



Council Meeting – Minutes

CITY COUNCIL CALENDAR

Chambers of the City Council Municipal Building

Thursday, December 08, 2016 – 7:02 p.m.

PRESENT: Council President Morad, Councillors Abreu, Bousquet, Carney, Coelho, Gomes, Lopes, Martins, Oliviera and Winterson.

LATE: Councillor Rebeiro 7:09 p.m.

ABSENT: No One

Council President Morad called the meeting to order and presided.

Prayer Led By: Reverend Leona Fisher, Pastor in the Name of Jesus Church.

Councilor Martins led the Assembly in the Pledge of Allegiance to the flag.

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$100,000.00 from AIRPORT FREE CASH, to AIRPORT STABILIZATION FUND.

Received and Placed on File. (#2203)

CITY OF NEW BEDFORD

IN CITY COUNCIL

DECEMBER 08, 2016

ORDERED, that the sum of **ONE HUNDRED THOUSAND DOLLARS (\$100,000.00)** now standing to the credit of the account from **AIRPORT FREE CASH** be and the same is hereby transferred and appropriated to as follows:

AIRPORT STABILIZATION FUND.....\$100,000.00

To be certified and approved by the Department Head.

Adopted – Yeas 9, Nays 1. (Councillor Rebeiro not present for vote.)

Presented to the Mayor for approval December 12, 2016.

Approved December 13, 2016. (#2204)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$150,000.00 from AIRPORT FREE CASH, to AIRPORT CAPITAL OUTLAY.

Received and Placed on File. (#2205)

CITY OF NEW BEDFORD

IN CITY COUNCIL

DECEMBER 08, 2016

ORDERED, that the sum of **ONE HUNDRED AND FIFTY THOUSAND DOLLARS (\$150,000.00)** now standing to the credit of the account from **AIRPORT FREE CASH** be and the same is hereby transferred and appropriated to as follows.

AIRPORT CAPITAL OUTLAY.....\$150,000.00

To be certified and approved by the Department Head.

Adopted – Yeas 9, Nays 1. (Councillor Martins OPPOSED; Councillor Rebeiro not present for vote.)

Presented to the Mayor for approval December 12, 2016.

Approved December 13, 2016. (#2206)

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.

Referred to the Committee on Finance. (#2207)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDINANCE, amending Chapter 19 PERSONNEL, Section 19-7 – Unit C Classification and Salary Plan.

Received and Placed on File. (#2208)

AN ORDINANCE,

Passed to a Second Reading – Yeas 9, Nays 1. (Council President Morad OPPOSED; Councillor Rebeiro not present for vote.) (#2209)

COMMUNICATION, Mayor Mitchell, to City Council, submitting a SEWER ABATEMENT REQUEST for STANLEY F. WEINER, 149 Townsend Street, New Bedford, MA 02746, Account No. 1029003 in the amount of \$40.32.

Abatement Granted.

Presented to the Mayor for approval December 12, 2016.

Approved December 13, 2016. (#2210)

COMMUNICATION, Mayor Mitchell, to City Council, submitting a SEWER ABATEMENT REQUEST for JOSEPH AMARAL, 33 Bullard Street, New Bedford, MA 02746, Account No. 1008492 in the amount of \$156.80.

Abatement Granted.

Presented to the Mayor for approval December 12, 2016.

Approved December 13, 2016.

(#2211)

COMMUNICATION, Mayor Mitchell, to City Council, requesting the APPOINTMENT of MICHAEL POITRAS, HEAD TREATMENT PLANT OPERATOR, DEPARTMENT OF PUBLIC INFRASTRUCTURE, that Mr. Poitras be appointed at GRADE M-7, Step 7, with a salary of \$59,441; also, respectfully requesting that a SIX-MONTH WAIVER OF RESIDENCY be granted in order to give Mr. Poitras time to relocate to New Bedford.

Pay grade approved and Six-Month Waiver of Residency granted – Yeas 11, Nays 0.

Presented to the Mayor for approval December 12, 2016.

Approved December 13, 2016.

(#2212)

COMMUNICATION, Mayor Mitchell, to City Council, requesting a ONE-YEAR WAIVER OF RESIDENCY for ASSOCIATE SOLICITOR, ATTORNEY JOHN E. FLOR, of South Easton, MA (Current Waiver Expires December 2016.)

One – Year Waiver of Residency Granted – Yeas 10, Nays 1. (Council President Morad OPPOSED.)

Presented to the Mayor for approval December 12, 2016.

Approved December 13, 2016.

(#2213)

COMMUNICATION, Mayor Mitchell, to City Council, requesting a ONE-YEAR WAIVER OF RESIDENCY for PERSONNEL DIRECTOR, SANDRA VEZINA, Acushnet, MA, (Current Waiver Expires December 21, 2016).

One – Year Waiver of Residency Granted – Yeas 11, Nays 0.

Presented to the Mayor for approval December 12, 2016.

Approved December 13, 2016.

(#2214)

COMMUNICATION, Mayor Mitchell, to City Council, requesting a ONE-YEAR WAIVER OF RESIDENCY for ELIZABETH TREADUP PIO, who moved to her husband's home in Acushnet following their marriage and has been employed in the Mayor's Office since 2006 and is a dedicated employee who serves as the City's PUBLIC INFORMATION OFFICER. (Current Waiver Expires January 2017.)

One – Year Waiver of Residency Granted – Yeas 11, Nays 0.

Presented to the Mayor for approval December 12, 2016.

Approved December 13, 2016.

(#2215)

COMMUNICATION, Mayor Mitchell, to City Council, requesting a ONE-YEAR WAIVER OF RESIDENCY for CHRISTOPHER G. GOMES, DIRECTOR OF THE DEPARTMENT OF VETERANS SERVICES; as of December 2016, Mr. Gomes will be residing in East Freetown, MA 02717, as the recipient of a newly constructed handicap accessible home through the Homes for Veterans Project.

One – Year Waiver of Residency Granted – Yeas 10, Nays 1.

Presented to the Mayor for approval December 12, 2016.

Approved December 13, 2016. (#2216)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the RE-APPOINTMENT of INEZ MELLO, New Bedford, MA, 02745, to the COUNCIL ON AGING; this term will expire in November 2019.

Rule 38 Waived and Reappointment Confirmed – Yeas 11, Nays 0. (#2217)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of RICHARD M. PIMENTAL, Acushnet, MA, 02743, as a SPECIAL POLICE OFFICER.

Received and Placed on File. (#2218)

APPLICATION, RICHARD M. PIMENTAL, Acushnet, MA 02743, for APPOINTMENT as a SPECIAL POLICE OFFICER.

Appointment made and confirmed. (#2219)

WRITTEN MOTION, Councillors, Abreu, Winterson, Lopes, Bousquet and Rebeiro, requesting, that the New Bedford City Council write a letter of interest to Urban Smart Growth, which is a property management company based in Santa Monica, California, they manage properties all over the Country and specialize in revitalizing large buildings, mill spaces and Churches for business and residential use, Urban Smart Growth is an innovative real estate development and management company committed to the principles of smart growth, their goals are to achieve a unique sense of community and expand the range of transportation, employment, and housing choices all while preserving and enhancing natural and cultural resources, the representatives of Urban Smart Growth have a diverse team of experts and experience acquired over the course of decades of work across the United States, which make them uniquely qualified to take on challenging projects and transform urban blight into a neighborhood asset that complements the City revitalization efforts, the New Bedford City Council is interested in an Urban Smart Growth economic development assessment of our City and its un and under-utilized mill and Church spaces: and further, how we can begin the process of discussing the next steps once an assessment is completed. (To be Referred to Lance Robbins, Principal and Manager of Urban Smart Growth, the New Bedford Economic Development Council and the Special Committee of Employment Opportunities.)

Referred to Lance Robbins, Principal and Manager of Urban Smart Growth, the New Bedford Economic Development Council and the Special committee of Employment Opportunities.

(#2220)

COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of **Yesenia Maldonado, d/b/a YESENIA TRANSPORTATION, 177 Grinnell Street, New Bedford, MA 02740**, hereby submitting a copy of the Application requesting a **RENEWAL** of a **PRIVATE LIVERY LICENSE**, under the provisions of Massachusetts General Laws, Chapter 159A, Section 1, and amendments thereto, and M.G.L. Chapter 270, Section 22 (Smoke Free Workplace Law) and all other laws applicable to such operation to carry passengers for hire over the streets of New Bedford. **(Current License expired September 10, 2016.)**

Livery License Renewal Granted.

Presented to the Mayor for approval December 12, 2016.

Approved December 13, 2016. (#2221)

PETITION/INDEMNITY AGREEMENT, Juan E. Rodriguez & Lourdes A. Rodriguez, 243 Maxfield Street, New Bedford, MA 02740, for Permission to Encroach on City Property for a Handicap Ramp (2 feet x 6 feet.) (Submitted by Councillor Rebeiro.)

Adopted.

Presented to the Mayor for approval December 12, 2016.

Approved December 13, 2016. (#2222)

CITY OF NEW BEDFORD
IN CITY COUNCIL
DECEMBER 08, 2016

ORDERED, that permission be granted to **JUAN E. RODRIQUEZ/LOURDES RODRIQUEZ, 243 Maxfield Street, New Bedford, MA 02740**, for permission to encroach on City Property for a Handicap Ramp (2 feet x 6 feet).

BE IT FURTHER ORDERED, that said permission is hereby granted subject to Petition/Indemnity Agreement of **JUAN E. RODRIQUEZ, 243 Maxfield Street, New Bedford, MA 02740**, to the City of New Bedford, approved by the City Council on December 08, 2016, a copy of which is attached hereto. (Submitted by Councillor Rebeiro.)

Adopted.

Presented to the Mayor for approval December 12, 2016.

Approved December 13, 2016. (#2223)

COMMUNICATION, Councillor Martins, submitting An Ordinance, **RELATIVE TO ENVIRONMENTAL JUSTICE**.

Received and Placed on File. (#2224)

AN ORDINANCE,

Passed, to a Second Reading – **FAILED** – Yeas 4, Nays 7. (Councillors Gomes, Martins, Rebeiro and Winterson **IN FAVOR**.) (#2225)

COMMUNICATION, Councillor Abreu, submitting a Disclosure of Appearance of Conflict of Interest as required by M.G.L. c.268A, §23(b)(3), in reference to the Tax Classification hearing and vote held on Monday, November 28, 2016. (To be Received and Placed on File.)

Received and Placed on File. (#2226)

COMMUNICATION, Joseph E. Connarton, Executive Director of the Commonwealth of Massachusetts Public Employee Retirement Administration Commission to the New Bedford Retirement Board notifying that \$32,069,145.00 is the required Fiscal Year 2018 Appropriation which commences July 1, 2017. (Copy all Councillors 11/21/2016.)

Received and Placed on File. (#2227)

CITATION, Councillor Lopes, honoring YOUTH OPPORTUNITIES UNLIMITED, in recognition of their name change and continued success in youth programming for many years to come.

Adopted, to be presented at a later date. (#2228)

WRITTEN MOTION, Councillor Martins and Council President Morad, requesting, on behalf of Elsie Rebello, homeowner, 78 Belleville Road, that the Traffic Commission install a "HANDICAP PARKING" space in front of said address. (Copy of Handicap Placard and letter from homeowner enclosed.) (To be Referred to the Traffic Commission.)

Referred to the Traffic Commission. (#2229)

PETITION/INDEMNITY AGREEMENT, ANNABELLE WILLIAMS d/b/a MASSAGE LOFT, for permission to Erect and Maintain a Projecting sign to overhang City Property by 2x3 feet at 46 Union Street, New Bedford, MA 02740, Provisionally Granted, subject to approval of the Building Commissioner and subject to ratification by Mayor and City Council.

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval December 12, 2016.
Approved December 13, 2016. (#2230)

MINUTES, Zoning Board of Appeals, submitting MINUTES of meetings held on August 25, September 1, October 13, October 20, and October 27, 2016.

Received and Placed on File. (#2231)

MINUTES, Licensing Board of Appeals, submitting MINUTES of meetings held on July 25, August 29, and September 26, 2016.

Received and Placed on File. (#2232)

MINUTES, Planning Board, submitting MINUTES of a meeting held on September 14, 2016.

Received and Placed on File. (#2233)

MINUTES, Board of Assessors, submitting MINUTES of a meeting held on November 10, 2016.

Received and Placed on File. (#2234)

MINUTES, Conservation Commission, submitting MINUTES of meetings held on August 2, August 16, and September 6, 2016.

Received and Placed on File. (#2235)

MINUTES, Water Board, submitting MINUTES of a meeting held on November 9, 2016.

Received and Placed on File. (#2236)

MINUTES, Bristol County PHEP Executive Board, submitting MINUTES of a meeting held on October 18, 2016.

Received and Placed on File. (#2237)

MINUTES, Bristol County PHEP Coalition, submitting MINUTES of a meeting held on November 15, 2016.

Received and Placed on File. (#2238)

MINUTES, Board of Assessors, submitting MINUTES of a meeting held on November 17, 2016.

Received and Placed on File. (#2239)

APPLICATION, **Joseph A. Pires Jr.**, for permission to maintain a STREET OBSTRUCTION at **641 County Street**, provisionally granted by the City Clerk on December 01, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval December 12, 2016.

Approved December 13, 2016. (#2240)

APPLICATION, **Morgado Company, Inc**, for permission to maintain a STREET OBSTRUCTION at **7 Heritage Court**, provisionally granted by the City Clerk on November 29, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval December 12, 2016.

Approved December 13, 2016. (#2241)

APPLICATION, **Morgado Company, Inc**, for permission to maintain a STREET OBSTRUCTION at **76 Liberty Street**, provisionally granted by the City Clerk on November 29, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval December 12, 2016.

Approved December 13, 2016.

(#2242)

APPLICATION, **Morgado Company, Inc**, for permission to maintain a STREET OBSTRUCTION at **25 Bellvue Street**, provisionally granted by the City Clerk on November 29, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval December 12, 2016.

Approved December 13, 2016.

(#2243)

APPLICATION, **Morgado Company, Inc**, for permission to maintain a STREET OBSTRUCTION at **255 River Road**, provisionally granted by the City Clerk on November 29, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval December 12, 2016.

Approved December 13, 2016.

(#2244)

APPLICATION, **Reis Asphalt, Inc**, for permission to maintain a STREET OBSTRUCTION at **35 ½ Acushnet Avenue**, provisionally granted by the City Clerk on December 01, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval December 12, 2016.

Approved December 13, 2016.

(#2245)

APPLICATION, **Ricon Construction**, for permission to maintain a STREET OBSTRUCTION at **33 Emery Street**, provisionally granted by the City Clerk on December 01, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval December 12, 2016.

Approved December 13, 2016.

(#2246)

APPLICATION, **JLC Construction**, for permission to maintain a STREET OBSTRUCTION at **345 Union Street**, provisionally granted by the City Clerk on December 02, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval December 12, 2016.

Approved December 13, 2016.

(#2247)

APPLICATION, **JLC Construction**, for permission to maintain a STREET OBSTRUCTION at **214 Glennon Street**, provisionally granted by the City Clerk on December 07, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval December 12, 2016.

Approved December 13, 2016. (#2248)

APPLICATION, **JLC Construction**, for permission to maintain a STREET OBSTRUCTION at **28 – 30 Branscomb Street**, provisionally granted by the City Clerk on December 07, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval December 12, 2016.

Approved December 13, 2016. (#2249)

APPLICATION, **R.J. Canessa Excavating**, for permission to maintain a STREET OBSTRUCTION at **120 Hawthorn Street**, provisionally granted by the City Clerk on December 07, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval December 12, 2016.

Approved December 13, 2016. (#2250)

APPLICATION, **W.C. Smith & Son**, for permission to maintain a STREET OBSTRUCTION at **14 Borden Street**, provisionally granted by the City Clerk on December 07, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval December 12, 2016.

Approved December 13, 2016. (#2251)

APPLICATION, **W.C. Smith & Son**, for permission to maintain a STREET OBSTRUCTION at **21 Page Street**, provisionally granted by the City Clerk on December 07, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval December 12, 2016.

Approved December 13, 2016. (#2252)

APPLICATION, **W.C. Smith & Son**, for permission to maintain a STREET OBSTRUCTION at **Liberty Street, Tremont Street, and Hillman Street – Westwood Housing**, provisionally granted by the City Clerk on December 07, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval December 12, 2016.

Approved December 13, 2016. (#2253)

APPLICATION, **Farland Corp. Inc.**, for permission to maintain a STREET OBSTRUCTION at **Airport Road - Map 123/Lot 3 Airport Hanger Project** , provisionally granted by the City Clerk on December 08, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval December 12, 2016.

Approved December 13, 2016. (#2254)

APPLICATION, **Morgado Company**, to DISTURB THE SURFACE, of **7 Heritage Court**, provisionally granted by the City Clerk on November 29, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval December 12, 2016.

Approved December 13, 2016. (#2255)

APPLICATION, **Morgado Company**, to DISTURB THE SURFACE, of **76 Liberty Street**, provisionally granted by the City Clerk on November 29, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval December 12, 2016.

Approved December 13, 2016. (#2256)

APPLICATION, **Morgado Company**, to DISTURB THE SURFACE, of **25 Bellvue Street**, provisionally granted by the City Clerk on November 29, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval December 12, 2016.

Approved December 13, 2016. (#2257)

APPLICATION, **Morgado Company**, to DISTURB THE SURFACE, of **255 River Road**, provisionally granted by the City Clerk on November 29, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval December 12, 2016.

Approved December 13, 2016. (#2258)

APPLICATION, **Reis Asphalt Inc.**, to DISTURB THE SURFACE, of **35 ½ Acushnet Avenue**, provisionally granted by the City Clerk on December 01, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval December 12, 2016.

Approved December 13, 2016.

(#2259)

APPLICATION, **Ricon Construction**, to DISTURB THE SURFACE, of **35 ½ Acushnet Avenue**, provisionally granted by the City Clerk on December 01, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval December 12, 2016.

Approved December 13, 2016.

(#2260)

APPLICATION, **JLC Construction**, to DISTURB THE SURFACE, of **345 Union Street**, provisionally granted by the City Clerk on December 02, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval December 12, 2016.

Approved December 13, 2016.

(#2261)

APPLICATION, **JLC Construction**, to DISTURB THE SURFACE, of **214 Glennon Street**, provisionally granted by the City Clerk on December 07, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval December 12, 2016.

Approved December 13, 2016.

(#2262)

APPLICATION, **JLC Construction**, to DISTURB THE SURFACE, of **28-30 Branscomb Street**, provisionally granted by the City Clerk on December 07, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval December 12, 2016.

Approved December 13, 2016.

(#2263)

APPLICATION, **R.J. Canessa Excavating Co.**, to DISTURB THE SURFACE, of **120 Hawthorne Street**, provisionally granted by the City Clerk on December 07, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval December 12, 2016.

Approved December 13, 2016.

(#2264)

APPLICATION, **W.C. Smith & Son**, to DISTURB THE SURFACE, of **14 Borden Street**, provisionally granted by the City Clerk on December 07, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval December 12, 2016.

Approved December 13, 2016.

(#2265)

APPLICATION, **W.C. Smith & Son**, to DISTURB THE SURFACE, of **21 Page Street**, provisionally granted by the City Clerk on December 07, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval December 12, 2016.

Approved December 13, 2016. (#2266)

APPLICATION, **W.C. Smith & Son**, to DISTURB THE SURFACE, of **Liberty Street, Tremont Street, and Hillman Street – Westwood Housing**, provisionally granted by the City Clerk on December 07, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval December 12, 2016.

Approved December 13, 2016. (#2267)

APPLICATION, **Farland Corp. Inc**, to DISTURB THE SURFACE, of **Airport Road Map 123/Lot 3 Airport Hangar Project**, provisionally granted by the City Clerk on December 08, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval December 12, 2016.

Approved December 13, 2016. (#2268)

APPLICATIONS, **Eversource Gas**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on November 28, 2016, subject to ratification by the Mayor and City Council as follows:

- Reynolds Street (#2269)
- 26 Brownell Avenue (#2270)
- 35 & 37 Bay Street (#2271)
- Lot 481 Beckett Street (#2272)
- 135 Ayer Street (#2273)
- South Street (#2274)
- Campbell Street (#2275)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval December 12, 2016.

Approved December 13, 2016.

APPLICATIONS, **Eversource Gas**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on November 29, 2016, subject to ratification by the Mayor and City Council as follows:

- 121 Durfee Street (#2276)
- 972 Kempton Street (#2277)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval December 12, 2016.

Approved December 13, 2016.

APPLICATIONS, **Eversource Gas**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on December 07, 2016, subject to ratification by the Mayor and City Council as follows:

106 Beetle Street	(#2278)
88 Hathaway Street	(#2279)
252 Chestnut Street	(#2280)
179 Tarkiln Hill Street	(#2281)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval December 12, 2016.

Approved December 13, 2016.

APPLICATIONS, **NSTAR Electric Company d/b/a Eversource Energy**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on March 22, 2015, subject to ratification by the Mayor and City Council as follows:

Union Street, East of Water Street

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval December 12, 2016.

Approved December 13, 2016. (#2282)

APPLICATIONS, **S & L Roll-Off Service**, for permission to maintain a STREET OBSTRUCTION, provisionally granted by the City Clerk on November 23, 2016, subject to ratification by the Mayor and City Council as follows:

791 Purchase Street	(#2283)
391 Whitlow Street	(#2284)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval December 12, 2016.

Approved December 13, 2016.

APPLICATIONS, **ABC Disposal Services**, for permission to maintain a STREET OBSTRUCTION, provisionally granted by the City Clerk on November 23, 2016, subject to ratification by the Mayor and City Council as follows:

172 Collette Street	(#2285)
402 Park Street	(#2286)
252 Field Street	(#2287)
45 Babbitt Street	(#2288)
303 Wood Street	(#2289)

28 Viall Street (#2290)

301 County Street (#2291)

644 Kempton Street (#2292)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval December 12, 2016.

Approved December 13, 2016.

APPLICATIONS, **Frade's Disposal Inc.**, for permission to maintain a STREET OBSTRUCTION, provisionally granted by the City Clerk on November 28, 2016, subject to ratification by the Mayor and City Council as follows:

184 Rockland Street

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval December 12, 2016.

Approved December 13, 2016. (#2293)

APPLICATIONS, **S & L Roll-Off Service**, for permission to maintain a STREET OBSTRUCTION, provisionally granted by the City Clerk on December 01, 2016, subject to ratification by the Mayor and City Council as follows:

791 Purchase Street

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval December 12, 2016.

Approved December 13, 2016. (#2294)

PETITION, NSTAR Electric Company d/b/a Eversource Energy for relocation of one (1) pole and one (1) to be removed in VAN BUREN STREET, Opposite Beacon Street.

Received and Placed on File. (#2295)

AN ORDER,

Adopted and ordered recorded in Book of Location Order Records.

Presented to the Mayor for approval December 12, 2016.

Approved December 13, 2016. (#2296)

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.

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER to provide for the payment of current expenses, and to balance the budget for the Fiscal Year beginning July 01, 2016, and ending June 30, 2017, at the approved FY 2017 tax rates, the sum of SEVEN HUNDRED THOUSAND DOLLARS (\$700,000.00) now standing to the credit of the account from FREE CASH be and is hereby assigned to the Fiscal Year 2017 General Fund budget, and that the portion raised by Ordinary Revenue and Municipal Receipts is hereby reduced by the same amount to ensure that the FY 2017 budget is funded as intended.

Rule 42 Waived – Yeas 11, Nays 0.

Received and Placed on File. (#2297)

CITY OF NEW BEDFORD
IN CITY COUNCIL
DECEMBER 08, 2016

ORDERED, that to provide for the payment of current expenses, and to balance the budget for the fiscal year beginning July 1, 2016 and ending June 30, 2017, at the approved FY2017 tax rates, the sum of SEVEN HUNDRED THOUSAND DOLLARS (\$700,000.00) now standing to the credit of the account from FREE CASH be and is hereby assigned to the Fiscal Year 2017 General Fund budget, and that the portion raised by Ordinary Revenue and Municipal Receipts is hereby reduced by the same amount.

Rule 42 waived – Yeas 11, Nays 0.

Adopted – Yeas 11, Nays 0.

Rule 40 Waived – Yeas 9, Nays 2. (Councillors Martins, and Morad OPPOSED.)

Presented to the Mayor for approval December 09, 2016.

Approved December 9, 2016. (#2298)

WRITTEN MOTION, Councillor Rebeiro, requesting, that DPI Commissioner Zeb Arruda, add another light to the existing pole located Russell Street and Acushnet Avenue, to brighten the area and assist the efforts for greater public safety.

Referred to the Department of Public Infrastructure. (#2299)

COMMUNICATION/DEMOLITION, New Bedford Historical Commission, to City Council, re: 1494 East Rodney French Boulevard, (Map 12, Lot 77), circa 1890 wood framed structure; the structure retains historical significance due to its association with New Bedford's 20th century boat building industry and the widely recognized innovative boat design and manufacturing techniques attributed to Palmer Scott; the structure has been vacant for nearly a decade, has experienced a high level of deferred maintenance, and the level of rehabilitation required to meet current building code standards far exceeds the value of the property; and therefore, in light of these findings, the New Bedford Historical Commission has determined that the structure at 1494 East Rodney French Boulevard is Historically Significant, but is not a Preferably Preserved Structure.

Referred to the Committee on Appointments and Briefings – Yeas 11, Nays 0. (#2300)

PETITION, NSTAR Electric Company d/b/a Eversource Energy for location of two (2) 45"x45"x36" Handholes in BROWNELL STREET, South of Union Street.

RECEIVED AND HEARING ORDERED FOR JANUARY 12, 2017.

On a motion, the Council then adjourned at 7:31 p.m.

ATTEST:

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