PARKER STREET, from Hathaway Boulevard to County Street; COUNTY STREET, from Parker Street to Pope Street AND POPE STREET, from County Street to Purchase, on MONDAY, MAY 29, 2017, FROM 8:00 A.M. TO 2:00 P.M., for the purpose of THE ANNUAL MEMORIAL DAY CEREMONIES.

Permission Granted.

Presented to the Mayor for approval May 01, 2017.

Approved May 05, 2017. (#0630)

WRITTEN MOTION, Council President Lopes, requesting, on behalf of United New Bedford, that the following street(s) be CLOSED: RUTH STREET, from McGurk Street to Salisbury Street, (Viall Street Intersection) ON SATURDAY, JUNE 24, 2017, FROM 9:00 A.M. TO 6:00 P.M. for the purpose of Rock the Block.

Permission Granted.

Presented to the Mayor for approval May 01, 2017.

Approved May 05, 2017. (#0631)

WRITTEN MOTION, Council President Lopes, requesting, on behalf of the Cove Street Neighborhood Association that the following street(s) be CLOSED: RUTH STREET, from Salisbury Street to Ashley Street, ON SATURDAY, JUNE 17, 2017, FROM 7:00 A.M. TO 4:00 P.M., for their Annual Family Fun Day.

Permission Granted.

Presented to the Mayor for approval May 01, 2017.

Approved May 05, 2017. (#0632)

WRITTEN MOTION, Council President Lopes and Councillor Rebeiro, requesting, on behalf of the Mariners Home, that the following street(s) be CLOSED: JOHNNY CAKE HILL, from William Street to Union Street, ON FRIDAY, MAY 19, 2017, FROM 8:00 A.M. TO 1:00 P.M., for the purpose of a Re-Dedication and Ribbon-Cutting Ceremony for the Mariners Home.

Permission Granted.

Presented to the Mayor for approval May 01, 2017.

Approved May 05, 2017. (#0633)

WRITTEN MOTION, Councillor Oliveira, requesting, on behalf of Irmandade do Divino Espirito Santo Do Pico, (Brotherhood of the Holy Spirit of Pico) that ACUSHNET AVENUE, between Duncan Street and Wood Street be CLOSED: ON SUNDAY, JUNE 25, 2017 AT 10:00 A.M., TO 11:00 A.M. AND 12:00 P.M. (NOON) to 12:30 P.M., for the purpose of Santo Do Pico's Annual Procession from their Cultural Center to St. Joseph/St. Therese Church on Acushnet Avenue (for Mass) and their return to the Cultural Center for their Annual Feast.

Permission Granted.

Presented to the Mayor for approval May 01, 2017.

Approved May 05, 2017. (#0634)

WRITTEN MOTION, Councillor Rebeiro, requesting, on behalf of Vareika Construction, Inc., that the following street(s) be CLOSED: TREMONT STREET (from 322 Tremont Street to Hillman Street,) ON: MONDAY, MAY 01, 2017, TO TUESDAY, AUGUST 01, 2017, for the purpose of placing a trailer on the street; construction purposes and building a new access road in the Westwood Housing Authority Property. (Please note: No businesses will be affected.)

Permission Granted.

Presented to the Mayor for approval May 01, 2017.

Approved May 05, 2017. (#0635)

PETITION/INDEMNITY AGREEMENT, MICHAEL SOARES d/b/a THE CORNER THRIFT SHOP, for Permission to Erect and Maintain a Projecting Illuminated Sign to overhang City property at 322 County Street. Provisionally Granted, subject to approval of the Building Commissioner and subject to Ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 01, 2017.

Approved May 05, 2017 (#0636)

COMMUNICATION, Councillor Oliveira, to Mayor Mitchell, requesting the use of the portable public address system for the Portuguese-American War Veterans Memorial Day Ceremonies.

Received and Placed on File. (#0637)

COMMUNICATION, Councillor Oliveira, to Sociedade Filamonica do Senhor da Pedra, inviting them on behalf of the Portuguese-American War Veterans to participate in the Memorial Day Ceremonies.

Received and Placed on File. (#0638)

COMMUNICATION, Councillor Oliveira, to Sheriff Thomas Hodgson, requesting assistance for the placing of flags at gravesites at Oak Grove Cemetery for Memorial Day, on behalf of the Andrews-Dahill Post 1531 VFW.

Received and Placed on File. (#0639)

COMMUNICATION, Councillor Oliveira, to Sheriff Thomas Hodgson, requesting assistance for the placing of flags at gravesites at St. John's Cemetery for Memorial Day, on behalf of the Portuguese-American War Veterans.

Received and Placed on File. (#0640)

COMMUNICATION, Councillor Oliveira, to Sheriff Thomas Hodgson, requesting assistance for the placing of flags at gravesites for Memorial Day, on behalf of the Commander of the Cape Verdean Veterans Organization.

Received and Placed on File. (#0641)

COMMUNICATION, Councillor Oliveira, to DPI Commissioner Euzebio Arruda, requesting his assistance on behalf of the Memorial Day Dedication Committee, for the Memorial Day Ceremonies, as well as their assistance in cleaning the streets for the event.

Received and Placed on File. (#0642)

MINUTES, Planning Board, submitting MINUTES of a meeting held on March 8, 2017.
Received and Placed on File. (#0643)

MINUTES, Board of Assessors, submitting MINUTES of a meeting held on March 31, 2017.
Received and Placed on File. (#0644)

APPLICATION, **Southcoast Improvement Co.**, for permission to maintain a STREET OBSTRUCTION at **222 Union Street**, provisionally granted by the City Clerk on April 18, 2017, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval May 01, 2017.
Approved May 05, 2017. (#0645)

APPLICATION, **Emergency Contractors**, for permission to maintain a STREET OBSTRUCTION at **59 Covell Street**, provisionally granted by the City Clerk on April 26, 2017, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval May 01, 2017.
Approved May 05, 2017. (#0646)

APPLICATION, **R.J. Canessa Excavating**, for permission to maintain a STREET OBSTRUCTION at **1485 Old Plainville Road**, provisionally granted by the City Clerk on April 14, 2017, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval May 01, 2017.
Approved May 05, 2017. (#0647)

APPLICATION, **Precision Valley Communications**, for permission to maintain a STREET OBSTRUCTION at **258 William Street**, provisionally granted by the City Clerk on April 14, 2017, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval May 01, 2017.
Approved May 05, 2017. (#0648)

APPLICATION, **East Coast Landscaping & Const.**, for permission to maintain a STREET OBSTRUCTION at **169 Mt. Vernon Street**, provisionally granted by the City Clerk on April 18, 2017, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval May 01, 2017.
Approved May 05, 2017. (#0649)

APPLICATION, **JLC Construction**, for permission to maintain a STREET OBSTRUCTION at **388 Rockdale Avenue**, provisionally granted by the City Clerk on April 21, 2017, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval May 01, 2017.
Approved May 05, 2017. (#0650)

APPLICATION, **JLC Construction**, for permission to maintain a STREET OBSTRUCTION at **19 Hathaway Road (Building 19)**, provisionally granted by the City Clerk on April 21, 2017, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval May 01, 2017.
Approved May 05, 2017. (#0651)

APPLICATION, **Farland Corp.**, for permission to maintain a STREET OBSTRUCTION at **38 South Sixth Street**, provisionally granted by the City Clerk on April 25, 2017, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 01, 2017.

Approved May 05, 2017. (#0652)

APPLICATION, **MSR Utility Maintenance**, for permission to maintain a STREET OBSTRUCTION at **277 Lowell Street**, provisionally granted by the City Clerk on April 26, 2017, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 01, 2017.

Approved May 05, 2017. (#0653)

APPLICATION, **MSR Utility Maintenance**, for permission to maintain a STREET OBSTRUCTION at **Orchard Street (Maple Street to Madison Street)**, provisionally granted by the City Clerk on April 26, 2017, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 01, 2017.

Approved May 05, 2017. (#0654)

APPLICATION, **MSR Utility Maintenance**, for permission to maintain a STREET OBSTRUCTION at **County Street (Hillman Street to Maxfield Street)**, provisionally granted by the City Clerk on April 26, 2017, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 01, 2017.

Approved May 05, 2017. (#0655)

APPLICATION, **MSR Utility Maintenance**, for permission to maintain a STREET OBSTRUCTION at **58 Beech Street**, provisionally granted by the City Clerk on April 26, 2017, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 01, 2017.

Approved May 05, 2017. (#0656)

APPLICATION, **MSR Utility Maintenance**, for permission to maintain a STREET OBSTRUCTION at **79 – 89 Bedford Street**, provisionally granted by the City Clerk on April 26, 2017, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 01, 2017.

Approved May 05, 2017. (#0657)

APPLICATION, **MSR Utility Maintenance**, for permission to maintain a STREET OBSTRUCTION at **54 Beech Street**, provisionally granted by the City Clerk on April 26, 2017, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 01, 2017.

Approved May 05, 2017. (#0658)

APPLICATION, **JLC Construction**, for permission to maintain a STREET OBSTRUCTION at **1494 East Rodney French Boulevard (Smugglers)**, provisionally granted by the City Clerk on April 27, 2017, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 01, 2017.

Approved May 05, 2017. (#0659)

APPLICATION, **R.J. Canessa Excavating**, to DISTURB THE SURFACE, of **1485 Old Plainville Road**, provisionally granted by the City Clerk on April 14, 2017 subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 01, 2017.

Approved May 05, 2017. (#0660)

APPLICATION, **Precision Valley Communications**, to DISTURB THE SURFACE, of **258 William Street**, provisionally granted by the City Clerk on April 14, 2017 subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 01, 2017.

Approved May 05, 2017. (#0661)

APPLICATION, **East Coast Landscaping & Const.**, to DISTURB THE SURFACE, of **169 Mt. Vernon Street**, provisionally granted by the City Clerk on April 18, 2017 subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 01, 2017.

Approved May 05, 2017. (#0662)

APPLICATION, **JLC Construction**, to DISTURB THE SURFACE, of **388 Rockdale Avenue**, provisionally granted by the City Clerk on April 21, 2017 subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 01, 2017.

Approved May 05, 2017. (#0663)

APPLICATION, **JLC Construction**, to DISTURB THE SURFACE, of **19 Hathaway Road (Building 19)**, provisionally granted by the City Clerk on April 21, 2017 subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 01, 2017.

Approved May 05, 2017. (#0664)

APPLICATION, **Farland Corp.**, to DISTURB THE SURFACE, of **38 South Sixth Street**, provisionally granted by the City Clerk on April 25, 2017 subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 01, 2017.

Approved May 05, 2017. (#0665)

APPLICATION, **MSR Utility Maintenance**, to DISTURB THE SURFACE, of **277 Lowell Street**, provisionally granted by the City Clerk on April 26, 2017 subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 01, 2017.

Approved May 05, 2017. (#0666)

APPLICATION, **MSR Utility Maintenance**, to DISTURB THE SURFACE, of **Orchard Street (Maple Street to Madison Street)**, provisionally granted by the City Clerk on April 26, 2017 subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 01, 2017.

Approved May 05, 2017. (#0667)

APPLICATION, **MSR Utility Maintenance**, to DISTURB THE SURFACE, of **County Street (Hillman Street to Maxfield Street)**, provisionally granted by the City Clerk on April 26, 2017 subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 01, 2017.

Approved May 05, 2017. (#0668)

APPLICATION, **MSR Utility Maintenance**, to DISTURB THE SURFACE, of **58 Beech Street**, provisionally granted by the City Clerk on April 26, 2017 subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 01, 2017.

Approved May 05, 2017. (#0669)

APPLICATION, **MSR Utility Maintenance**, to DISTURB THE SURFACE, of **79 – 89 Bedford Street**, provisionally granted by the City Clerk on April 26, 2017 subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 01, 2017.

Approved May 05, 2017. (#0670)

APPLICATION, **MSR Utility Maintenance**, to DISTURB THE SURFACE, of **54 Beech Street**, provisionally granted by the City Clerk on April 26, 2017 subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 01, 2017.

Approved May 05, 2017. (#0671)

APPLICATION, **JLC Construction**, to DISTURB THE SURFACE, of **1494 East Rodney French Boulevard (Smugglers)**, provisionally granted by the City Clerk on April 27, 2017 subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 01, 2017.

Approved May 05, 2017. (#0672)

APPLICATIONS, **EVERSOURCE**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on April 14, 2017, subject to ratification by the Mayor and City Council as follows:

139 Butler Street (#0673)

109 South Seventh Street (#0674)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 01, 2017.

Approved May 05, 2017.

APPLICATIONS, **EVERSOURCE**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on April 20, 2017, subject to ratification by the Mayor and City Council as follows:

Intersection of Acushnet Avenue and Rosa Drive (#0675)

459 Mt. Pleasant Street (#0676)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 01, 2017.

Approved May 05, 2017.

APPLICATION, **EVERSOURCE**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on April 21, 2017, subject to ratification by the Mayor and City Council as follows:

209 Theodore Rice Boulevard (#0677)
Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval May 01, 2017.
Approved May 05, 2017.

APPLICATION, **EVERSOURCE**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on April 24, 2017, subject to ratification by the Mayor and City Council as follows:

Lot 4 Maddie Drive (#0678)
Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval May 01, 2017.
Approved May 05, 2017.

APPLICATIONS, **S&L Roll-Off Service**, for permission to maintain a STREET OBSTRUCTION, provisionally granted by the City Clerk on April 27, 2017, subject to ratification by the Mayor and City Council as follows:

3 Warwick Street (#0679)
3 Warwick Street (#0680)
Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval May 01, 2017.
Approved May 05, 2017.

IT WAS VOTED, on a motion made and duly seconded, Yeas 11, Nays 0, to waive Rule 42 in order to take up the late file items.

WRITTEN MOTION, Councillor Rebeiro, Council President Lopes and Councillors Winterson, Abreu, Carney, Coelho, Dunn, Martins, Gomes and Oliveira, requesting that the Committee on Internal Affairs meet with Attorney General Maura Healy and NOAA to discuss how current owners and mariners operating in New Bedford have the first right of refusal to acquire the licenses to be auctioned as result of the plea agreement in the case of The United States vs. Carlos Rafael, and that the sale come with the agreement of a partnership with the Economic Development Council, Workforce Investment Board and YouthBuild to develop apprenticeships and jobs to increase opportunity for women and minorities in New Bedford within this field; furthermore that Representatives from Economic Development Council, Workforce Investment Board, and YouthBuild along with Mariner Mr. Gus Santos and Harbor Development Commission Executive Director Edward Anthes-Washburn to be invited to said Committee meeting.

Rule 42 Waived – Yeas 11, Nays 0.
Referred to the Committee on Internal Affairs - Yeas 11, Nays 0. (#0681)

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

ATTEST:

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