



Council Meeting – **Minutes**

CITY COUNCIL CALENDAR

Chambers of the City Council Municipal Building

Thursday, August 18, 2016 – 7:00 p.m.

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

LATE: Councillor Gomes 7:12 p.m., Councillor Rebeiro 7:15 p.m.

ABSENT: Councillor Carney and Councillor Oliveira

Council President Morad called the meeting to order and presided.

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

Prayer Led By: Reverend David Lima, New Seasons Worship Center/Inter-Church Council of Greater New Bedford.

A HEARING, on NSTAR Electric Company d/b/a Eversource Energy for location of one (1) 4” Conduit and One (1) 45” x 45” x 36” Handhole in MT. PLEASANT STREET, Opposite Whitelock Street.

Hearing Held.

Petition Placed on File. (#1396)

AN ORDER,

Adopted and ordered recorded in Book of Location Order Records.

Presented to the Mayor for approval August 22, 2016.

Approved August 30, 2016. (#1397)

A HEARING, on NSTAR Electric Company d/b/a Eversource Energy for location of One (1) 45”x45”x 36” Handhole in WILLIAM STREET, East of Acushnet Avenue.

Hearing Held.

Petition Placed on File. (#1398)

AN ORDER,

Adopted and ordered recorded in Book of Location Order Records.

Presented to the Mayor for approval August 22, 2016.

Approved August 30, 2016. (#1399)

A HEARING, on Gehring and Associates LLC on behalf of Verizon Wireless for the location of wireless communication equipment near 482 Liberty Street, on the east side of the road, south of Durfee Street.

Hearing Held.

Petition Placed on File. (#1400)

AN ORDER,

Adopted and ordered recorded in Book of Location Order Records.

Presented to the Mayor for approval August 22, 2016.

Approved August 30, 2016. (#1401)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, that the City of New Bedford acquire five (5) permanent easements, by eminent domain, across City-owned property located on both

sides of JFK Highway, to alter and improve JFK Highway from the intersection of Cove Street northerly to Walnut Street.

Received and Placed on File.

(#1402)

CITY OF NEW BEDFORD
IN CITY COUNCIL
AUGUST 18, 2016

ORDERED, that pursuant to M.G.L. c.79, § 7A, the City of New Bedford hereby waives the appraisal requirement and the right to any damages the City may be entitled to with respect to easements, to be acquired by the City of New Bedford, for the purpose of altering and improving JFK Highway and for all other uses incidental to said municipal purposes. The proposed easements are shown as Permanent Easements PE-01, PE-05, PE-06, PE-07, PE-10, on the attached plan entitled "PERMANENT EASEMENT PLAN OF LAND JFK HIGHWAY NEW BEDFORD, MA. BRISTOL COUNTY" prepared for the City of New Bedford by SMC surveying and Mapping Consultants, dated July 19, 2016, with a scale of 1"=20', to be recorded herewith at the Bristol County Registry County Registry of Deeds – Southern District - New Bedford.

Adopted – Yeas 9, Nays 0.

Rule 40 Waived – Yeas 9, Nays 0.

Presented to the Mayor for approval August 19, 2016.

Approved August 19, 2016.

(#1403)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, that the City enter into agreement for Out-of-Primary Long-Term Sludge Disposition with Synagro Northeast LLC to dispose of sludge from the City's Wastewater Treatment Plant.

Referred to the Committee on Finance.

(#1404)

AN ORDER,

Referred to the Committee on Finance.

(#1405)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, *amending* the order adopted by the City Council on June 23, 2016, and signed by the Mayor on June 30, 2016, which in accordance with Massachusetts General Law Chapter 44, Section 53E ½, authorized 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 (2) full-time building inspectors, one (1) full-time Administrative Coordinator, one (1) full-time clerk (35 hours) **and one part-time Associate Solicitor** and office supplies, whose revenues collected and amount limited at **\$458,280.00** is hereby authorized at **\$493,690.00** for **FISCAL YEAR 2017**.

Referred to the Committee on Finance.

(#1406)

AN ORDER,

Referred to the Committee on Finance.

(#1407)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER *amending* the order adopted by the City Council on June 23, 2016, and signed by the Mayor on June 30, 2016, which in accordance with Massachusetts General Law Chapter 44, Section 53E ½, authorized 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 collected and amount limited at **\$42,952.00** is hereby authorized at **\$62,952.00** (\$21,190.00 – School Department; \$21,762.00 – DFFM and \$20,000.00 – Fire Department) for **FISCAL YEAR 2017**.

Received and Placed on File.

(#1408)

CITY OF NEW BEDFORD
IN CITY COUNCIL
AUGUST 18, 2016

ORDERED , amending the order adopted by the City Council on June 23, 2016, and signed by the Mayor on June 30, 2016, and signed by the Mayor on June 30, 2016, which, in accordance with Massachusetts General Law Chapter 44, Section 53E1/2, authorized the revolving fund known as the **TANGIBLE SUPPLY DISPOSITION REVOLVING FUND** whose purposes 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 collected and amount limited at **\$42,952.00** is hereby authorized at \$62,952.00 (\$21,190 – School Department; \$21,762 – DFFM and \$20,000 – Fire Department) for **FISCAL YEAR 2017**.

Adopted.

Presented to the Mayor for approval August 22, 2016.

Approved August 30, 2016.

(#1409)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$8,000.00 from FIRE CODE ENFORCEMENT RESERVE FOR APPROPRIATION, to FIRE, CHARGES & SERVICES in the amount of \$5,500.00 and FIRE, SUPPLIES & MATERIALS in the amount of \$2,500.00.

Received and Placed on File.

(#1410)

CITY OF NEW BEDFORD
IN CITY COUNCIL
AUGUST 18, 2016

ORDERED, that the sum of **EIGHT THOUSAND DOLLARS (\$8,000.00)** now standing to the credit of the account from **FIRE CODE ENFORCEMENT RESERVE FOR APPROPRIATION** be and the same is hereby transferred and appropriated to as follows:

FIRE CHARGES AND SERVICES.....	\$5,500.00
FIRE SUPPLIES AND MATERIALS.....	\$2,500.00

To be certified and approved by the Department Head.

Adopted.

Presented to the Mayor for approval August 22, 2016.

Approved August 30, 2016.

(#1411)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of ROBERT W. EKSTROM, as CITY AUDITOR; and requesting, a 60-day Residency Waiver to allow him to complete the purchase of a residence in New Bedford.

0. Rule 38 Waived, Appointment Confirmed, 60 Day Waiver Granted and Rule 40 Waived – Yeas 9, Nays

Presented to the Mayor for approval August 19, 2016.

Approved August 19, 2016. (#1412)

COMMUNICATION, Mayor Mitchell, to City Council, submitting a one-year Waiver of Residency for ANA POEIRA, North Dartmouth, with the Office of the City Solicitor as a Legal Secretary; Ms. Poeira's current waiver expires August 2016.

One Year Waiver of Residency Granted – Yeas 9, Nays 0.

Presented to the Mayor for approval August 22, 2016.

Approved August 30, 2016. (#1413)

COMMUNICATION, Mayor Mitchell, to City Council, submitting a one-year Waiver of Residency for FRANKLIN MONIZ, Berkeley, MA, with the Department of Public Infrastructure as a Senior Program Manager.

One Year Waiver of Residency Granted – Yeas 9, Nays 0.

Presented to the Mayor for approval August 22, 2016.

Approved August 30, 2016. (#1414)

COMMUNICATION, Mayor Mitchell, to City Council, submitting a SEWER ABATEMENT for PAUL AMADON, 98 Cottonwood Road, New Bedford, MA, Account Number 1028002 in the amount of \$24.90.

Abatement Granted.

Presented to the Mayor for approval August 22, 2016.

Approved August 30, 2016. (#1415)

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

Received and Placed on File. (#1416)

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

Appointment made and confirmed. (#1417)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of VINCENT P. RODRIGUES, New Bedford, MA, as a SPECIAL POLICE OFFICER.

Received and Placed on File. (#1418)

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

Appointment made and confirmed. (#1419)

REPORT, Committee on Finance, recommending to the City Council APPROVAL of the ORDINANCE, Amending Chapter 19 Personnel, relative to the reclassification of the City Planner..

Recommendation Followed. (#1420)

AN ORDINANCE,

Referred to the Committee on Finance – March 10, 2016.

Passed, to a Second Reading. (#0374)

REPORT, Committee on Finance recommending to the City Council ADOPTION of the ORDER, that in accordance with Massachusetts General laws, Chapter 44, Section 53E ½, 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 the 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 meeting, 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**.

Recommendation Followed.

(#1421)

CITY OF NEW BEDFORD
IN CITY COUNCIL
AUGUST 18, 2016.0

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 ADULT SOCIAL DAY PROGRAM REVOLVING FUND whose purpose is to support Adult Social Day Programming including congregate lunches, morning and afternoon, morning and afternoon snacks, office supplies for program, contracted vendors who provide health, wellness, and materials, 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 – June 23, 2016.

Adopted.

Presented to the Mayor for approval August 22, 2016.

Approved August 30, 2016.

(#1133)

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 fifteen (15) year TIF Agreement for **New Bedford Urban Renaissance II, LLC**, 222 Union Street, New Bedford, MA 02740.
Recommendation Followed.

(#1422)

CITY OF NEW BEDFORD
IN CITY COUNCIL
AUGUST 18, 2016

RESOLUTION, Approving Certified Project Application and Special Tax Assessment Agreement with the New Bedford Urban Renaissance II LLC

Whereas, New Bedford Urban Renaissance II LLC 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 15 years ending June 30, 2020 pursuant to the authority granted by and meeting the requirements of 402 C.M.R. 2.10(3).

Whereas, New Bedford Urban Renaissance II LLC meets 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 222 Union Street, New Bedford, MA and shown on the City of New Bedford's real property assessment database as Parcel ID 46 32 on August 4, 2015;

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 the EOA;

Whereas, the City of New Bedford has agreed to offer New Bedford Urban Renaissance II LLC a Tax Increment Financing 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, New Bedford Urban Renaissance II LLC is going to invest at least \$10,000,000 in the acquisition of the facility, construction, repairs, renovations, equipment and other capital expenditures, and will create 24 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 New Bedford Urban Renaissance II 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 Tax Increment Financing agreement between the City of New Bedford and New Bedford Urban Renaissance II LLC. Said Agreement will provide for an exemption on property taxes on the assessed valuation of improvements to the property at 100% for year one, 100% for year two, 90% for year three, 75% for year four, 75% for year five, 50% for year six, 50% for year seven, 50% for year eight, 25% for year nine, 25% for year ten, 25% for year eleven, 25% for year twelve, 20% for year thirteen, 10% for year fourteen, and 5% for year fifteen, of a fifteen-year Agreement according to the requirements and regulations established which govern the implementation of such Special Tax Assessment Agreements. The Agreement will be in effect as of FY2018 through FY2032.

Referred to the Committee on Finance – July 21, 2016.

Adopted – Yeas 9, Nays 0.

Presented to the Mayor for approval August 22, 2016.

Approved August 30, 2016.

(#1293)

WRITTEN MOTION, Councillor 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 7, Nays 2. (Councillor Lopes and Council President Morad OPPOSED.)

Adopted – Yeas 7, Nays 2. (Councillor Lopes and Council President Morad OPPOSED.)

(#1423)

WRITTEN MOTION, Councillors Bousquet and Winterson, requesting, that a letter be sent to Democrat candidate for president Hillary Clinton, asking that she apologize to New Bedford for disparaging its educational progress in the 1970's, our City documented progressive accomplishments that were made during the Edward F. Harrington and John A. Markey Administrations and is credited with being part of the Massachusetts model of high standards in educational excellence.

Adopted – FAILED – Yeas 4, Nays 5. (Councillors Abreu, Bousquet, Morad and Winterson IN FAVOR.)

(#1424)

WRITTEN MOTION, Councillor Gomes, requesting, that the Committee on Appointments and Briefings meet with the Massachusetts Department of Transportation for the purposes of discussing installing lighting fixtures on the outside and inside structure of the New Bedford/Fairhaven Bridge, the purpose of this request is so that the City can illuminate the bridge in whatever color suitable on a daily basis, along with holidays and special events, this will give the bridge and the City a beautiful look for air-traffic and vehicular traffic entering and exiting the City; and further, this will also enhance the skyline look of the harbor for the fishing fleet.

Referred to the Committee on Appointments and Briefings and the Massachusetts Department of Transportation – Yeas 7, Nays 1. (Council President Morad OPPOSED.) (#1425)

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

Referred to the Committee on Appointments and Briefings. (#1426)

WRITTEN MOTION, Councillor Winterson, requesting, that the Department of Public Infrastructure and the Department of Parks, Recreation and Beaches address the damaged tennis courts at Buttonwood Park, by looking into possibly resurfacing and re-painting them and also take any action to improve the overall condition of the tennis courts.

Referred to the Department of Public Infrastructure and the Department of Parks, Recreation and Beaches.

Presented to the Mayor for approval August 22, 2016.

RETURNED UNSIGNED September 08, 2016. (#1427)

WRITTEN MOTION, Councillor Bousquet, requesting, on behalf of the residents of Taber Mills, that a Senior Citizen Safety Zone be established and that the Speed Limit be changed to twenty miles per hour on Quansett Street, Coffin Avenue, Brook Street, Deane Street and Church Street, from Collette Street to Coffin Avenue, southerly, from Purchase Street to Ashley Boulevard, easterly, on Deane Street and Coffin Avenue, to Quansett Street, westerly and the portion of Brook Street between Coffin Avenue and Deane Street going north. (To be Referred to the Traffic Commission.)

Referred to the Traffic Commission. (#1428)

WRITTEN MOTION, Councillor Winterson, requesting, that letters be sent to Representative William Straus, Chairman, Joint Committee on Transportation and to the Department of Conservation and Recreation, asking that they look at the feasibility of installing a ferry service for cargo, vehicles, etc., at the State Pier, there is already an existing port at that location, this ferry service would not only lessen the congestion that exists at Woods Hole, but would provide an economic boom to New Bedford.

Adopted. (#1429)

WRITTEN MOTION, Councillor Lopes, requesting, that the City of New Bedford establish a pilot Arts and Culture program to support local individual artists.

Referred to the Special Committee on Memorials and Dedications. (#1430)

WRITTEN MOTION, Councillor Gomes, requesting, that the Traffic Commission permanently make Walnut Street, east and west, between Acushnet Avenue and Second Street a TWO-WAY Street; and further, that the Traffic Commission take the same course of action on making Second Street, north and south, between Union Street and Walnut Street, a TWO-WAY Street permanently.

Referred to the Traffic Commission. (#1431)

WRITTEN MOTION, Councillor Lopes, requesting that as part of the Special Event Application for Fort Taber Park, that a Traffic Enforcement Officer be required to patrol the area when one of the three parking lots are rented.

Referred to the Committee on Public Safety and Neighborhoods and the Department of Parks, Recreation and Beaches.

Presented to the Mayor for approval August 22, 2016.

RETURNED UNSIGNED September 08, 2016. (#1432)

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

Referred to the Committee on Appointments and Briefings, Police Chief and the Department of Parks, Recreation and Beaches.

Presented to the Mayor for approval August 22, 2016.

RETURNED UNSIGNED September 08, 2016. (#1433)

WRITTEN MOTION, Councillor Gomes, requesting, that the City revitalize the park located on the Southwest corner of Hillman Street and Ash Street, refurbishing the basketball court, installing new hoops and backboards, new swings, a fun slide, park benches, fencing, lights, trees, and of course, the installation of an American flag pole. (To be Referred to the Department of Public Infrastructure, the Department of Parks, Recreation and Beaches and the Department of Planning, Housing and Community Development.)

Referred to the Committee on Appointments and Briefings, the Community Preservation Committee, the Department of Public Infrastructure, the Department of Parks, Recreation and Beaches and the Department of Planning, Housing and the Community Development.

Presented to the Mayor for approval August 22, 2016.

RETURNED UNSIGNED September 08, 2016. (#1434)

WRITTEN MOTION, Councillor Carney, requesting, that Mary Rapoza, Director of Parks, Recreation and Beaches and the Board of Park Commissioners, develop a fee schedule that charges non-residents, out of town organizations, groups, etc., for the use of all City parks. (To be Referred to the Committee on City Property, and that Director Rapoza and Members of the Park Board be invited to said meeting.)

TABLED. (#1435)

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

Referred to the Committee on Public Safety and Neighborhoods. (#1436)

COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of **Douglas F. Furtado, 39 Perry Street, Dartmouth, MA 02748, d/b/a IDEAL LIMO, 439 Bolton Street, New Bedford, MA 02740**, hereby submits 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 will expire August 20, 2016.)**

Referred to the Committee on Appointments and Briefings – FAILED – Yeas 4, Nays 4. (Councillors Bousquet, Coelho, Lopes and Council President Morad IN FAVOR; Councillor Gomes not present for vote.)
Motion made to GRANT Livery License FAILED – Yeas 0, Nays 9. (#1437)

COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of **Noel Ciminello, 22 Shannon Way, Dartmouth, MA 02748, d/b/a YES! WE VAN, LLC, 167 Butler Street, New Bedford, MA 02744**, hereby submits 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 will expire August 20, 2016.)**

Livery License Granted.

Presented to the Mayor for Approval August 22, 2016.

Approved August 30, 2016.

(#1438)

COMMUNICATION, Council President Morad, submitting a copy of a memorandum from City Solicitor McDermott, in reference to KP Law’s legal representation of the City as Special Counsel regarding the proposed expansion/construction of a so-called liquefied natural gas “LNG” facility and connecting pipeline in Acushnet. (To be Referred to the Committee on Finance; Copy all Councillors 08/05/2016.)

Referred to the Committee on Finance.

(#1439)

COMMUNICATION, City Clerk/Clerk of the City Council, Dennis W. Farias, to City Council, submitting a copy of a letter sent to Dr. Monica Bharel, MD, MPH, Commissioner, Mass Department of Public Health, regarding support from the New Bedford City Council for Beacon Compassion Center, Inc., to operate a Registered Marijuana Dispensary in New Bedford.

Received and Placed on File.

(#1440)

COMMUNICATION/EMAIL, Dennis W. Farias, City Clerk, Clerk of the City Council, submitting a letter received from Bryan Harter, MBA, LICSW, Director Medical Use of Marijuana Program, Massachusetts Department of Public Health, advising on procedure of submitting letter of support or non-opposition for Beacon Compassion Center, Inc. (Copy all Councillors 08/05/2016.)

Received and Placed on File.

(#1441)

COMMUNICATION, Michael R. Sweeney, Executive Director, Massachusetts State Lottery Commission, to City Council, submitting a letter (By Certified Mail) with attached list of locations, notifying of Lottery’s intent to install monitors to existing KENO To Go agents in New Bedford. (Copy all Councillors 07/25/2016.)

Received and Placed on File.

(#1442)

RELATED MOTION, Council President Morad requesting that the Members of the Committee on Public Safety and Neighborhoods tour the new Fire Department’s Boat.

Referred to the Committee on Public Safety and Neighborhoods.

(#1443)

WRITTEN MOTION, Councillor Rebeiro, requesting, on behalf of the Greater New Bedford Community Health Center, that the following street(s) be CLOSED: ACUSHNET AVENUE, from Elm Street

to William Street, FROM 12:00 P.M.(NOON) TO 7:00 P.M., ON THURSDAY, AUGUST 11, 2016, for the purpose of their Festival of Health and Wellness.

GRANTED PROVISIONALLY BY THE 2016 CITY COUNCIL PRESIDENT LINDA M. MORAD, ON MONDAY, AUGUST 01, 2016, TO BE RATIFIED BY THE CITY COUNCIL ON THURSDAY, AUGUST 18, 2016.

Received and Action of the City Council President Ratified.
Presented to the Mayor for approval August 22, 2016.
Approved August 30, 2016.

(#1444)

WRITTEN MOTION, Council President Morad, requesting, on behalf of AHA! New Bedford, that the following street(s) be CLOSED: PURCHASE STREET, from Spring Street to School Street, FROM 2:00 P.M. TO 9:00 P.M., ON THURSDAY, AUGUST 11, 2016, for the purpose of #FINDYOURPARK.

GRANTED PROVISIONALLY BY THE 2016 CITY COUNCIL PRESIDENT LINDA M. MORAD, ON THURSDAY, AUGUST 11, 2016, TO BE RATIFIED BY THE CITY COUNCIL ON THURSDAY, AUGUST 18, 2016.

Received and Action of the City Council President Ratified.
Presented to the Mayor for approval August 22, 2016.
Approved August 30, 2016.

(#1445)

WRITTEN MOTION, Councillor Bousquet, requesting, on behalf of Mr. Manuel Pacheco, that the following street(s) be CLOSED: WILLOW STREET, between Shawmut Avenue and Caroline Street, FROM 11:00 A.M. TO 10:00 P.M. ON, SUNDAY, SEPTEMBER 04, 2016, for the purpose of a 90th Birthday Block Party.

Permission Granted.
Presented to the Mayor for approval August 22, 2016.
Approved August 30, 2016.

(#1446)

WRITTEN MOTION, Councillor Rebeiro, requesting, on behalf of the Pour Farm Tavern, that the following street(s) be CLOSED: PURCHASE STREET, between William Street and Union Street, FROM 10:00 A.M. TO 8:00 P.M. on SUNDAY, OCTOBER 09, 2016, for the purpose of the Belgian Beer'd Fest.

Permission Granted.
Presented to the Mayor for approval August 22, 2016.
Approved August 30, 2016.

(#1447)

WRITTEN MOTION, Councillor Rebeiro, requesting, on behalf of Mr. Buddy Andrade, that the following street(s) be CLOSED: RUSSELL STREET, from Purchase Street to Acushnet Avenue AND MANNY COSTA WAY, from South Second Street to Acushnet Avenue, FROM 9:00 A.M. TO 5:00 P.M., ON SATURDAY, AUGUST 27, 2016, for the purpose of a Neighborhood Family Fun Day at Monte's Park.

Permission Granted.
Presented to the Mayor for approval August 22, 2016.
Approved August 30, 2016.

(#1448)

WRITTEN MOTION, Councillor Winterson, requesting, on behalf of Mr. Allen Decker, that the following street(s) be CLOSED: ARNOLD PLACE, from Arnold Street to Orchard Street, ON SUNDAY, SEPTEMBER 10, 2016, FROM 2:00 P.M. TO 8:00 P.M., for the purpose of a Block Party.

Permission Granted.
Presented to the Mayor for approval August 22, 2016.
Approved August 30, 2016.

(#1449)

WRITTEN MOTION, Councillor Gomes, requesting, on behalf of the Cove Road area residents, that the Traffic Commission take a look at the parking situation between County Street and Crapo Street on the north side of Cove Road, to see what possibly may be done in order to accommodate those residents with parking on

the north side of that portion of road; and further, take a look at possibly cutting into the sidewalk to provide parking spaces along this strip of road. (To be Referred to the Traffic Commission.)

Referred to the Traffic Commission. (#1450)

WRITTEN MOTION, Councillor Gomes, requesting, on behalf of the residents in the area of Maxfield Street and Park Street, that a "STOP SIGN" be installed on Park Street in a north and south direction, making it a three-way stop at this intersection, this request comes after numerous accidents at this intersection. (To be Referred to the Traffic Commission.)

Referred to the Traffic Commission. (#1451)

WRITTEN MOTION, Councillor Martins, requesting, on behalf of the residents of Manomet Place, 170 Riverside Avenue, that the Traffic Commission consider installing "NO PARKING" Signs" on the east side of the street; and further, that this request is no different than the signs that are already located at Whaler's Cove and Place. (To be Referred to the Traffic Commission.)

Referred to the Traffic Commission. (#1452)

WRITTEN MOTION, Councillor Martins, requesting, on behalf of Acushnet Avenue Businesses, that a crosswalk be placed on the corners of Phillips Avenue and Acushnet Avenue, due to the pocket park at said location. (To be Referred to the Traffic Commission.)

Referred to the Traffic Commission. (#1453)

PETITION/INDEMNITY AGREEMENT, RIGOBERTO CISNEROS-RIVAS d/b/a DULCE MEXICAN RESTAURANT, for Permission to Erect and Maintain a 12 foot by 4 foot Non-Illuminated, Projecting Sign at 469 Ashley Boulevard. Provisionally Granted, subject to approval of the Building Commissioner and subject to Ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval August 22, 2016.
Approved August 30, 2016. (#1454)

PETITION/INDEMNITY AGREEMENT, TONY PEREIRA d/b/a CAFÉ MONTE CARLO, for Permission to Erect and Maintain a, Illuminated Projecting Sign at 1478 Acushnet Avenue. Provisionally Granted, subject to approval of the Building Commissioner and subject to Ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval August 22, 2016.
Approved August 30, 2016. (#1455)

COMMUNICATION, Council President Morad and Councillor Winterson, submitting a copy of a letter from Mr. William P. Walsh to Commissioner Elin Howe, Department of Developmental Services, relative to amateur drone operators flying their machines at the Reed Estate, which is in close proximity to the St. Luke's Hospital helipad.

Received and Placed on File. (#1456)

COMMUNICATION, Council President Morad and Councillor Winterson, submitting a copy of a letter from Elin M. Howe, Commissioner, Executive Office of Health and Human Services - Department of Development Services, to Mr. William P. Walsh, New Bedford, regarding the state-owned property located on Maple Street in New Bedford.

Received and Placed on File. (#1457)

COMMUNICATION/EMAIL, Councillor Martins and Council President Morad, submitting a copy of a letter from Mr. Raymond Conconnan and a Petition, relative to replacing the Cinderella Seagull Statue at the Seaport Art Walk.

Referred to the Mayor's Office.
Presented to the Mayor for approval August 22, 2016.
RETURNED UNSIGNED September 08, 2016.

(#1458)

COMMUNICATION, Council President Morad submitting a copy of a letter from Andrew M. Greenberg, Attorney at Law regarding Moniz and Latimer Constables, Inc.
Received and Placed on File.

(#1459)

COMMUNICATION/EMAIL, Councillors Bousquet and Martins, submitting, an email from Eddie Johnson, President, CLEAN, regarding, the cleanup of toxic contamination of the Parker Street dump site and also submitting a proposed Ordinance to the City of New Bedford, Article I, Section 12-11, for submission to the City Council, relative to environmental protection and economic development.

Referred to the Committee on Ordinances.

(#1460)

MINUTES, Board of Assessors submitting MINUTES of a meeting held on July 7, 2016.
Received and Placed on File.

(#1461)

MINUTES, Board of Assessors submitting MINUTES of a meeting held on July 21, 2016.

Received and Placed on File.

(#1462)

MINUTES, Board of Assessors submitting MINUTES of a meeting held on July 28, 2016.
Received and Placed on File.

(#1463)

MINUTES, Licensing Board submitting MINUTES of a meeting held on July 25, 2016.
Received and Placed on File.

(#1464)

MINUTES, Licensing Board submitting MINUTES of a meeting held on June 27, 2016.
Received and Placed on File.

(#1465)

MINUTES, Planning Board submitting MINUTES of a meeting held on June 8, 2016.
Received and Placed on File.

(#1466)

MINUTES, Planning Board submitting MINUTES of a meeting held on July 13, 2016.

Received and Placed on File.

(#1467)

MINUTES, Commission for Citizens with Disabilities, submitting MINUTES of meetings held on May 16, and June 22, 2016.

Received and Placed on File.

(#1468)

MINUTES, Bristol County PHEP Executive Board, submitting MINUTES of meetings held on May 17 and June 21, 2016.

Received and Placed on File.

(#1469)

MINUTES, Bristol County PHEP Coalition, submitting MINUTES of meetings held on May 17 and June 21, 2016.

Received and Placed on File.

(#1470)

APPLICATION, **MDM Engineering Company, Inc.**, for permission to maintain a STREET OBSTRUCTION at **608 Purchase Street**, provisionally granted by the City Clerk on August 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 August 22, 2016.

Approved August 30, 2016.

(#1471)

APPLICATION, **JK Scanlan, Inc.** for permission n to maintain a STREET OBSTRUCTION at **515 Belleville Avenue**, provisionally granted by the City Clerk on August 05, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval August 22, 2016.

Approved August 30, 2016.

(#1472)

APPLICATION, **W.C. Smith & Son**, for permission to maintain a STREET OBSTRUCTION at **15 Clara Street**, provisionally granted by the City Clerk on July 25, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval August 22, 2016.

Approved August 30, 2016.

(#1473)

APPLICATION, **R.J. Canessa Excavating**, for permission to maintain a STREET OBSTRUCTION at **523 – 525 Purchase Street**, provisionally granted by the City Clerk on July 25, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval August 22, 2016.

Approved August 30, 2016.

(#1474)

APPLICATION, **R.J. Canessa Excavating**, for permission to maintain a STREET OBSTRUCTION at **45 Nelson Street**, provisionally granted by the City Clerk on July 25, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval August 22, 2016.

Approved August 30, 2016.

(#1475)

APPLICATION, **JLC Construction**, for permission to maintain a STREET OBSTRUCTION at **293 Cottage Street**, provisionally granted by the City Clerk on July 25, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval August 22, 2016.

Approved August 30, 2016.

(#1476)

APPLICATION, **JLC Construction**, for permission to maintain a STREET OBSTRUCTION at **2374 – 2376 Acushnet Avenue**, provisionally granted by the City Clerk on July 25, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval August 22, 2016.

Approved August 30, 2016.

(#1477)

APPLICATION, **Able Asphalt**, for permission to maintain a STREET OBSTRUCTION at **51 – 53 William Street**, provisionally granted by the City Clerk on July 26, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval August 22, 2016.

Approved August 30, 2016.

(#1478)

APPLICATION, **Able Asphalt**, for permission to maintain a STREET OBSTRUCTION at **45 Summit Street**, provisionally granted by the City Clerk on July 26, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval August 22, 2016.

Approved August 30, 2016.

(#1479)

APPLICATION, **Able Asphalt**, for permission to maintain a STREET OBSTRUCTION at **4275 Acushnet Avenue**, provisionally granted by the City Clerk on July 26, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval August 22, 2016.

Approved August 30, 2016.

(#1480)

APPLICATION, **Able Asphalt**, for permission to maintain a STREET OBSTRUCTION at **938 Geraldine Street**, provisionally granted by the City Clerk on July 26, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval August 22, 2016.

Approved August 30, 2016.

(#1481)

APPLICATION, **Able Asphalt**, for permission to maintain a STREET OBSTRUCTION at **64 Calumet Street**, provisionally granted by the City Clerk on July 26, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval August 22, 2016.

Approved August 30, 2016.

(#1482)

APPLICATION, **Able Asphalt**, for permission to maintain a STREET OBSTRUCTION at **471 John Street**, provisionally granted by the City Clerk on July 26, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval August 22, 2016.

Approved August 30, 2016.

(#1483)

APPLICATION, **W.C. Smith & Son**, for permission to maintain a STREET OBSTRUCTION at **15 Johnny Cake Hill**, provisionally granted by the City Clerk on July 27, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval August 22, 2016.

Approved August 30, 2016.

(#1484)

APPLICATION, **Mirra Company, Inc.**, for permission to maintain a STREET OBSTRUCTION at **North Sixth Street at Elm Street**, provisionally granted by the City Clerk on July 27, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval August 22, 2016.
Approved August 30, 2016.

(#1485)

APPLICATION, **Precision Valley Communications**, for permission to maintain a STREET OBSTRUCTION at **1415 South Sixth Street** , provisionally granted by the City Clerk on July 28, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval August 22, 2016.
Approved August 30, 2016.

(#1486)

APPLICATION, **Precision Valley Communications**, for permission to maintain a STREET OBSTRUCTION at **72 North Water Street** , provisionally granted by the City Clerk on July 28, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval August 22, 2016.
Approved August 30, 2016.

(#1487)

APPLICATION, **Precision Valley Communications**, for permission to maintain a STREET OBSTRUCTION at **471 Union Street** , provisionally granted by the City Clerk on July 28, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval August 22, 2016.
Approved August 30, 2016.

(#1488)

APPLICATION, **Reis Asphalt, Inc.**, for permission to maintain a STREET OBSTRUCTION at **1069 Sassaquin Avenue**, provisionally granted by the City Clerk on July 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 August 22, 2016.
Approved August 30, 2016.

(#1489)

APPLICATION, **Able Asphalt, Inc.**, for permission to maintain a STREET OBSTRUCTION at **1015 – 1019 Tacoma Street**, provisionally granted by the City Clerk on August 04, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval August 22, 2016.
Approved August 30, 2016.

(#1490)

APPLICATION, **Able Asphalt, Inc.**, for permission to maintain a STREET OBSTRUCTION at **70 Dana Street**, provisionally granted by the City Clerk on August 04, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval August 22, 2016.
Approved August 30, 2016.

(#1491)

APPLICATION, **Ace Asphalt, Inc.**, for permission to maintain a STREET OBSTRUCTION at **32 Hillman Street**, provisionally granted by the City Clerk on August 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 August 22, 2016.
Approved August 30, 2016.

(#1492)

APPLICATION, **New England Boring, Inc.**, for permission to maintain a STREET OBSTRUCTION at **Rt. 18 Project (JFK Phase II)**, provisionally granted by the City Clerk on August 10, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval August 22, 2016.

Approved August 30, 2016.

(#1493)

APPLICATION, **Cardoso Contracting Inc.**, for permission to maintain a STREET OBSTRUCTION at **16 Washburn Street**, provisionally granted by the City Clerk on August 12, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval August 22, 2016.

Approved August 30, 2016.

(#1494)

APPLICATION, **Cardoso Contracting Inc.**, for permission to maintain a STREET OBSTRUCTION at **37 – 39 DeWolf Street**, provisionally granted by the City Clerk on August 12, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval August 22, 2016.

Approved August 30, 2016.

(#1495)

APPLICATION, **R.J. Canessa Excavating**, for permission to maintain a STREET OBSTRUCTION at **1103 Sheffield Street**, provisionally granted by the City Clerk on August 17, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval August 22, 2016.

Approved August 30, 2016.

(#1496)

APPLICATION, **Able Asphalt, Inc.**, for permission to maintain a STREET OBSTRUCTION at **340 Belair Street**, provisionally granted by the City Clerk on August 18, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval August 22, 2016.

Approved August 30, 2016.

(#1497)

APPLICATION, **W.C. Smith & Son**, to DISTURB THE SURFACE, of **15 Clara Street**, provisionally granted by the City Clerk on July 25, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval August 22, 2016.

Approved August 30, 2016.

(#1498)

APPLICATION, **R.J. Canessa Excavating**, to DISTURB THE SURFACE, of **523 – 525 Purchase Street**, provisionally granted by the City Clerk on July 25, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval August 22, 2016.

Approved August 30, 2016.

(#1499)

APPLICATION, **R.J. Canessa Excavating**, to DISTURB THE SURFACE, of **45 Nelson Street**, provisionally granted by the City Clerk on July 25, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval August 22, 2016.

Approved August 30, 2016.

(#1500)

APPLICATION, **JLC Construction**, to DISTURB THE SURFACE, of **293 Cottage Street**, provisionally granted by the City Clerk on July 25, 2016, subject to ratification by the Mayor and City Council.
Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval August 22, 2016.
Approved August 30, 2016. (#1501)

APPLICATION, **JLC Construction**, to DISTURB THE SURFACE, of **2374 – 2376 Acushnet Avenue**, provisionally granted by the City Clerk on July 25, 2016, subject to ratification by the Mayor and City Council.
Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval August 22, 2016.
Approved August 30, 2016. (#1502)

APPLICATION, **Able Asphalt**, to DISTURB THE SURFACE, of **51 – 53 William Street**, provisionally granted by the City Clerk on July 26, 2016, subject to ratification by the Mayor and City Council.
Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval August 22, 2016.
Approved August 30, 2016. (#1503)

APPLICATION, **Able Asphalt**, to DISTURB THE SURFACE, of **45 Summit Street**, provisionally granted by the City Clerk on July 26, 2016, subject to ratification by the Mayor and City Council.
Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval August 22, 2016.
Approved August 30, 2016. (#1504)

APPLICATION, **Able Asphalt**, to DISTURB THE SURFACE, of **4275 Acushnet Avenue**, provisionally granted by the City Clerk on July 26, 2016, subject to ratification by the Mayor and City Council.
Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval August 22, 2016.
Approved August 30, 2016. (#1505)

APPLICATION, **Able Asphalt**, to DISTURB THE SURFACE, of **938 Geraldine Street**, provisionally granted by the City Clerk on July 26, 2016, subject to ratification by the Mayor and City Council.
Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval August 22, 2016.
Approved August 30, 2016. (#1506)

APPLICATION, **Able Asphalt**, to DISTURB THE SURFACE, of **64 Calumet Avenue**, provisionally granted by the City Clerk on July 26, 2016, subject to ratification by the Mayor and City Council.
Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval August 22, 2016.
Approved August 30, 2016. (#1507)

APPLICATION, **Able Asphalt**, to DISTURB THE SURFACE, of **471 John Street**, provisionally granted by the City Clerk on July 26, 2016, subject to ratification by the Mayor and City Council.
Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval August 22, 2016.
Approved August 30, 2016. (#1508)

APPLICATION, **W.C. Smith & Son**, to DISTURB THE SURFACE, of **15 Johnny Cake Hill**, provisionally granted by the City Clerk on July 27, 2016, subject to ratification by the Mayor and City Council.
Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval August 22, 2016.
Approved August 30, 2016. (#1509)

APPLICATION, **Mirra Company, Inc.**, to DISTURB THE SURFACE, of **North Sixth Street at Elm Street**, provisionally granted by the City Clerk on July 27, 2016, subject to ratification by the Mayor and City Council.
Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval August 22, 2016.
Approved August 30, 2016. (#1510)

APPLICATION, **Precision Valley Communications**, to DISTURB THE SURFACE, of **1415 South Sixth Street**, provisionally granted by the City Clerk on July 28, 2016, subject to ratification by the Mayor and City Council.
Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval August 22, 2016.
Approved August 30, 2016. (#1511)

APPLICATION, **Precision Valley Communications**, to DISTURB THE SURFACE, of **72 North Water Street**, provisionally granted by the City Clerk on July 28, 2016, subject to ratification by the Mayor and City Council.
Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval August 22, 2016.
Approved August 30, 2016. (#1512)

APPLICATION, **Precision Valley Communications**, to DISTURB THE SURFACE, of **471 Union Street**, provisionally granted by the City Clerk on July 28, 2016, subject to ratification by the Mayor and City Council.
Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval August 22, 2016.
Approved August 30, 2016. (#1513)

APPLICATION, **Reis Asphalt, Inc.**, to DISTURB THE SURFACE, of **1069 Sassaquin Avenue**, provisionally granted by the City Clerk on July 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 August 22, 2016.
Approved August 30, 2016. (#1514)

APPLICATION, **Able Asphalt, Inc.**, to DISTURB THE SURFACE, of **1015 – 1019 Tacoma Street**, provisionally granted by the City Clerk on August 04, 2016, subject to ratification by the Mayor and City Council.
Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval August 22, 2016.
Approved August 30, 2016. (#1515)

APPLICATION, **Able Asphalt, Inc.**, to DISTURB THE SURFACE, of **70 Dana Street**, provisionally granted by the City Clerk on August 04, 2016, subject to ratification by the Mayor and City Council.
Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval August 22, 2016.
Approved August 30, 2016. (#1516)

APPLICATION, **Ace Asphalt, Inc.**, to DISTURB THE SURFACE, of **32 Hillman Street**, provisionally granted by the City Clerk on August 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 August 22, 2016.
Approved August 30, 2016. (#1517)

APPLICATION, **New England Boring Inc.**, to DISTURB THE SURFACE, of **Rt. 18 Project (JFK Phase II)**, provisionally granted by the City Clerk on August 10, 2016, subject to ratification by the Mayor and City Council.
Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval August 22, 2016.
Approved August 30, 2016. (#1518)

APPLICATION, **Cardoso Contracting, Inc.**, to DISTURB THE SURFACE, of **16 Washburn Street**, provisionally granted by the City Clerk on August 12, 2016, subject to ratification by the Mayor and City Council.
Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval August 22, 2016.
Approved August 30, 2016. (#1519)

APPLICATION, **Cardoso Contracting, Inc.**, to DISTURB THE SURFACE, of **37-39 DeWolf Street**, provisionally granted by the City Clerk on August 12, 2016, subject to ratification by the Mayor and City Council.
Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval August 22, 2016.
Approved August 30, 2016. (#1520)

APPLICATION, **R.J. Canessa Excavating.**, to DISTURB THE SURFACE, of **1103 Sheffield Street**, provisionally granted by the City Clerk on August 17, 2016, subject to ratification by the Mayor and City Council.
Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval August 22, 2016.
Approved August 30, 2016. (#1521)

APPLICATION, **Able Asphalt, Inc.**, to DISTURB THE SURFACE, of **340 Belair Street**, provisionally granted by the City Clerk on August 18, 2016, subject to ratification by the Mayor and City Council.
Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval August 22, 2016.
Approved August 30, 2016. (#1522)

APPLICATIONS, **Eversource Gas**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on July 25, 2016, subject to ratification by the Mayor and City Council as follows:

Rockland Street	(#1523)
Field Street	(#1524)
496 Ashley Boulevard	(#1525)
Edward Street	(#1526)
Intersection of Parker Street and Summer Street	(#1527)
Babbitt Street	(#1528)
Stowell Street	(#1529)
28 Priscilla Street	(#1530)
Hollyhock Street	(#1531)

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval August 22, 2016.
Approved August 30, 2016.

APPLICATIONS, **Eversource Gas**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on August 02, 2016, subject to ratification by the Mayor and City Council as follows:

51 Deane Street	(#1532)
531 South Second Street	(#1533)
547 Kirby Street	(#1534)
1015 and 1019 Tacoma Street	(#1535)
27 Westview Street	(#1536)
Cedar and Parker Streets	(#1537)
35 Willis Street	(#1538)
69 Longview Street	(#1539)
223 Carroll Street	(#1540)
474 John Street	(#1541)

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval August 22, 2016.
Approved August 30, 2016.

APPLICATIONS, **Eversource Gas**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on August 11, 2016, subject to ratification by the Mayor and City Council as follows:

- 342 Union Street (#1542)
- Hemlock Street (From 11 Hemlock Street to Intersection with Thompson Street) (#1543)
- Fair Street (From 165 Fair Street to Intersection with Sears Street) (#1544)
- 127 Hawthorn Street (#1545)
- 118 Adams Street (#1546)
- 223 England Street (#1547)
- Intersection of Maitland Street and Richmond Street (#1548)
- 56 Maitland Street (#1549)
- Parker Street (from #51 to #63) (#1550)

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval August 22, 2016.
Approved August 30, 2016.

APPLICATIONS, **Eversource Gas**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on August 12, 2016, subject to ratification by the Mayor and City Council as follows:

- 67 Mt. Vernon Street (#1551)
- 506 Bolton Street (#1552)
- 80 Oakland Street (#1553)
- 123 Ohio Street (#1554)
- 188 Belleville Road (#1555)
- 56 Ashley Street (#1556)
- 112 Arnold Street (#1557)
- 7 Green Street (#1558)
- Madison Street (#1559)

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval August 22, 2016.
Approved August 30, 2016.

APPLICATIONS, **NSTAR Electric Company d/b/a Eversource Energy**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on July 25, 2015, subject to ratification by the Mayor and City Council as follows:

- Winston Street, West of Fox Street
- Received and Action of the City Clerk Ratified.
- Presented to the Mayor for approval August 22, 2016.
- Approved August 30, 2016. (#1560)

APPLICATIONS, **ABC Disposal Service Inc.**, for permission to maintain a STREET OBSTRUCTION, provisionally granted by the City Clerk on August 08, 2016, subject to ratification by the Mayor and City Council as follows:

- 6 Gosnold Street (#1561)
- 171 Clara Street (#1562)
- 52 Seventh Street (#1563)

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval August 22, 2016.
Approved August 30, 2016.

APPLICATIONS, **S&L Roll-Off Service, Inc.**, for permission to maintain a STREET OBSTRUCTION, provisionally granted by the City Clerk on August 08, 2016, subject to ratification by the Mayor and City Council as follows:

294 Rockdale Avenue
Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval August 22, 2016.
Approved August 30, 2016. (#1564)

APPLICATIONS, **Frade's Disposal Service, Inc.**, for permission to maintain a STREET OBSTRUCTION, provisionally granted by the City Clerk on August 10, 2016, subject to ratification by the Mayor and City Council as follows:

75 Clifford Street (#1565)
45 Richmond Street (#1566)
Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval August 22, 2016.
Approved August 30, 2016.

APPLICATION, **S&L Roll-Off Service, Inc.**, for permission to maintain a STREET OBSTRUCTION, provisionally granted by the City Clerk on August 16, 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 August 22, 2016.
Approved August 30, 2016. (#1567)

APPLICATIONS, **ABC Disposal Service Inc.**, for permission to maintain a STREET OBSTRUCTION, provisionally granted by the City Clerk on August 16, 2016, subject to ratification by the Mayor and City Council as follows:

35 Fulton Street (#1568)
43 Willis Street (#1569)
105 Williams Street (#1570)
37 Florence Street (#1571)
218 Query Street (#1572)
152 Holly Street (#1573)
686 Brock Avenue (#1574)
27 Pierce Street (#1575)
159 Milford Street (#1576)
63 Ruth Street (#1577)
28 Dana Street (#1578)
54 Ruth Street (#1579)
40 Newton Street (#1580)
101 Winterville Street (#1581)
19 Lang Street (#1582)
18 Myrtle Street (#1583)
321 Union Street (#1584)
Spring Street (#1585)
47 Birchwood Street (#1586)
226 Sawyer Street (#1587)

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval August 22, 2016.
Approved August 30, 2016.

PETITION, NSTAR Electric Company d/b/a Eversource Energy for location of one (1) Pole in JOHN VERTENTE BOULEVARD, North of Samuel Barnett Boulevard.

RECEIVED AND HEARING ORDERED FOR THURSDAY, SEPTEMBER 08, 2016.

IT WAS VOTED, on a motion made and duly seconded, Yeas 8, Nays 1, to waive Rule 42 in order to take up the late file items. (Councillor Lopes OPPOSED.)

WRITTEN MOTION, Councillor Bousquet, requesting that the Health Director Dr. Brenda Weis, appear before the Committee on Appointments and Briefings to provide the Committee with an update on the Hoarding Task Force activities.

Rule 42 Waived – Yeas 8, Nays 1. (Councillor Lopes OPPOSED.)

Referred to the Committee on Appointments and Briefings. (#1588)

REPORT, Committee on City Property, recommending to the City Council to take No Further Action on both RFP's from Hunt Real Estate Services, Inc. and U.S. Bedding for the Phillips Avenue School at 249 Phillips Avenue; and further, that the Purchasing Department reissue the RFP without restrictions currently in place and allow for redevelopment and/or demolition of the parcel for non-residential use.

Rule 42 Waived – Yeas 8, Nays 1. (Councillor Lopes OPPOSED.)

Recommendation Followed and Referred to the Purchasing Department.

Presented to the Mayor for approval August 22, 2016.

RETURNED UNSIGNED September 08, 2016. (#1589)

COMMUNICATION, Mayor Mitchell, to City Council, submitting a request to donate the thirty-six (36) foot Coast Guard Motor Lifeboat that the City currently owns to the Hull Lifesaving Museum in Hull, MA.

Rule 42 Waived – Yeas 8, Nays 1. (Councillor Lopes OPPOSED.)

Adopted and Rule 40 Waived – Yeas 9, Nays 0.

Presented to the Mayor for approval August 19, 2016.

Approved August 19, 2016. (#1590)

COMMUNICATION, Superintendent of Schools, Dr. Pia Durkin, to City Council, notifying that at the Regular School Committee meeting held on August 15, 2016, the School Committee voted unanimously that the School Committee Chairman execute a "Right of Entry Without Prejudice" granting temporary access to Map 37, Lot 48 and waive their rights to an appraisal and to damages relating to the Alteration and Improvements of JFK Highway (Rt. 18.)

Rule 42 waived – Yeas 8, Nays 1. (Councillor Lopes OPPOSED.)

Received and Placed on File.

(#1591)

WRITTEN MOTION, Councillors Abreu, Winterson, Bousquet and Oliveira, requesting, that the New Bedford City Council vote to express its support of the efforts of Beacon Compassion Center, Inc., to operate a Registered Medical Marijuana Dispensary to be established at a suitable location within the City of New Bedford, Massachusetts, and to direct the City Clerk to indicate this support in writing directed to the Massachusetts Department of Public Health; and further, that the letter should read as follows: "*The New Bedford City Council, does hereby provide support to Beacon Compassion Center, Inc. to operate a Registered Medical Marijuana Dispensary in New Bedford. I have been authorized to provide this letter on behalf of the New Bedford City Council by a vote taken at a duly noted meeting held on August 18, 2016. The New Bedford City Council states that New Bedford has no City Ordinance in place related to the siting of a Registered Medical Marijuana Dispensary.*"

Rule 42 Waived – Yeas 8, Nays 1. (Councillor Lopes OPPOSED.)

Adopted – Yeas 7, Nays 2. (Councillor Lopes and Council President Morad OPPOSED.)

(#1592)

WRITTEN MOTION, Councillors Abreu, Winterson, Bousquet and Oliveira, requesting, that the New Bedford City Council require Beacon Compassion Center, Inc. and the appropriate representatives of the City of New Bedford to enter into negotiation and execution of a Host Agreement prior to the opening of the

dispensary; and further, that if after ninety (90) days the parties are unable to reach a mutually satisfactory agreement this matter shall be returned to the City Council for review and additional actions if deemed necessary.

Rule 42 Waived – Yeas 8, Nays 1. (Councillor Lopes OPPOSED.)

Referred to the Committee on Finance.

(#1593)

On a motion, the Council then adjourned at 8:32pm.

ATTEST:

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