



Council Meeting – **Minutes**

CITY COUNCIL CALENDAR

Chambers of the City Council Municipal Building

Thursday, June 23, 2016 – 7:04 p.m.

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

LATE: Councillor Carney 7:16 p.m., Councillor Lopes 7:16 p.m.

ABSENT: No One

Council President Morad called the meeting to order and presided.

Prayer Led By: Reverend Debra Lee

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

A HEARING, on CELLCO PARTNERSHIP d/b/a VERIZON WIRELESS, for location of a CLOUD RADIO ACCESS NETWORK for wireless communications on a right of way, adjacent to 1389 Phillips Road.

Hearing Held.

Petition Placed on File.

(#1088)

AN ORDER,

Adopted and ordered recorded in Book of Location Order Records.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016.

(#1089)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, requesting that the City of New Bedford acquire, by eminent domain three permanent easements across City-owned property located on the south side of Coggeshall Street, for the alteration and improvement of Coggeshall Street.

Received and Placed on File.

(#1090)

CITY OF NEW BEDFORD

IN CITY COUNCIL

JUNE 23, 2016

ORDERED that, in pursuant to M.G.L. c 79 § 7A, the City of New Bedford hereby waives its rights to any damages the City must be entitled to respect to easements, to be acquired by the City of New Bedford, for the purpose of

altering and improving Coggeshall Street and for all other uses incidental to said municipal purposes. The proposed easements are shown as Permanent Easement E-001 and Permanent Easement E-002 on a plan entitled "Massachusetts Department of Transportation Highway Division Plan and Profile of Coggeshall Street Improvements in the City of New Bedford, Bristol County, Federal Aid Project No." prepared by CDM Smith, dated May 2016, to be recorded herewith at the Bristol County Registry of Deeds – Southern District – New Bedford".

Adopted.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016. (1091)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, amending the schedule of rates and charges for wastewater service effective July 01, 2016.

Received and Placed on File. (1092)

CITY OF NEW BEDFORD

IN CITY COUNCIL

JUNE 23, 2016

ORDERED, that the schedule of rates and charges for wastewater service adopted by the City Council pursuant to section 16-94 the New Bedford Code of Ordinances on September 28, 2006 and amended on June 26, 2008, is hereby rescinded, effective fourteen (14) days from the adoption of the FY17 Wastewater budget by City Council; and

Ordered, that the charges for suspended solids and BOD's adopted by the City Council on June 28, 2008 pursuant to Section 16-91 of the New Bedford Code Ordinances, shall remain in effect; and

Further ordered that the following schedule of rates and charges for wastewater service is hereby established pursuant to Section 16-94 the New Bedford Code of Ordinances:

WASTEWATER COMMODITY RATE:

The wastewater commodity rate shall be indexed in perpetuity in accordance with the January Consumer Price Index for the Urban Consumers (CPI-U), to take effect fourteen (14) days from the adoption of the FY17 Wastewater budget by the City Council and on July 1 of each year thereafter.

The FY17 commodity rate effective fourteen (14) days from the adoption of the Wastewater budget - \$4.48

The FY18 Commodity rate effective July 1, 2017 - \$4.84

The FY 19 Commodity rate effective July 1, 2018 - \$5.23

WASTEWATER ANNUAL BASE CHARGE:

The annual base charge for the FY17, effective fourteen (14) days from the date of adoption of the Wastewater budget by the City Council, shall be as follows:

5/8" service size - \$75.69

3/4" service size - \$75.69

1" service size - \$75.69

1.5" service size - \$75.69
2" service size - \$75.69
3" service size \$249.48
4" service size - \$360.81
6" service size - \$671.78
8" service size - \$1,044.45
10" service size - \$1,478.61
12" service size - \$1,478.61

The annual base charge for FY18, effective July 1, 2017, shall be as follows:

5/8" service size - \$81.74
3/4" service size - \$81.74
1" service size - \$81.74
1.5" service size - \$81.74
2" service size - \$81.74
3" service size - \$269.44
4" service size - \$389.67
6" service size - \$725.59
8" service size - \$1,128.00
10" service size - \$1,596.89
12" service size - \$1,596.89

The annual base charge for FY19, effective July 1, 2018, shall be as follows:

5/8" service size - \$88.28
3/4" service size - \$88.28
1" service size – \$88.28
1.5" service size - \$88.28
2" service size - \$88.28
3" service size - \$290.99
4" service size - \$420.84
6" service size - \$783.64
8" service size - \$1,218.24
10" service size - \$1,724.65
12" service size - \$1,724.65

Adopted – Yeas 6, Nays 3. (Councillor Martins, Council President Morad and Councillor Rebeiro OPPOSED;
Councillors Carney and Lopes not present for vote.)

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016.

(#1093)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, authorizing the acceptance of the Assignment of Leases and Subleases for the properties located at 286 and 300 Herman Melville Boulevard and that the Mayor is hereby authorized to execute, on behalf of the City of New Bedford, the Assignment of Leases and Subleases, the Settlement and Release Agreement, and Estoppel Certificates.

Received and Placed on File.

(#1094)

CITY OF NEW BEDFORD

IN CITY COUNCIL

JUNE 23, 2016

ORDERED, that the City Council hereby accepts the Assignment of Leases and Subleases for the properties located at 286 and 300 Herman Melville Boulevard and that the Mayor is hereby authorized to execute, on behalf of the City of New Bedford, the Assignment of Leases and Subleases, the Settlement and Release Agreement, and Estoppel Certificates, attached hereto.

Adopted.

Presented to the Mayor for approval June 27, 2016.

Approved June 28, 2016.

(#1095)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, that in accordance with Massachusetts General Law, Chapter 44, Section 53E1/2, the revolving fund under the control of the Inspectional Services Department known as the **VACANT BUILDING REVOLVING FUND**, whose purpose is to provide for the repair and maintenance of vacant buildings, survey expenses, tipping fees, demolition contractors, purchase materials and reimburse labor costs for emergency board-up of vacant buildings, salary expense for two full-time building inspectors, one full-time Administrative Coordinator, one full-time clerk (35 hours) and office supplies, whose revenues and amount limited to be spent estimated at **\$458, 280.00**, is hereby authorized for **FISCAL YEAR 2017**.

Received and Placed on File.

(#1096)

CITY OF NEW BEDFORD

IN CITY COUNCIL

JUNE 23, 2016

ORDERED, that in accordance with Massachusetts General Law, Chapter 44, Section 53E1/2, the revolving fund under the control of the Inspectional Services Department known as the **VACANT BUILDING REVOLVING FUND**, whose purpose is to provide for the repair and maintenance of vacant buildings, survey expenses, tipping fees, demolition contractors, purchase materials and reimburse labor costs for emergency board-up of vacant buildings, salary expense for two full-time building inspectors, one full-time Administrative Coordinator, one full-time clerk (35 hours) and office supplies, whose revenues and amount limited to be spent estimated at **\$458, 280.00**, is hereby authorized for **FISCAL YEAR 2017**.

Adopted.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016.

(#1097)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, that in accordance with Massachusetts General Law, Chapter 44, Section 53E1/2, the revolving fund under the control of the Purchasing Department known as the **PURCHASING REVOLVING FUND**, whose purpose is to provide office supplies, photocopy supplies, copier leases, etc., for City Departments, whose revenues and amount limited to be spent estimated at **\$200,000.00**, is hereby authorized for **FISCAL YEAR 2017**.

Received and Placed on File.

(#1098)

CITY OF NEW BEDFORD

IN CITY COUNCIL

JUNE 23, 2016

ORDERED, that in accordance with Massachusetts General Law, Chapter 44, Section 53E1/2, the revolving fund under the control of the Purchasing Department known as the **PURCHASING REVOLVING FUND**, whose purpose is to provide office supplies, photocopy supplies, copier leases, etc., for City Departments, whose revenues and amount limited to be spent estimated at **\$200,000.00**, is hereby authorized for **FISCAL YEAR 2017**.

Adopted.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016.

(#1099)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, that in accordance with Massachusetts General Law, Chapter 44, Section 53E1/2, the revolving fund under the control of the Department of Facilities and Fleet Management, known as the **QUEST CENTER REVOLVING FUND**, whose purpose is to provide a focus on entrepreneurial training and location for business start-up activities focusing on marine/maritime technologies, life sciences and software development, is hereby authorized at **\$135,850.00**, for **FISCAL YEAR 2017**.

Received and Placed on File.

(#1100)

CITY OF NEW BEDFORD

IN CITY COUNCIL

JUNE 23, 2016

ORDERED, that in accordance with Massachusetts General Law, Chapter 44, Section 53E1/2, the revolving fund under the control of the Department of Facilities and Fleet Management, known as the **QUEST CENTER REVOLVING FUND**, whose purpose is to provide a focus on entrepreneurial training and location for business start-up activities focusing on marine/maritime technologies, life sciences and software development, is hereby authorized at **\$135,850.00**, for **FISCAL YEAR 2017**.

Adopted -= Yeas 9, Nays 2. (Councillor Martins and Council President Morad OPPOSED.)

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016. (1101)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, that in accordance with Massachusetts General Law, Chapter 44, Section 53E1/2, the revolving fund under the control of the Department of Public Infrastructure, known as the **NEW BEDFORD RAILYARD & RAIL CROSSING REVOLVING FUND**, whose purpose is to fund maintenance, operation and legal expenses associated with the New Bedford Railyard and Rail Crossing gates, whose revenues and amount limited to be spent are estimated at **\$74,757.00**, is hereby authorized for **FISCAL YEAR 2017**.

Received and Placed on File. (1102)

CITY OF NEW BEDFORD

IN CITY COUNCIL

JUNE 23, 2016

ORDERED, that in accordance with Massachusetts General Law, Chapter 44, Section 53E1/2, the revolving fund under the control of the Department of Public Infrastructure, known as the **NEW BEDFORD RAILYARD & RAIL CROSSING REVOLVING FUND**, whose purpose is to fund maintenance, operation and legal expenses associated with the New Bedford Railyard and Rail Crossing gates, whose revenues and amount limited to be spent are estimated at **\$74,757.00**, is hereby authorized for **FISCAL YEAR 2017**.

Adopted.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016. (1103)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, that in accordance with Massachusetts General Law, Chapter 44, Section 53E1/2, the revolving fund under the control of the Recreation and Parks Department, known as the **SUPPORTIVE RECREATION REVOLVING FUND**, whose purpose is to cover program instructors and supplies for programs, whose revenues and amount limited to be spent estimated at **\$64,000.00**, is hereby authorized for **FISCAL YEAR 2017**.

Received and Placed on File. (1104)

CITY OF NEW BEDFORD

IN CITY COUNCIL

JUNE 23, 2016

ORDERED, that in accordance with Massachusetts General Law, Chapter 44, Section 53E1/2, the revolving fund under the control of the Recreation and Parks Department, known as the **SUPPORTIVE RECREATION REVOLVING FUND**, whose purpose is to cover program instructors and supplies for programs, whose revenues and amount limited to be spent estimated at \$64,000.00, is hereby authorized for **FISCAL YEAR 2017**.

Adopted.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016.

(#1105)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, that in accordance with Massachusetts General Law, Chapter 44, Section 53E1/2, the revolving fund known as the **TANGIBLE SUPPLY DISPOSITION REVOLVING FUND**, whose purpose is to fund replacement equipment and vehicles utilizing proceeds from the disposition of tangible supply in accordance with Massachusetts General Law, Chapter 30B, Section 15, and whose revenues and amount limited to be spent estimated at \$42,952.00 (\$21,190 – School Department; \$21,762 – DFFM) is hereby authorized for **FISCAL YEAR 2017**.

Received and Placed on File.

(#1106)

CITY OF NEW BEDFORD

IN CITY COUNCIL

JUNE 23, 2016

ORDERED, that in accordance with Massachusetts General Law, Chapter 44, Section 53E1/2, the revolving fund known as the **TANGIBLE SUPPLY DISPOSITION REVOLVING FUND**, whose purpose is to fund replacement equipment and vehicles utilizing proceeds from the disposition of tangible supply in accordance with Massachusetts General Law, Chapter 30B, Section 15, and whose revenues and amount limited to be spent estimated at \$42,952.00 (\$21,190 – School Department; \$21,762 – DFFM) is hereby authorized for **FISCAL YEAR 2017**.

Adopted.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016.

(#1107)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, that in accordance with Massachusetts General Law, Chapter 44, Section 53E1/2, the revolving fund under the control of the Planning and Community Development Department, known as the **ZONING BOARD OF APPEALS REVOLVING FUND**, whose purpose is to provide supplies, postage, equipment and advertising costs, contract for technical and administrative support for the ZBA, zoning studies and stipends for ZBA members, whose revenues and amount limited to be spent estimated at \$30,000.00, is hereby authorized for **FISCAL YEAR 2017**.

Received and Placed on File.

(#1108)

CITY OF NEW BEDFORD

IN CITY COUNCIL

JUNE 23, 2016

ORDERED, that in accordance with Massachusetts General Law, Chapter 44, Section 53E1/2, the revolving fund under the control of the Planning and Community Development Department, known as the **ZONING BOARD OF APPEALS REVOLVING FUND**, whose purpose is to provide supplies, postage, equipment and advertising costs, contract for technical and administrative support for the ZBA, zoning studies and stipends for ZBA members, whose revenues and amount limited to be spent estimated at **\$30,000.00**, is hereby authorized for **FISCAL YEAR 2017**.

Adopted.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016.

(#1109)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, that in accordance with Massachusetts General Law, Chapter 44, Section 53E1/2, the revolving fund under the control of the Tourism Department, known as the **TOURISM REVOLVING FUND**, whose purpose is to collect sponsorship funds associated with City events, co-op advertising expenses, fees related to film permitting, donations for the partner banner program and brochure advertising fees, and whose revenues and amount limited to be spent estimated at **\$20,000.00**, is hereby authorized for **FISCAL YEAR 2017**.

Received and Placed on File.

(#1110)

CITY OF NEW BEDFORD

IN CITY COUNCIL

JUNE 23, 2016

ORDERED, that in accordance with Massachusetts General Law, Chapter 44, Section 53E1/2, the revolving fund under the control of the Tourism Department, known as the **TOURISM REVOLVING FUND**, whose purpose is to collect sponsorship funds associated with City events, co-op advertising expenses, fees related to film permitting, donations for the partner banner program and brochure advertising fees, and whose revenues and amount limited to be spent estimated at **\$20,000.00**, is hereby authorized for **FISCAL YEAR 2017**.

Adopted.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016.

(#1111)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, that in accordance with Massachusetts General Law, Chapter 44, Section 53E1/2, the revolving fund under the control of the Purchasing Department, known as the **SOUTHEASTERN REGIONAL POLICE REVOLVING FUND**, whose purpose is to

support Police communications networking for surrounding Cities and Towns, whose revenues and amount limited to be spent estimated at **\$17,000.00**, is hereby authorized for **FISCAL YEAR 2017**.

Received and Placed on File.

(#1112)

CITY OF NEW BEDFORD

IN CITY COUNCIL

JUNE 23, 2016

ORDERED, that in accordance with Massachusetts General Law, Chapter 44, Section 53E1/2, the revolving fund under the control of the Purchasing Department, known as the **SOUTHEASTERN REGIONAL POLICE REVOLVING FUND**, whose purpose is to support Police communications networking for surrounding Cities and Towns, whose revenues and amount limited to be spent estimated at **\$17,000.00**, is hereby authorized for **FISCAL YEAR 2017**.

Adopted.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016.

(#1113)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, that in accordance with Massachusetts General Law, Chapter 44, Section 53E1/2, the revolving fund under the control of the Library Department, known as the **LIBRARY EQUIPMENT REVOLVING FUND**, whose purpose is to provide and maintain photocopying and printing equipment at the Main Library and the four branches, whose revenues and amount limited to be spent estimated at **\$10,000.00**, is hereby authorized for **FISCAL YEAR 2017**.

Received and Placed on File.

(#1114)

CITY OF NEW BEDFORD

IN CITY COUNCIL

JUNE 23, 2016

ORDERED, that in accordance with Massachusetts General Law, Chapter 44, Section 53E1/2, the revolving fund under the control of the Library Department, known as the **LIBRARY EQUIPMENT REVOLVING FUND**, whose purpose is to provide and maintain photocopying and printing equipment at the Main Library and the four branches, whose revenues and amount limited to be spent estimated at **\$10,000.00**, is hereby authorized for **FISCAL YEAR 2017**.

Adopted.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016.

(#1115)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, that in accordance with Massachusetts General Law, Chapter 44, Section 53E1/2, the revolving fund under the control of the Department of Public Infrastructure, known as the **NEW BEDFORD ENERGY NOW REVOLVING FUND**, whose purpose is to fund

incidental costs of the NBEN Program as well as program development, whose revenues and amount limited to be spent estimated at \$5,263.00, is hereby authorized for **FISCAL YEAR 2017**.

Received and Placed on File.

(#1116)

CITY OF NEW BEDFORD

IN CITY COUNCIL

JUNE 23, 2016

ORDERED, that in accordance with Massachusetts General Law, Chapter 44, Section 53E1/2, the revolving fund under the control of the Department of Public Infrastructure, known as the **NEW BEDFORD ENERGY NOW REVOLVING FUND**, whose purpose is to fund incidental costs of the NBEN Program as well as program development, whose revenues and amount limited to be spent estimated at \$5,263.00, is hereby authorized for **FISCAL YEAR 2017**.

Adopted.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016.

(#1117)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, that in accordance with Massachusetts General Law, Chapter 44, Section 53E1/2, the revolving fund under the control of the School Department, known as the **FOOD SERVICE CONCESSION REVOLVING FUND**, whose purpose is to provide concession services during football games at the Paul Walsh Field, whose revenues and amount limited to be spent estimated at \$4,855.00, is hereby authorized for **FISCAL YEAR 2017**.

Received and Placed on File.

(#1118)

CITY OF NEW BEDFORD

IN CITY COUNCIL

JUNE 23, 2016

ORDERED, that in accordance with Massachusetts General Law, Chapter 44, Section 53E1/2, the revolving fund under the control of the School Department, known as the **FOOD SERVICE CONCESSION REVOLVING FUND**, whose purpose is to provide concession services during football games at the Paul Walsh Field, whose revenues and amount limited to be spent estimated at \$4,855.00, is hereby authorized for **FISCAL YEAR 2017**.

Adopted.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016.

(#1119)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, that in accordance with Massachusetts General Law, Chapter 44, Section 53E1/2, the revolving fund under the control of the Clerk of Committees Department, known as the **COUNCIL SPECIAL PERMIT REVOLVING FUND**, whose purpose is to cover the cost associated with processing/reviewing and granting applications for Special Permit Hearings, whose revenues and amount limited to be spent estimated at \$5,000.00, is hereby authorized for **FISCAL YEAR 2017**.

CITY OF NEW BEDFORD
IN CITY COUNCIL
JUNE 23, 2016

ORDERED, that in accordance with Massachusetts General Law, Chapter 44, Section 53E1/2, the revolving fund under the control of the Clerk of Committees Department, known as the **COUNCIL SPECIAL PERMIT REVOLVING FUND**, whose purpose is to cover the cost associated with processing/reviewing and granting applications for Special Permit Hearings, whose revenues and amount limited to be spent estimated at **\$5,000.00**, is hereby authorized for **FISCAL YEAR 2017**.

Adopted.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016.

(#1121)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, that in accordance with Massachusetts General Law, Chapter 44, Section 53E1/2, the revolving fund under the control of the Health Department, known as the **FINES/FORFEITURES REVOLVING FUND - HEALTH**, whose purpose is for the collection of health-related fines originally paid to the State but now paid to the City due to the establishment of this fund, whose revenues and amount limited to be spent estimated at **\$3,000.00**, is hereby authorized for **FISCAL YEAR 2017**.

Received and Placed on File.

(#1122)

CITY OF NEW BEDFORD
IN CITY COUNCIL
JUNE 23, 2016

ORDERED, that in accordance with Massachusetts General Law, Chapter 44, Section 53E1/2, the revolving fund under the control of the Health Department, known as the **FINES/FORFEITURES REVOLVING FUND - HEALTH**, whose purpose is for the collection of health-related fines originally paid to the State but now paid to the City due to the establishment of this fund, whose revenues and amount limited to be spent estimated at **\$3,000.00**, is hereby authorized for **FISCAL YEAR 2017**.

Adopted.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016.

(#1123)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, that in accordance with Massachusetts General Law, Chapter 44, Section 53E1/2, the revolving fund under the control of the Fire Department, known as the **COMMUNITY TRAINING FUND**, whose purpose is to provide digital and print media for training purposes and class advertisements, nonperishable training equipment and supplies, perishable training equipment, subscriptions, training DVD's, AHA student course manuals and completion cards, salary expenses, office supplies and

office equipment, whose revenues and amount limited to be spent estimated at **\$1,200.00**, is hereby authorized for **FISCAL YEAR 2017**.

Received and Placed on File.

(#1124)

CITY OF NEW BEDFORD
IN CITY COUNCIL
JUNE 23, 2016

ORDERED, that in accordance with Massachusetts General Law, Chapter 44, Section 53E1/2, the revolving fund under the control of the Fire Department, known as the **COMMUNITY TRAINING FUND**, whose purpose is to provide digital and print media for training purposes and class advertisements, nonperishable training equipment and supplies, perishable training equipment, subscriptions, training DVD's, AHA student course manuals and completion cards, salary expenses, office supplies and office equipment, whose revenues and amount limited to be spent estimated at **\$1,200.00**, is hereby authorized for **FISCAL YEAR 2017**.

Adopted.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016.

(#1125)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, that in accordance with Massachusetts General Law, Chapter 44, Section 53E1/2, the revolving fund under the control of the Community Services Department, known as the **SENIOR TRAVEL AGENCY REVOLVING FUND**, whose purpose is to support day trips for Seniors, including reservations/tickets/meals, Recreation Leader's salary, and program supplies, whose revenues and amount limited to be spent estimated at **\$113,000.00**, is hereby authorized for **FISCAL YEAR 2017**.

Received and Placed on File.

(#1126)

CITY OF NEW BEDFORD
IN CITY COUNCIL
JUNE 23, 2016

ORDERED, that in accordance with Massachusetts General Law, Chapter 44, Section 53E1/2, the revolving fund under the control of the Community Services Department, known as the **SENIOR TRAVEL AGENCY REVOLVING FUND**, whose purpose is to support day trips for Seniors, including reservations/tickets/meals, Recreation Leader's

salary, and program supplies, whose revenues and amount limited to be spent estimated at **\$113,000.00**, is hereby authorized for **FISCAL YEAR 2017**

Adopted.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016. (#1127)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, that in accordance with Massachusetts General Law, Chapter 44, Section 53E1/2, the revolving fund under the control of the Community Services Department, known as the **SENIOR TRANSPORTATION FUND**, whose purpose is to provide transportation for Seniors to grocery and other shopping, general trips, medical appointments, and in FY17, a 20% match for a new van, whose revenues collected and amount limited to be spent estimated at **\$25,000.00**, is hereby authorized for **FISCAL YEAR 2017**.

Received and Placed on File. (#1128)

CITY OF NEW BEDFORD
IN CITY COUNCIL
JUNE 23, 2016

ORDERED, that in accordance with Massachusetts General Law, Chapter 44, Section 53E1/2, the revolving fund under the control of the Community Services Department, known as the **SENIOR TRANSPORTATION FUND**, whose purpose is to provide transportation for Seniors to grocery and other shopping, general trips, medical appointments, and in FY17, a 20% match for a new van, whose revenues collected and amount limited to be spent estimated at **\$25,000.00**, is hereby authorized for **FISCAL YEAR 2017**.

Adopted.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016. (#1129)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, that in accordance with Massachusetts General Law, Chapter 44, Section 53E1/2, the revolving fund under the control of the Community Services Department, known as the **SENIOR ACTIVITIES FUND**, whose purpose is to support social activities and entertainment at all Senior Centers, etc., whose revenues and amount limited to be spent estimated at **\$3,000.00**, is hereby authorized for **FISCAL YEAR 2017**.

Received and Placed on File. (#1130)

CITY OF NEW BEDFORD
IN CITY COUNCIL
JUNE 23, 2016

ORDERED, that in accordance with Massachusetts General Law, Chapter 44, Section 53E1/2, the revolving fund under the control of the Community Services Department, known as the **SENIOR ACTIVITIES FUND**, whose purpose

is to support social activities and entertainment at all Senior Centers, etc., whose revenues and amount limited to be spent estimated at \$3,000.00, is hereby authorized for **FISCAL YEAR 2017**.

Adopted.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016.

(#1131)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, that in accordance with Massachusetts General Law, Chapter 44, Section 53E1/2, the revolving fund under the control of the Community Services Department, known as the **ADULT SOCIAL DAY PROGRAM REVOLVING FUND**, whose purpose is to support Adult Social Day Programming, including congregate lunches, morning and afternoon snacks, office supplies for program, contracted vendors who provide health, wellness and education activities, arts and craft supplies, educational material, printing/marketing supplies, furnishings and equipment, program related conferences and meetings, field trips and support staff salaries and wages, whose revenues and amount limited to be spent estimated at \$100,000.00, is hereby authorized for **FISCAL YEAR 2017**.

Referred to the Committee on Finance.

(#1132)

AN ORDER,

Referred to the Committee on Finance.

(#1133)

COMMUNICATION, Mayor Mitchell, to City Council, submitting FY2017 ORDER, for the TRANSFER of \$217,908.00 from SALE OF LOTS, to the DEPARTMENT OF PUBLIC INFRASTRUCTURE, CHARGES & SERVICES, in the amount of \$48,908.00, and the DEPARTMENT OF PUBLIC INFRASTRUCTURE, CAPITAL OUTLAY, in the amount of \$169,000.00.

Received and Placed on File.

(#1134)

CITY OF NEW BEDFORD

IN CITY COUNCIL

JUNE 23, 2016

ORDERED, that the sum of TWO HUNDRED SEVENTEEN THOUSAND, NINE HUNDRED AND EIGHT DOLLARS (\$217,908.00) now standing to the credit of the account from SALE OF LOTS be and the same hereby transferred and appropriated to as follows:

PUBLIC INFRASTRUCTURE CHARGES AND SERVICES (FY17).....	\$48,908.00
PUBLIC INFRASTRUCTURE CAPITAL OUTLAY (FY17).....	\$169,000.00

To be certified and approved by the Department Head.

Adopted – All Ayes.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016. (#1135)

COMMUNICATION, Mayor Mitchell, to City Council, submitting a SEWER ABATEMENT REQUEST for CARLOS SILVA, 76 Dudley Street, New Bedford, MA 02744, Account No.1019391, in the amount of \$1,249.15.

Abatement Granted.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016. (#1136)

COMMUNICATION, Mayor Mitchell, to City Council, submitting a SEWER ABATEMENT REQUEST for KATHERINE MONIZ, 171 Frederick Street, New Bedford, MA 02744, Account No.1014493, in the amount of \$581.00.

Abatement Granted.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016. (#1137)

COMMUNICATION, Mayor Mitchell, to City Council, submitting a SEWER ABATEMENT REQUEST for CHRISTOPHER GOURDIN, 24 Peckham Street, New Bedford, MA 02746, Account No.1008761, in the amount of \$178.45.00.

Abatement Granted.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016. (#1138)

COMMUNICATION, Mayor Mitchell, to City Council, submitting a SEWER ABATEMENT REQUEST for BRENDA L. GOMES, 865 Ashley Boulevard, New Bedford, MA 02745, Account No.1021964, in the amount of \$87.15.

Abatement Granted.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016. (#1139)

COMMUNICATION, Mayor Mitchell, to City Council, submitting a ONE YEAR WAIVER OF RESIDENCY for KATHLEEN VERNON, Barrington, RI as Howland Green Library Branch Manager; current Waiver expires June 2016.

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

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016.

(#1140)

COMMUNICATION, Mayor Mitchell, to City Council, submitting a ONE YEAR WAIVER OF RESIDENCY for Board of Health Member, DR. CRAIG LONGO, Dartmouth, MA; this Waiver will be in effect until June 2017.

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

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016.

(#1141)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of LAWRENCE D. WORDEN, New Bedford, MA, 02745, as a Member of the Greater New Bedford Regional Refuse Management District; this Term will expire in June 2019.

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

(#1142)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of PETER M. SULLIVAN, New Bedford, MA, 02740, as a CONSTABLE.

Received and Placed on File.

(#1143)

APPLICATION, PETER M. SULLIVAN, New Bedford, MA 02740, for REAPPOINTMENT as a CONSTABLE.

Confirmed.

(#1144)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of JESSICA LYNN RODERICK, New Bedford, MA, 02746, as a CONSTABLE.

Received and Placed on File.

(#1145)

APPLICATION, JESSICA LYNN RODERICK, New Bedford, MA 0276, for REAPPOINTMENT as a CONSTABLE.

Confirmed.

(#1146)

REPORT, Committee on Appointments and Briefings, recommending to the City Council APPROVAL of the APPLICATION on behalf of ***Daniel Xavier, d/b/a MCKENZIE'S BUS CO., 183 Campbell Street, New Bedford, MA 02740***, for a ***RENEWAL*** of a ***Private Livery License***, under the provisions of M.G.L. 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.

Recommendation Followed.

(#1147)

COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of **Daniel Xavier, d/b/a MCKENZIE'S BUS CO., 183 Campbell Street, New Bedford, MA 02740**, hereby submit a copy of the Application requesting a **RENEWAL** of a **Private Livery License**, under the provisions of M.G.L. 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 expires June 25, 2016.** (Referred to the Committee on Appointments and Briefings 05/12/2016.)

Referred to the Committee on Appointments and Briefings – May 12, 2016.

Livery License Renewal Granted.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016. (#0792)

REPORT, Committee on Appointments and Briefings, recommending that the City Council GRANT PERMISSION for the Demolition of 241-243 MILL STREET, Map 57, Lot 142 as the New Bedford Historical Commission has determined that the structure is NOT a historically significant building or structure and not Preferably Preserved.

Recommendation Followed. (#1148)

COMMUNICATION/DEMOLITION, New Bedford Historical Commission, to City Council, re: BUILDING DEMOLITION REVIEW OF 241-243 MILL STREET, (MAP 57, LOT 142) Circa 1895 one story, wood framed, barn structure – advising that “the structure is not located in a National Register Historic District; the structure is of no notable historic significance either recorded or found with the existing condition of the structure; the structure is in poor condition due to extensive deferred maintenance, and the restoration or preservation efforts would be impractical due to the existing condition of the structure, “the New Bedford Historical Commission has determined that the structure at 241-243 Mill Street is NOT a Historically Significant building or structure and not Preferably Preserved.” (Referred to the Committee on Appointments and Briefings 04/28/2016.)

Rule 42 Waived – Yeas 11, Nays 0.

Referred to the Committee on Appointments and Briefings - April 28, 2016.

Demolition Granted.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016. (#0661)

REPORT, Committee on Appointments and Briefings, recommending to the City Council APPROVAL of the APPOINTMENT of TIM WALSH, New Bedford, MA as the New Bedford Housing Authority representative to the COMMUNITY PRESERVATION COMMITTEE; this term will expire April 2018.

Recommendation Followed and Appointment Confirmed. (#1149)

REPORT, Committee on Appointments and Briefings, recommending to the City Council APPROVAL of a SIX-MONTH WAIVER OF RESIDENCY for KYLE COFFEY, of Swansea, MA, for the Department of Public Infrastructure position of Water Treatment Plant Operator.

Recommendation Followed and Six-Month Waiver of Residency Granted – Yeas 10, Nays 0. (Councillor Winterson not present for vote.)

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016. (#1150)

REPORT, Committee on Ordinances, recommending to the City Council ADOPTION of the HOME RULE PETITION, as AMENDED, to establish an Arts, Culture and Tourism Promotion Fund for the City of New Bedford from a portion of the proceeds of the City's hotel and lodging tax.

Recommendation Followed. (#1151)

HOME RULE PETITION, as Amended.

Referred to the Committee on Ordinances – May 12, 2016.

Adopted as Amended – Yeas 8, Nays 2. (Councillors Bousquet and Carney OPPOSED.)

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016. (#0757)

REPORT, Committee on Ordinances, recommending to the City Council ADOPTION, as AMENDED, of the ORDINANCE, amending Chapter 10 Finance; Taxation; Property, Article III regarding demand fees for tax bills.

Recommendation Followed. (#1152)

AN ORDINANCE,

Passed, to a Second Reading and Referred to the Committee on Ordinances in its Second Reading Stage - April 14, 2016.

Passed, to be Ordained as Amended – Yeas 11, Nays 0.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016. (#0507)

REPORT, Committee on Ordinances, recommending to refer the Human Relation Commission's Letter to Attorney Gerwatowski for drafting the amendments and submitting the amended Ordinance, Chapter 2, Article IX – Human Relations Commission, Section 2-131 to the City Council for APPROVAL and to be Passed to a Second Reading.

Recommendation Followed.

(#1153)

AN ORDINANCE,

Passed to a Second Reading – June 23, 2016.

Passed, to be Ordained – Yeas 10, Nays 0.

Presented to the Mayor for approval June 25, 2016.

Approved August 01, 2016.

(#1154)

REPORT, Committee on Ordinances, recommending to the City Council that the Committee on Ordinances, is in support of the Board of Health's Draft Regulations for Synthetic Drugs.

Recommendation Followed.

(#1155)

AN ORDINANCE, amending Chapter 19, Article V DIVISION 4 EMERGENCY MEDICAL SERVICES.

Passed, to a Second Reading – May 26, 2016.

Passed, to be Ordained – Yeas 11, Nays 0.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016.

(#0855)

WRITTEN MOTION, Councillors Carney, Abreu, Gomes, Winterson, Coelho, Bousquet, Rebeiro and Oliveira, requesting, that the City Council send a letter to Governor Baker, along with our State and Federal Delegations in opposition of our boat owners paying \$700.00 a day for the at-sea fishing monitor, which was previously paid by NOAA, said new fee was put into place on March 01, 2016, by the United States Department of Commerce, this will have a devastating effect on New Bedford's fishing industry, which is a major part of the economy in New Bedford and all of New England.

Rule 17 Waived – Yeas 11, Nays 0.

Adopted.

(#1156)

WRITTEN MOTION, Council President Morad, submitting AN ORDER, updating the Official Rules of the City Council Chamber.

Adopted.

(#1157)

CITY OF NEW BEDFORD

IN CITY COUNCIL

JUNE 23, 2016

ORDERED, that the following rules be enforced by the City Council President and Committee Chairpersons as the official rules of the City Council Chamber; and further ordered that the rules be posted at the second and third floors entrance of the City Council Chamber:

The City Council President, or presiding Chairperson, shall have complete authority to set and enforce the rules that follow and any other such rules that he/she deems appropriate in order to preserve decorum in the Council Chamber.

- 1. All visitors must turn cell phone and pager volume OFF upon entry.**
- 2. No hats are allowed to be worn inside the Chamber.**
- 3. Media and visitors are asked to not converse with Councillors while in Session.**
- 4. While in Session, visitors shall not openly address the Members, the Chair or other visitors, unless specifically asked to do so by the Presiding Officer.**
- 5. Visitors must not disrupt the proceedings in any manner.**
- 6. All visitors must remain in the seating area along the east, west and south walls of the Chamber.**
- 7. The Chamber Balcony is restricted, unless otherwise specified by the President or Committee Chair.**
- 8. Visitors are not allowed to bring food or drinks into the Chamber.**
- 9. No political buttons or paraphernalia shall be displayed in the Chamber.**
- 10. Failure to cooperate with any of these rules can result in removal from the Chamber.**

The City Council thanks you for your cooperation in helping to preserve decorum for an orderly legislative process.

Adopted.

(#1158)

WRITTEN MOTION, Councillor Lopes, requesting, that the Audit Committee meet after Free Cash has been certified and before the Tax Classification Hearing, with Mary Sahady from Hague, Sahady & Co., CFO Ari Sky, Treasurer Renee Fernandes and Administrative Assistant to the Assessors, Carlos Amado to discuss the FY2017 budget. (To be Referred to the Audit Committee.)

Referred to the Committee on Audit.

(#1159)

WRITTEN MOTION, Councillor Gomes, requesting, on behalf of the Cape Verdean Recognition Day Parade Committee, that the Department of Public Infrastructure clean the following streets and fill potholes on said streets prior to the July 02, 2016 Parade; Union Street, East to Acushnet Avenue, South to Grinnell Street, West to Purchase Street, North to School Street; and further; that any vacant lots along the route also be cleaned and any overgrown grass cut.

To be Referred to the Mayor's Office and the Department of Public Infrastructure.)

Presented to the Mayor for approval June 27, 2016.

RETURNED UNSIGNED July 15, 2016.

(#1160)

WRITTEN MOTION, Councillors Abreu, Winterson, Gomes, Lopes, Martins, Bousquet, Council President Morad and Councillor Coelho, requesting that Ms. Rina Cametti and Mr. Stephen Angelo, Owners of Beacon Compassion Center come before the Committee on Labor & Industry to discuss and present their medical marijuana dispensary proposal for the City of New Bedford. (To be Referred to the Committee on Labor & Industry.)

Referred to the Committee on Labor and Industry.

(#1161)

COMMUNICATION, Councillor Abreu, submitting the Beacon Compassion Center's Registered Marijuana Dispensary Proposal for the City of New Bedford. (To be Referred to the Committee on Labor & Industry; Copy all Councillors 06/20/2016.)

Referred to the Committee on Labor and Industry.

(#1162)

WRITTEN MOTION, Councillor Martins, requesting, that the City Council send a letter to our State Legislative Delegation, Senator Montigny and Mayor Mitchell, requesting letters of support on behalf of High Liner Foods, a New Bedford seafood processing plant on our Waterfront which is facing two hundred layoffs in September.

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

(#1163)

WRITTEN MOTION, Councillor Martins, requesting, on behalf of Mr. Pedro Fernandes, Lusitano Food Products LLC, that 127 Hathaway Street, Plot 103/Lot13, be REZONED from Mixed-Use Business to Residential "C".

Referred to the Committee on Ordinances and the Planning Board.

(#1164)

WRITTEN MOTION, Councillors Gomes and Lopes, requesting that the decision to prohibit the carrying of service weapons from all Shellfish Wardens Waterfront Patrols be reconsidered, that with proper training and licensing, that all Shellfish Wardens be allowed to carry a service weapon while on the job, which has been the policy for the last four years with no incidences, the Shellfish Warden's job requires them to be out in the Harbor alone patrolling at all hours of the day and night enforcing shellfish and fishing laws and dealing with all kinds of situations of enforcement, the times have changed along the Waterfront; and further requesting; that their right to carry service weapons be reinstalled immediately, to guarantee their safety and the safety of others.

Referred to the Mayor, Police Chief Cordeiro and the Committee on Public Safety and Neighborhoods.

Presented to the Mayor for approval June 27, 2016.

RETURNED UNSIGNED July 15, 2016.

(#1165)

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 action, this issue is becoming a safety, damage and environmental concern.(To be Referred to the Committee on Ordinances, Police Chief Cordeiro, Fire Chief Gomes, EMS Director McGraw, Department of Inspectional Services Director Romanowicz, and Health Department Director Weis.)

Referred to the Committee on Ordinances, Police Chief Cordeiro, Fire Chief Gomes, EMS Director McGraw, Department of Inspectional Services Director Romanowicz and the Health Department Director Weis.

Presented to the Mayor for approval June 27, 2016.

RETURNED UNSIGNED July 15, 2016. (#1166)

COMMUNICATION, Councillor Lopes and Councillor Gomes, submitting a petition signed from residents of Aquidneck, Teresa, Frieda and Margaret Streets requesting that Aquidneck Street, between East Rodney French Boulevard and Mina Street be switched back to a two-way street.

Referred to the Traffic Commission. (#1167)

COMMUNICATION, Dr. Pia Durkin, Superintendent of Schools, notifying that at a regular School Committee Meeting on June 13, 2016, the School Committee voted to accept the property designated "Proposed Lot A" as shown on a plan entitled "Paul Walsh Field, Hunter St. New Bedford, MA 02740" and which constitutes a portion of Assessor's Map 63, Lot 2, from the New Bedford City Council, effective September 6, 2016. (To be Received and Placed on File; Copy all Councillors via email 06/14/2016.)

Received and Placed on File. (#1168)

CITATIONS, Councillor Gomes, honoring the 2016 Cape Verdean Independence Day Recognition Award Recipients, DUANE DAROCK RAMOS, EDDIE JOHNSON, JOYCE RIBEIRO, ALFREDO "SONNY" SILVA, MARCUS WILLS, MARQUES HOUTMAN and MIKE MONTEIRO.

Adopted, to be presented at a later date. (#1169)

WRITTEN MOTION, Councillor Rebeiro, requesting, on behalf of The Union Lodge, that the following street(s) be CLOSED: CORNER OF COTTAGE STREET, from Mill Street to North Street, ON SATURDAY, JULY 09, 2016, FROM 7:00 A.M. TO 6:00 P.M, for the purpose of a Block Party/Health Show/Flea Market Event.

Permission Granted.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016. (#1170)

WRITTEN MOTION, Councillor Abreu, requesting, on behalf of The Whaling Museum, that the following street(s) be CLOSED: JOHNNY CAKE HILL, from William Street to Union Street, ON SATURDAY, AUGUST 06, 2016, FROM 8:00 A.M. TO 11:00 P.M, for the purpose of the Lagoda Centennial Gala/2016 Fundraiser.

Permission Granted.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016. (#1171)

WRITTEN MOTION, Councillor Rebeiro, requesting, on behalf of Dagny Ashley, Director, Department of Marketing and Tourism, that the following street(s) be CLOSED: LOWER UNION STREET, from Route 18 to Water Street, ON MONDAY, JULY 04, 2016, FROM 8:00 P.M. TO 10:00 P.M, for the purpose of an Independence Day Firework Display.

Permission Granted.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016. (#1172)

WRITTEN MOTION, Councillor Lopes, requesting, on behalf of Sun Mulitsports, that the following street(s) be CLOSED: Exiting Fort Taber at East Rodney French Boulevard, left onto Hudson Street, left onto Brock Avenue and an immediate right back to Hudson Street, then left onto Rodney French Boulevard, back to the Fort Taber entrance, then making a U-Turn onto the Bike Path, left to Fort Taber Park, and concluding back at the slip road to the Sewage Treatment Plant with all roads open to traffic in all directions as soon as the runners pass, ON SATURDAY, SEPTEMBER 03, 2016, FROM 6:00 P.M. TO 7:30 P.M., for the purpose of The Fort Taber 5K Run at Night.

Permission Granted.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016. (#1173)

WRITTEN MOTION, Councillor Rebeiro, requesting, on behalf of Ben Gilbarg, that the following street(s) be CLOSED: PURCHASE STREET, from William Street to Union Street, ON THURSDAY, JULY 28, 2016, FROM 3:45 P.M. TO 6:45 P.M, for the purpose of the “NEW BE, NEW ME” film shoot.

Permission Granted.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016. (#1174)

WRITTEN MOTION, Councillor Lopes, requesting, that the following street(s) be CLOSED: NINA STREET, from East Rodney French Boulevard to Seaview Terrace, to the West End of the intersection so traffic may not enter Seaview Terrace, ON MONDAY, JULY 04, 2016, FROM 10:00 A.M. TO 10:00 P.M., for the purpose of A Neighborhood Block Party.

Permission Granted.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016. (#1175)

WRITTEN MOTION, Councillor Rebeiro, requesting, on behalf of Joe Jesus, that the following street(s) be CLOSED: PURCHASE STREET, from Spring Street to School Street, ON FRIDAY, JULY 22, 2016, FROM 12:00 P.M. (NOON) TO 9:00 P.M, for the purpose of a Classic Car Display for the opening night of “Grease”.

Permission Granted.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016. (#1176)

WRITTEN MOTION, Councillor Lopes requesting on behalf of Ms. Cynthia M. Pacheco, homeowner, 98 Aquidneck Street, New Bedford, MA, that the Traffic Commission install a “HANDICAP PARKING” space in front of said address. (Copy of Handicap Placard Enclosed.) (To be referred to the Traffic Commission)

Referred to the Traffic Commission. (#1177)

COMMUNICATION/EMAIL, Councillor Bousquet, submitting an email from Dawn Blake Souza, Center for Alternative Medicine (CALM), in stating their support of Beacon Compassion Center and their application to open a medical marijuana dispensary in New Bedford.

Received and Placed on File. (#1178)

COMMUNICATION, Council President Morad, submitting a letter from Susan Richard, President of the Governing Board, Your Theatre, stating support for Mayor Mitchell’s Proposed Home Rule Petition to establish an Arts, Culture and Tourism Promotion Fund for the City of New Bedford.

Received and Placed on File. (#1179)

COMMUNICATION, Council President Morad, submitting a letter from Adrian R. Tio, Dean, UMASS Dartmouth, College of Visual and Performing Arts, writing in support of the Proposed Home Rule Petition to establish an Arts, Culture and Tourism Promotion Fund for New Bedford.

Received and Placed on File. (#1180)

COMMUNICATION, Council President Morad, submitting a letter from James L. O’Brien, Superintendent-Director, Greater New Bedford Regional Vocational Technical High School, thanking the City Council for the opportunity to appear before the Committee on Appointments and Briefings to discuss various issues at the school.

Received and Placed on File. (#1181)

PETITION/INDEMNITY AGREEMENT, HOWE ALLEN REALTY, for permission to Erect and Maintain a Non-Illuminated Projecting sign at 185 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 June 27, 2016.

Approved June 30, 2016. (#1182)

CONSTABLE BOND, NELSON N. OSTIGUY, New Bedford, MA 02745 in the amount of \$5,000.00 with the Western Surety Company.

Approved.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016. (#1183)

MINUTES, Planning Board, submitting MINUTES of meetings held on May 11 and May 26, 2016.

Received and Placed on File. (#1184)

MINUTES, Zoning Board of Appeals, submitting MINUTES of meetings held on February 18, April 14 and April 28, 2016.

Received and Placed on File. (#1185)

APPLICATION, **Able Asphalt, Inc.**, for permission to maintain a STREET OBSTRUCTION at **100 Bellvue Street**, provisionally granted by the City Clerk on June 09, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016. (#1186)

APPLICATION, **Able Asphalt, Inc.**, for permission to maintain a STREET OBSTRUCTION at **18 Bullock Street**, provisionally granted by the City Clerk on June 09, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016. (#1187)

APPLICATION, **Able Asphalt, Inc.**, for permission to maintain a STREET OBSTRUCTION at **932 Maplewood Street**, provisionally granted by the City Clerk on June 09, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016. (#1188)

APPLICATION, **Able Asphalt, Inc.**, for permission to maintain a STREET OBSTRUCTION at **75 Seabury Street**, provisionally granted by the City Clerk on June 09, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016. (#1189)

APPLICATION, **R.J. Canessa Excavating**, for permission to maintain a STREET OBSTRUCTION at **145 Wood Street**, provisionally granted by the City Clerk on June 13, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016. (#1190)

APPLICATION, **MHT Excavating**, for permission to maintain a STREET OBSTRUCTION at **Lot 473 Dana Street**, provisionally granted by the City Clerk on June 13, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016. (#1191)

APPLICATION, **R.J. Canessa Excavating**, for permission to maintain a STREET OBSTRUCTION at **64 Emma Street**, provisionally granted by the City Clerk on June 14, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016. (#1192)

APPLICATION, **R.J. Canessa Excavating**, for permission to maintain a STREET OBSTRUCTION at **33 Emery Street**, provisionally granted by the City Clerk on June 14, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016. (#1193)

APPLICATION, **Precision Valley Communications of Vermont**, for permission to maintain a STREET OBSTRUCTION at **2056 Acushnet Avenue**, provisionally granted by the City Clerk on June 15, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016. (#1194)

APPLICATION, **W. C. Smith & Son**, for permission to maintain a STREET OBSTRUCTION at **106 James Street**, provisionally granted by the City Clerk on June 16, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016. (#1195)

APPLICATION, **W. C. Smith & Son**, for permission to maintain a STREET OBSTRUCTION at **587 South Second Street**, provisionally granted by the City Clerk on June 16, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016. (1196)

APPLICATION, **Morgado company, Inc.**, for permission to maintain a STREET OBSTRUCTION at **New Plainville Road P125 – L146**, provisionally granted by the City Clerk on June 16, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016. (1197)

APPLICATION, **Christopher Mendoza**, for permission to maintain a STREET OBSTRUCTION at **156 Washington Street**, provisionally granted by the City Clerk on June 20, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016. (1198)

APPLICATION, **Able Asphalt, Inc.**, to DISTURB THE SURFACE, of **100 Bellvue Street**, provisionally granted by the City Clerk on June 09, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016. (1199)

APPLICATION, **Able Asphalt, Inc.**, to DISTURB THE SURFACE, of **18 Bullock Street**, provisionally granted by the City Clerk on June 09, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016. (1200)

APPLICATION, **Able Asphalt, Inc.**, to DISTURB THE SURFACE, of **932 Maplewood Street**, provisionally granted by the City Clerk on June 09, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016.

(#1201)

APPLICATION, **Able Asphalt, Inc.**, to DISTURB THE SURFACE, of **75 Seabury Street**, provisionally granted by the City Clerk on June 09, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016.

(#1202)

APPLICATION, **R. J. Canessa Excavating**, to DISTURB THE SURFACE, of **145 Wood Street**, provisionally granted by the City Clerk on June 13, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016.

(#1203)

APPLICATION, **MHT Excavating**, to DISTURB THE SURFACE, of **Lot 473 Dana Street**, provisionally granted by the City Clerk on June 13, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016.

(#1204)

APPLICATION, **R. J. Canessa Excavating**, to DISTURB THE SURFACE, of **64 Emma Street**, provisionally granted by the City Clerk on June 14, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016.

(#1205)

APPLICATION, **R. J. Canessa Excavating**, to DISTURB THE SURFACE, of **33 Emery Street**, provisionally granted by the City Clerk on June 14, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016.

(#1206)

APPLICATION, **Precision Valley Communications of Vermont**, to DISTURB THE SURFACE, of **2056 Acushnet Avenue**, provisionally granted by the City Clerk on June 15, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016.

(#1207)

APPLICATION, **W.C. Smith & Son**, to DISTURB THE SURFACE, of **106 James Street**, provisionally granted by the City Clerk on June 16, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016.

(#1208)

APPLICATION, **W.C. Smith & Son**, to DISTURB THE SURFACE, of **57 South Second Street**, provisionally granted by the City Clerk on June 16, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016.

(#1209)

APPLICATION, **Morgado company, Inc.**, to DISTURB THE SURFACE, of **New Plainville Road P125 – L146**, provisionally granted by the City Clerk on June 16, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016.

(#1210)

APPLICATION, **Christopher Mendoza**, to DISTURB THE SURFACE, of **156 Washington Street**, provisionally granted by the City Clerk on June 20, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016.

(#1211)

APPLICATIONS, **Eversource Gas**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on June 13, 2016, subject to ratification by the Mayor and City Council as follows:

188 Coffin Avenue (#1212)

Elm Street (#1213)

32 Clark Street (#1214)

Acushnet Avenue L279 (#1215)

6 Thompson Street (#1216)

76 Pontiac Street (#1217)

14 Willow Street (#1218)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016.

APPLICATIONS, **Eversource Gas**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on June 21, 2016, subject to ratification by the Mayor and City Council as follows:

#95 - #136 Ashley Boulevard	(#1219)
Washington Street	(#1220)
762 County Street	(#1221)
52 Kenney Street	(#1222)
772 County Street	(#1223)
49 Dewolf Street	(#1224)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016.

APPLICATIONS, **Eversource Gas**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on June 21, 2016, subject to ratification by the Mayor and City Council as follows:

261 Walnut Street	(#1225)
Walnut Street	(#1226)
Winsor Street	(#1227)
Hemlock Street	(#1228)
Briggs Street	(#1229)
Katherine Street	(#1230)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016.

APPLICATIONS, **NSTAR Electric Company d/b/a Eversource Energy**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on June 09, 2016, subject to ratification by the Mayor and City Council as follows:

Allen Street, West of County Street	(#1231)
Chestnut Street, North of Merrimac Street	(#1232)
West Clinton Street, West of James Street	(#1233)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016.

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, requesting a WAIVER OF RESIDENCY for LIFEGUARDS, FAITH RICHARD, of Acushnet, MA and CONNOR ROY of Acushnet, MA, for the Summer Season.

Rule 42 Waived – Yeas 11, Nays 0.

Residency Waivers Granted for the Summer Season – Yeas 11, Nays 0.

Presented to the Mayor for approval June 27, 2016.

Approved June 28, 2016. (#1234)

WRITTEN MOTION, Councillor Bousquet, requesting, on behalf of the residents of Shawmut Avenue near the Coggeshall Street intersection, that the Traffic Commission review the speed limit on this stretch of road, to consider the installation of a FOUR-WAY STOP SIGN, and whatever means necessary to slow the flow of traffic and make this roadway safer for the burgeoning population of young people who ride their bicycles, and use this wide thoroughfare for all means of intermodal transportation. (To be Referred to the Traffic Commission and the Police Department for additional traffic enforcement.)

Rule 42 Waived – Yeas 11, nays 0.

Referred to the Traffic Commission and the Police Department for additional traffic enforcement.

Presented to the Mayor for approval June 27, 2016.

RETURNED UNSIGNED July 15, 2016. (#1235)

REPORT, Committee on Finance, recommending to the City Council APPROVAL of the TIF application and Resolution approved by the Tax Increment Financing Board for a five (5) year STA Agreement for SERVPRO of Dartmouth/New Bedford, 1476 Purchase Street, New Bedford, MA 02740.

Rule 42 Waived – Yeas 11, Nays 0.

Recommendation Followed. (#1236)

CITY OF NEW BEDFORD

IN CITY COUNCIL

JUNE 23, 2016

Resolution Approving Certified Project Application and Special Tax Assessment Agreement with Glassman Services, Inc. dba Servpro and DGRE LLC

Whereas, Glassman Services, Inc. dba Servpro and DGRE LLC have applied for designation as a Certified Project under the Massachusetts Economic Development Incentive Program created by Chapter 23A of Massachusetts General Laws; within an Economic Opportunity Area ("EOA") within the New Bedford Economic

Target Area ("ETA") for a period of 5 years ending June 30, 2020 pursuant to the authority grandy by and meeting the requirements of 402 C.M.R. 2.10(3).

Whereas Glassman Services, Inc. dba Servpro and DGRE LLC meet the minimum standards and is consistent with the Economic Development Incentive Program and the local economic development goals and criteria established as part of the documents creating the Greater New Bedford Economic Target Areas shall be expected to benefit significantly from inclusion in said ETA:

Whereas, the proposed Certified Project is located at Parcel 72 134 on 1476 Purchase Street New Bedford, MA and shown on the City of New Bedford's real property assessment database on January 6, 2016;

Whereas, the project, together with all other projects previously certified and located in the same expansion project EOA will not overburden the City's infrastructure and utilities servicing he EOA;

Whereas, the City of New Bedford has agreed to offer Glassman Services, Inc. dba Servpro and DGRE LLC a Special Tax Assessment Agreement, for the project described in the application proposal that will have a reasonable chance of increasing employment opportunities for residents of the expansion project area, ETA. Said Agreement is hereby approved by the City Council and the STA Plan is incorporated by reference herein;

Whereas, Glassman Services, Inc. dba Servpro and DGRE LLC is going to invest at least \$612,000 in the acquisition of the facility, repairs, renovations, and other capital expenditures, and will retain 8 permanent full time jobs and create 5 new permanent full time jobs over a period of five years;

Now Therefore be it Resolved that the City Council of the City of New Bedford approves the Certified Project application of Glassman Services, Inc. dba Servpro and DGRE LLC and forward said application for certification to the Massachusetts Economic Assistance Coordinating Council for its approval and endorsement.

Further, the City Council of the City of New Bedford authorizes the Mayor to enter into a Special Tax Assessment Agreement between the City of New Bedford and Glassman Services, Inc. dba Servpro and DGRE LLC. Said Agreement will provide for an exemption on property taxes on the full assessed valuation of the property at 100% for year one, 75% for year two, 50 % for year three, 25% for year four, 0% for year five of a five-year Agreement according' tithe requirements and regulations established which govern the implementation of such Special Tax Assessment Agreements. The Agreement will be in effect as of FY2017 through Fy2021.

Referred to the Committee on Finance – May 26, 2016.

Adopted – Yeas 11, Nays 0.

Presented to the Mayor for approval June 27, 2016.

Approved June 30, 2016. (0879)

WRITTEN MOTION, Councillor Gomes and Councillor Carney requesting on behalf of the Cape Verdean Recognition Day Parade Committee, that the City waive all cleanup costs associated with the Recognition weekend, including the streets and parks being utilized for the Recognition weekend; and further, that the Committee on Appointments and Briefings meet with all organizations sponsoring events in the City to discuss this waiver fee that has been implemented and how this current fee may possibly cause upcoming events to be cancelled in the City.

Rule 42 Waived – Yeas 11, Nays 0.

Referred to the Mayor and the Committee on Appointments and Briefings.

Presented to the Mayor for approval June 27, 2016.

RETURNED UNSIGNED – July 15, 2016. (1237)

PETITION, NSTAR Electric Company d/b/a Eversource Energy for location of two (2) Poles in WINSTON STREET,
West of Fox Street.

RECEIVED AND HEARING ORDERED FOR THURSDAY, JULY 21, 2016.

On a motion, the Council then adjourned at 8:25pm.

ATTEST:

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

PETITION, NSTAR Electric Company d/b/a Eversource Energy for location of two (2) Poles in WINSTON
STREET, West of Fox Street.

RECEIVED AND HEARING ORDERED FOR THURSDAY, JULY 21, 2016.

On a motion, the Council then adjourned at 8:25pm.

ATTEST:

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