



Council Meeting – **Minutes**

CITY COUNCIL CALENDAR

Chambers of the City Council Municipal Building

Thursday, April 28, 2016 – 7:05 p.m.

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

LATE: No One

ABSENT: No One

Council President Morad called the meeting to order and presided.

Council President Morad called for a Moment of Silence for private intentions.

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

COMMUNICATION, Legal Counsel to the City Council David Gerwatowski, to Members of the City Council, informing that he will be absent for the City Council Meeting on Thursday, April 28, 2016, due to a prior commitment.

Received and Placed on File.

(#0635)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of FREDERICK J. TOOMEY, New Bedford, MA, to the GREATER NEW BEDFORD REGIONAL VOCATIONAL TECHNICAL HIGH SCHOOL DISTRICT COMMITTEE; this term will expire May 2020.

Rule 38 Waived – Yeas 10, Nays 0. (Councillor Bousquet not present for vote.)

Reappointment CONFIRMED and Rule 40 Waived – Yeas 10, Nays 0. (Councillor Bousquet not present for vote.) SWORN IN AT MEETING.

(#0636)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER authorizing the Statement of Interest (SOI) Form dated January 22, 2016, to the Massachusetts School Building Authority for the following elementary school: John Avery Parker located at 705 County Street.

Received and Placed on File.

(#0637)

CITY OF NEW BEDFORD

IN CITY COUNCIL

APRIL 28, 2016

AN ORDER, Resolved, having convened in an open meeting on April 11, 2016, prior to the closing date, the City Council of New Bedford, Massachusetts in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the following one (1) Statement of Interest (SOI) Form dated January 22, 2016, for the following elementary school: John Avery Parker located at 705 County Street, New Bedford. The SOI describes and explains the following deficiencies and priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future:

- John Avery Parker

- priority 5: Replacement, renovation or modernization of school facility systems, such as roof's, windows, boilers, heating and ventilation systems, to increase energy conservation and decrease energy related costs in a school facility.

- Deficiencies: The window/door systems in the building are original and are antiquated and require repair or replacement as they show signs of contamination and deterioration.

• The City Council of New Bedford hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the city to filing an application for funding with the Massachusetts School Building Authority.

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

Presented to the Mayor for approval April 29, 2016.

Approved May 02, 2016.

(#0638)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER authorizing the Mayor, on behalf of the City for the consideration of the sum of \$587,500.00 to execute an offer to sell easement between the City and the United States of America; and further, authorizing to execute an Easement to be recorded at the Registry of Deeds in a form acceptable to the City Solicitor for the completion of any work necessary and incident to design and construction of the New Bedford Harbor Superfund remedy on a portion of City owned property located at 103 Sawyer Street.

Referred to the Committee on Finance.

(#0639)

AN ORDER,

Referred to the Committee on Finance.

(#0640)

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

Referred to the Committee on Ordinances, and that a period of 45 days be established during which time Dept. Heads will have the opportunity to appeal and provide additional information to Personnel Director Sandra Vezina and Mayor Mitchell; upon completion of the 45 days, the final version will be resubmitted to the Committee on Ordinances for review and discussion.

(#0641)

AN ORDINANCE,

Referred to the Committee on Ordinances, and that a period of 45 days be established during which time Dept. Heads will have the opportunity to appeal and provide additional information to Personnel Director Sandra Vezina and Mayor Mitchell; upon completion of the 45 days, the final version will be resubmitted to the Committee on Ordinances for review and discussion.

(#0642)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$57,400.00 from TREASURER'S DEBT, to EMS, CHARGES & SERVICES in the amount of \$32,400.00 and EMS, SUPPLIES & MATERIALS in the amount of \$25,000.00.

Received and Placed on File.

(#0643)

CITY OF NEW BEDFORD
IN CITY COUNCIL
APRIL 28, 2016

ORDERED, that the sum of FIFTY SEVEN THOUSAND FOUR HUNDRED DOLLARS (\$57, 400.00) now standing to the credit of the account from TREASURES DEBT be and the same is hereby transferred and appropriated to as follows:

EMS CHARGES AND SERVICES.....	\$32,400.00
EMS SUPPLIES AND MATERIALS.....	\$25,000.00

To be certified and approved by the Department Head.

Adopted – Yeas 11, Nays 0.

Presented to the Mayor for approval May 02, 2016.

Approved May 04, 2016.

(#0644)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$800.00 from SALE OF LOTS, to PUBLIC INFRASTRUCTURE, CHARGES & SERVICES.

Received and Placed on File.

(#0645)

CITY OF NEW BEDFORD

IN CITY COUNCIL

APRIL 28, 2016

ORDERED, that the sum of EIGHT HUNDRED DOLLARS (\$800.00) now standing to the credit of the account from SALE OF LOTS be and the same is hereby transferred and appropriated to as follows:

PUBLIC INFRASTRUCTURE CHARGES AND SERVICES.....\$800.00

To be certified and approved by the Department Head.

Adopted – Yeas 10, Nays 1. (Councillor Rebeiro Opposed.)

Presented to the Mayor for approval May 02, 2016.

Approved May 04, 2016.

(#0646)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$20,000.00 from ZOO, SUPPLIES & MATERIALS to ZOO, CHARGES & SERVICES.

Received and Placed on File.

(#0647)

CITY OF NEW BEDFORD

IN CITY COUNCIL

APRIL 28, 2016

ORDERED, that the sum of TWENTY THOUSAND DOLLARS (\$20,000.00) now standing to the credit of the account from ZOO SUPPLIES AND MATERIALS be and the same is hereby transferred and appropriated to as follows:

ZOO CHARGES AND SERVICES.....\$20,000.00

To be certified and approved by the Department Head.

Adopted.

Presented to the Mayor for approval May 02, 2016.

Approved May 04, 2016.

(#0648)

COMMUNICATION, Mayor Mitchell, to City Council, requesting that Ms. Whitney Greene, chosen candidate to fill the position of Clinical Veterinarian, be hired at a higher step than the entry level for this position at a Grade M-09, Step 6 with a salary of \$60,309.00.

Referred to the Committee on Finance – FAILS Yeas 2, Nays 9. (Councillor Carney and Rebeiro IN FAVOR.)

Referred to the Committee on Appointments and Briefings FAILS Yeas 3, Nays 8 (Councillor Carney, Rebeiro and Council President Morad IN FAVOR.

Councillor Lopes made Motion to Grant Communication as presented – Passes Yeas 9, Nays 2 (Councillors Carney and Rebeiro Opposed).

Presented to the Mayor for approval May 02, 2016.

Approved May 04, 2016.

(#0649)

COMMUNICATION, Mayor Mitchell, to City Council, submitting a SEWER ABATEMENT for JONATHAN MURRAY, 31 Hicks Street, New Bedford, MA, Account Number 1004408 in the amount of \$788.50.

Abatement Granted.

Presented to the Mayor for approval May 02, 2016.

Approved May 04, 2016.

(#0650)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the Final Fiscal Year 2016 Department of Planning, Housing and Community Development Action Plan for the period of July 01, 2016

through June 30, 2017 and a Resolution authorizing the Mayor to apply for Federal Assistance from the United States of America.

Received and Placed on File.

(#0651)

CITY OF NEW BEDFORD
IN CITY COUNCIL
APRIL 28, 2016

RESOLUTION OF THE NEW BEDFORD CITY COUNCIL AUTHORIZING THE MAYOR TO APPLY FOR
FEDERAL FINANCIAL ASSISTANCE FROM THE UNITED STATES OF AMERICA

WHEREAS, The City of New Bedford desires to continue its participation in Community Development Block Grant (CDBG) activities under the Housing and Community Development act of 1974, as amended, the Emergency Solutions Grant (ESG) activities under the Homeless Emergency assistance and Rapid Transition to Housing Act of 2009 (HEARTH Act), as amended, and Home Investment Partnership (HOME) activities under Title II of the Cranston Gonzalez National Affordable Housing of 1990, as amended, and;

WHEREAS, the Housing and Community Development, McKinney-Vento and National Affordable Housing Acts, as amended, and the regulations promulgated thereunder, require a Resolution of the Local Governing Body authorizing the Mayor to apply for an execute the federal entitlement grant as a condition of eligibility for Federal financial assistance; and

WHEREAS, the Mayor of the City of New Bedford must be authorized to submit information to the United States Department of Housing and Urban Development for Federal financial assistance under said Acts;

NOW THEREFORE, BE IT RESOLVED, by the New Bedford City Council, as follows:

SECTION 1. The Mayor of the City of New Bedford is authorized to do all things necessary, and to execute any and all documents required for the timely application for Federal financial assistance under these Acts, as amended, and to provide any and all necessary documents which are required and use of CDBG, ESG, and HOME funds.

SECTION 2. The Mayor of the City of New Bedford, as Chief Executive Officer, is authorized and designated as an official representative for the City of New Bedford to act in all matters arising in connection with the application or funds, and in proving the United States of America or any of its subdivisions with any additional information as may be required.

SECTION 3. The Mayor of the City of New Bedford is authorized to assume the status of a responsible Federal Official under the National Environmental Policy Act of 1969, insofar as the provisions of that Act apply to Community Development Block Grants administrated by the City of New Bedford and receipt of Federal financial assistance from the United States of America under the Housing and Community Development Act, as amended, and the City of New Bedford hereby accepts the jurisdiction of the Federal Courts for the purpose of enforcement of the Mayor's responsibilities as such a responsible Federal Official under the provisions of the National Environmental Policy Act of 1969.

Adopted – Yeas 11, Nays 0.

Presented to the Mayor for approval May 02, 2016.

Approved May 04, 2016.

(#0652)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of JOAQUIM "JACK" NOBREGA, New Bedford, MA, to the GREATER NEW BEDFORD REGIONAL VOCATIONAL TECHNICAL HIGH SCHOOL DISTRICT COMMITTEE; this term will expire May 2019.

Referred to the Committee on Appointments and Briefings FAILED Yeas 3, Nays 7 (Councillors Carney, Lopes and Rebeiro IN FAVOR.)

Rule 38 Waived and Reappointment Granted – Yeas 10, Nays 0. (Councillor Bousquet not present for vote.)

(#0653)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of ESTELLA I. RIBEIRO, Fairhaven, MA, to the HUMAN RELATIONS COMMISSION; this term will expire April 2019.

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

(#0654)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of JEFF COSTA, New Bedford, MA, to the HUMAN RELATIONS COMMISSION; this term will expire December 2018.

Rule 38 Waived Yeas 11, Nays 0 and Reappointment Granted.

(#0655)

IT WAS VOTED, on a motion made and duly seconded, Yeas 11, Nays 0, to waive Rule 42 in order of business to take up the following items at this time.

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER that land shown on Plan of Land entitled, “Paul Walsh Field, Hunter St. New Bedford, MA 02740” dated March 31, 2016 and as described on Attachment “A” hereto be accepted from the School Committee and conveyed to the Department of Facilities and Fleet Management for the purpose of licensing the property to the New Bedford Baysox LLC on which the sale of beer and wine may be permitted, in accordance with conditions established by the Licensing Board and such other reasonable conditions as may be necessary or appropriate.

Rule 42 Waived – Yeas 11, Nays 0.

Referred to the Committee on City Property.

(#0656)

AN ORDER,

Rule 42 waived – Yeas 11, Nays 0.

Referred to the Committee on City Property.

(#0657)

COMMUNICATION, Licensing Board, to City Council, advising that the Board voted in the majority at its April meeting to approve the Bay Sox alcohol control policy and site plan specifications for the sale of beer and wine at this year’s home games.

Rule 42 Waived – Yeas 11, Nays 0.

Referred to the Committee on City Property.

(#0658)

COMMUNICATION, Peter J. Muise, President & CEO of First Citizens’ Federal Credit Union, to City Council, submitting a letter in support of Pat O’Conner’s request for beer and wine to be sold during the Bay Sox’s home games at Paul Walsh Field. (Copy all Councillors via email 04/27/2016.)

Rule 42 Waived – Yeas 11, Nays 0.

Referred to the Committee on City Property.

(#0659)

COMMUNICATION, Rick Kidder, President & CEO of the New Bedford Area Chamber of Commerce, to City Council, submitting a letter supporting the New Bedford Bay Sox’ request for alcohol sales service at all home games played at Walsh Field. (Copy all Councillors via email 04/27/2016.)

Roll Call vote to Receive and Place Communication on File FAILS – Yeas 3, Nays 6. (Councillors Bousquet, Carney and Coelho IN FAVOR.) (Councillors Gomes and Abreu not present for vote.)

(#0660)

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.”

Rule 42 Waived – Yeas 11, Nays 0.

Referred to the Committee on Appointments and Briefings.

(#0661)

COMMUNICATION/DEMOLITION, New Bedford Historical Commission, to City Council, re: BUILDING DEMOLITION REVIEW OF 80-82 NORTH STREET, (MAP 58, LOT 340) Circa 1925 one story, brick masonry and wood framed, garage structure – advising that “the structure is located in the North Bedford 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 80-82 North Street is NOT a Historically Significant building or structure and not Preferably Preserved.”

Rule 42 Waived – Yeas 11 Nays 0.

Demolition Granted.

Presented to the Mayor for approval May 02, 2016.

Approved May 04, 2016.

(#0662)

COMMUNICATION/DEMOLITION, New Bedford Historical Commission, to City Council, re: BUILDING DEMOLITION REVIEW OF 1225 OLD PLAINVILLE ROAD, (MAP 124, LOT 16) Circa 1875 two story, wood framed, residential 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 1225 Old Plainville Road is NOT a Historically Significant building or structure and not Preferably Preserved.”

Rule 42 Waived – Yeas 11, Nays 0.

Demolition Granted.

Presented to the Mayor for approval May 02, 2016.

Approved May 04, 2016.

(#0663)

WRITTEN MOTION, Councillor Carney, requesting, that the following street(s) be CLOSED: RUSSELL STREET, between Purchase Street and Acushnet Avenue AND MANNY COSTA WAY, between Acushnet Avenue and South Second Street, ON SATURDAY, MAY 07, 2016, FROM 10:00 A.M. TO 5:00 P.M., for the purpose of the NEIGHBORHOOD FUN DAY.

Rule 42 Waived – Yeas 11, Nays 0.

Permission Granted.

Presented to the Mayor For approval May 02, 2016.

Approved May 04, 2016.

(#0664)

REPORT, Committee on Ordinances, recommending to the City Council, ADOPTION of the ORDINANCE AS AMENDED, Relative to Door to Door Sales and Pass it to a Second Reading.

Recommendation Followed.

(#0665)

AN ORDINANCE,

Passed to a Second Reading.

(#0666)

WRITTEN MOTION, Councillors Lopes, Bousquet, Martins, Winterson and Council President Morad, requesting that the Committee on Ordinances review the City of Boston’s Ordinance regarding Recreational Vehicles; and further, that the Committee also review a draft Ordinance written by the Police Department for the City of New Bedford on Recreational Vehicles. (To be Referred to the Committee on Ordinances.)

Referred to the Committee on Ordinances.

(#0667)

AN ORDINANCE, from the City of Boston regarding Recreational Vehicles.
Referred to the Committee on Ordinances. (#0668)

AN ORDINANCE (draft form), from the New Bedford Police Department regarding Recreational Vehicles.
Referred to the Committee on Ordinances. (#0669)

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 9, Nays 0. (Councillors Lopes and Oliveira not present for vote.)
Adopted. (#0670)

WRITTEN MOTION, Councillor Lopes, requesting, AGAIN, that Superintendent Pia Durkin supply this Councillor with the 2015-2016 school testing calendar, originally requested on February 11, 2016 and has not received a response.

Referred to Superintendent Dr. Pia Durkin, requesting a response within 7 days.

Rule 40 Waived – Yeas 11, Nays 0.

Presented to the Mayor for approval April 29, 2016.

RETURNED UNSIGNED - May 19, 2016. (#0671)

WRITTEN MOTION, Councillor Rebeiro, requesting, on behalf of the American Cancer Society, that the following street(s) be CLOSED: HUNTER STREET, from Parker Street to Maxfield Street, FROM FRIDAY, JUNE 24, 2016, AT 8:00 A.M. TO SATURDAY, JUNE 25, 2016, AT 12:00 P.M. (NOON), for the purpose of the Relay for Life Walk at Paul Walsh Field.

Permission Granted.

Presented to the Mayor for approval May 02, 2016.

Approved May 04, 2016. (#0672)

WRITTEN MOTION, Councillor Martins, requesting, on behalf of the Senhor Da Pedra Club and Feast Committee, that the following street(s) be CLOSED: WEBSTER COURT, from Madeira Avenue to Funchal Place (Hope Street) and TINKHAM STREET, from Madeira Avenue to Funchal Place (Hope Street), ON SATURDAY, JUNE 18, 2016, FROM 10:00 A.M. TO 12:00 P.M. (MIDNIGHT), AND SUNDAY, JUNE 19, 2016, FROM 10:00 A.M. TO 11:00 P.M., for the purpose of THE ANNUAL SENHOR DA PEDRA HOLY GHOST FEAST.

Permission Granted.

Presented to the Mayor for approval May 02, 2016.

Approved May 04, 2016. (#0673)

WRITTEN MOTION, Councillor Martins, requesting, on behalf of the New Bedford Day of Portugal Committee, that the following street(s) be CLOSED: WILLIAM STREET, from Sixth Street to Pleasant Street, ON THURSDAY, JUNE 09, 2016, FROM 5:30 P.M. TO 7:00 P.M., for the purpose of The Annual Day of Portugal Opening Ceremonies.

Permission Granted.

Presented to the Mayor for approval May 02, 2016.

Approved May 04, 2016. (#0674)

WRITTEN MOTION, Councillor Martins, requesting, on behalf of the Day of Portugal Committee, that the following street(s) be CLOSED: ACUSHNET AVENUE, from Beetle Street to Coffin Avenue; SAWYER STREET, from North Front Street to Ashley Boulevard; HOLLY STREET, from North Front Street to Ashley Boulevard; TALLMAN STREET, from North Front Street to Ashley Boulevard; NYE STREET, from North Front Street to Ashley Boulevard; BULLARD STREET, from North Front Street to Ashley Boulevard; DEANE STREET, from Ashley Boulevard to Acushnet Avenue, FROM 6:00 A.M., THURSDAY, JUNE 09, 2016, THROUGH 10:00 A.M., MONDAY, JUNE 13, 2016; and further, that the following streets or intersections be designated NO PARKING AND ENFORCED AS A TOW ZONE: ACUSHNET AVENUE, from Beetle Street to Coffin Avenue (both sides); THE NORTH SIDE OF SAWYER STREET, EASTERLY APPROXIMATELY 150 feet, ending at a line parallel to the eastern most property line of the Howard Street Parking Lot (both sides); HOLLY STREET – 50 feet east and west of the intersection of Acushnet Avenue (both sides); TALLMAN STREET – 50 feet east and west of the intersection of Acushnet Avenue (both sides); NYE STREET – 50 feet east and west of the intersection of Acushnet Avenue (both sides); BULLARD STREET – 50 feet east and west of the intersection of Acushnet Avenue (both sides); DEANE STREET – 50 feet east and west of the intersection of Acushnet Avenue (both sides); for the purpose of THE 19TH ANNUAL DAY OF PORTUGAL CELEBRATION.

Permission Granted.

Presented to the Mayor for approval May 02, 2016.

Approved May 04, 2016.

(#0675)

WRITTEN MOTION, Councillor Winterson, requesting, that the following street(s) be CLOSED: FULLER MEMORIAL PARKWAY, from Rockdale Avenue, westerly through Buttonwood Park, to Brownell Avenue AND BUTTONWOOD STREET, from the Monument to Lake Street, FROM: 8:00 A.M. THURSDAY, JULY 07, 2016, THROUGH: 9:00 P.M., MONDAY, JULY 11, 2016, for the purpose of THE NEW BEDFORD POLICE UNION FAMILY FUN FESTIVAL.

Permission Granted.

Presented to the Mayor for approval May 02, 2016.

Approved May 04, 2016.

(#0676)

WRITTEN MOTION, Councillor Oliveira, requesting, on behalf of the Portuguese-American War Veterans, that WILLIS STREET, from Purchase Street to Pleasant Street, be CLOSED on MONDAY, MAY 30, 2016, FROM 11:00 A.M. TO 3:00 P.M., for the purpose of A Veteran's Reception after the Memorial Day Parade.

Permission Granted.

Presented to the Mayor for approval May 02, 2016.

Approved May 04, 2016.

(#0677)

WRITTEN MOTION, Councillor Bousquet, requesting, that the Special Committee on Memorials and Dedications consider naming the new pocket park near St. Anthony of Padua Church, or create a monument or memorial to honor and recognize the City's greatest track hero: the "Whaling City Wonder", French-Canadian Leo E. Larrivee, who brought home New Bedford's first Olympic Medal – a Bronze for the third-place finish in the men's 3,000 Meter Team Race at the 1924 Summer Olympic Games in Paris.

Motion made to strike 'new pocket park near St. Anthony's Church' and Amend to read "create a pocket park or monument to honor."

Motion Adopted as Amended and Referred to the Special Committee on Memorials and Dedications.

(#0678)

WRITTEN MOTION, Councillors Abreu, Winterson, Gomes, Lopes, Council President Morad and Councillors Carney and Martins, requesting that Jean Fox, Project Manager of "SouthCoast Rail" for the

Massachusetts Department of Transportation, and the "Rail to Boston" Coalition come before the Committee on Appointments and Briefings to discuss the recent updates of this project with both the Council and the Residents of New Bedford as it approaches its 30% permitting and design phase; and further, how this body can help further the advocacy of this project amongst both our State and Federal delegations. (To be Referred to the Committee on Appointments & Briefings, SouthCoast Rail Project Manager Jean Fox and Paul Chasse, Chair of the "Rail to Boston" Committee.)

Referred to the Committee on Appointments and Briefings, Southcoast Rail Project Manager, Jean Fox and Paul Chasse, Chair of the "Rail to Boston" Committee. (#0679)

WRITTEN MOTION, Councillors Abreu, Winterson, Gomes, Lopes and Martins, requesting that Representatives from both Eversource Energy and Spectra Energy come before the Committee on Appointments and Briefings to discuss both the potential economic and social impact the Acushnet LNG Proposal would have on not only New Bedford, but on the surrounding communities as well, since Representatives of the "Southcoast Neighbors United" came before this body and the local media recently to voice their opposition of this project, it is only fair, in the spirit of full transparency, that the Committee invite the proponents of the project as well. (To be Referred to the Committee on Appointments & Briefings, Dennis D. Galvam, Manager of Community Relations & Economic Development for Eversource Energy and Representatives from Spectra Energy).

Referred to the Committee on Appointments and Briefings, Dennis D. Galvam, Manager of Community Relations & Economic Development for Eversource and Representatives from Spectra Energy. (#0680)

WRITTEN MOTION, Councillors Bousquet, Lopes and Abreu, requesting, the Department of Tourism and Marketing, or New Bedford Cable Access create a public service message advising residents and visitors to not give money to panhandlers and professional beggars and enable their existence.

Referred to the Department of Tourism and Marketing and the New Bedford Cable Access.
Presented to the Mayor for approval May 02, 2016.

RETURNED UNSIGNED - May 19, 2016. (#0681)

WRITTEN MOTION, Councillors Abreu, Rebeiro, Bousquet, Coelho and Winterson, requesting, that Department of Public Infrastructure Commissioner, Ronald Labelle, look into the possibility of erecting signs in high solicitation areas throughout the City in the spirit of educating both our residents and visitors that their donations to individual solicitors can be better used to help a larger number of needy individuals if donations and contributions are made to registered organizations instead of individual solicitors; and further, that DPI work with this Council, the Mayor's Office and representatives from the "Homeless Services Providers Network", in discussing a marketing initiative similar to the "Make Your Change Count" campaign used by several other communities throughout the Country, in which the sign lists a website directing both residents and visitors alike to our local food pantries, homeless shelters, addiction treatment services and other various non-profit and social advocacy agencies which are always in need of donations. (To be Referred to the Committee on Public Safety and Neighborhoods, DPI Commissioner Ronald Labelle, the Mayor's Office, Scott Downing, Executive Secretary to the Traffic Commission and Carl Alves,

Chairperson of the "Homeless Service Providers Network.")

Referred to the Committee on Public Safety and Neighborhoods, DPI Commissioner Ronald Labelle, the Mayor's Office and Carl Alves, Chairperson of "Homeless Service Provides Network."

Presented to the Mayor for approval May 02, 2016.

RETURNED UNSIGNED May 19, 2016. (#0682)

WRITTEN MOTION, Councillor Coelho, requesting, that a representative from the Police Department be invited to appear before the Committee on Public Safety and Neighborhoods to update the Committee members on the status of surveillance cameras throughout the City, these cameras are a tool in preventing crime; and further, that we look into the possibility of adding additional cameras in areas where panhandlers are aggressively attacking motorists in an attempt to curb some of this nuisance behavior. (To be Referred to the Committee on Public Safety and Neighborhoods and a representative from the Police Department.)

Referred to the Committee on Public Safety and Neighborhoods and a Representative from the Police Department. (#0683)

WRITTEN MOTION, Councillors Carney, Abreu, Lopes, Martins, Winterson and Rebeiro, requesting, that the Committee on Ordinances, implement a policy that all licenses issued by the City of New Bedford which require a criminal background check known as a CORI, also require that fingerprinting also be added to the process, which will give the City notification of a felony committed in other States; and further, that any additional expenses incurred by the fingerprinting process be reflected in the cost of the license. (To be Referred to the Committee on Ordinances.)

Referred to the Committee on Ordinances. (#0684)

WRITTEN MOTION, Councillor Coelho, requesting, that a representative from the Police Department be invited to appear before the Committee on Public Safety and Neighborhoods to update the Committee members on the opiate epidemic and the number of repeat overdoses and provide us with the latest statistics on the matter, since our area appears to have the highest number of overdoses in Bristol County; and further, to inform us about what kind of outreach is being done and what the State can do to help us, as we need assistance to deal with the repeat overdose crisis. (To be Referred to the Committee on Public Safety and Neighborhoods and a representative from the Police Department.)

Referred to the Committee on Public Safety and Neighborhoods and a Representative from the Police Department. (#0685)

WRITTEN MOTION, Councillors Gomes and Winterson, requesting, that Town and City officials from New Bedford and Dartmouth hold a meeting for the purpose of discussing a plan to address the repaving of Brownell Avenue, between Hawthorn Street and Allen Street, seeing that this road is a main road, which borders City and Town lines. (To be Referred to the Mayor and Department of Public Infrastructure Commissioner, Ronald Labelle.)

Referred to the Mayor and Department of Public Infrastructure Commissioner Ronald Labelle.

Presented to the Mayor for approval May 02, 2016.

RETURNED UNSIGNED - May 19, 2016. (#0686)

PETITION, Monica E. Tobin, 352 Cummings Road, Swansea, MA 02777 d/b/a CODY & TOBIN, INC. 516 Belleville Avenue, New Bedford, MA 02746, requesting that she be granted a Waiver of Residency in accordance with Section 15-18 of the City Code, to obtain a **LICENSE TO DEAL IN JUNK, OLD METALS OR ANY OTHER SECOND HAND ARTICLES.**

Waiver of Residency Granted – Yeas 9, Nays 2. (Councillor Morad and Councillor Rebeiro Opposed.)

Presented to the Mayor for approval May 02, 2016.

Approved May 04, 2016. (#0687)

PETITION/INDEMNITY AGREEMENT, NEW BEDFORD FISHING HERITAGE CENTER, INC., for Permission to Erect and Maintain a Projecting Sign at 38 Bethel 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 May 02, 2016.

Approved May 04, 2016. (#0688)

CONSTABLE BOND, REBEKAH A. TOMLINSON, Acushnet, MA 02743 in the amount of \$5,000.00 with the Western Surety Company.

Approved.

Presented to the Mayor for approval May 02, 2016.

Approved May 04, 2016. (#0689)

CONSTABLE BOND, WAYNE R. VANDAL, Acushnet, MA 02743 in the amount of \$5,000.00 with the Hanover Insurance Company.

Approved.

Presented to the Mayor for approval May 02, 2016.

Approved May 04, 2016.

(#0690)

COMMUNICATION, Councillor Bousquet submitting an email from CLEAN going on record against a liquor license for the Bay Sox's to sell beer & wine on school property.

Received and Placed on File.

(#0691)

MINUTES, Council on Aging Advisory Board, submitting MINUTES of a meeting held on February 11, 2016.

Received and Placed on File.

(#0692)

MINUTES, Council on Aging Advisory Board, submitting MINUTES of a meeting held on March 10, 2016.

Received and Placed on File.

(#0693)

MINUTES, Board of Assessors, submitting MINUTES of a meeting held on April 07, 2016.

Received and Placed on File.

(#0694)

MINUTES, Licensing Board, submitting MINUTES of a meeting held on March 28, 2016.

Received and Placed on File.

(#0695)

APPLICATION, **JLC Construction**, for permission to maintain a STREET OBSTRUCTION at **252 Chestnut Street**, provisionally granted by the City Clerk on April 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 May 02, 2016.

Approved May 04, 2016.

(#0696)

APPLICATION, **JLC Construction**, for permission to maintain a STREET OBSTRUCTION at **2 Vine Street**, provisionally granted by the City Clerk on April 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 May 02, 2016.

Approved May 04, 2016.

(#0697)

APPLICATION, **JB Lanagan & Co.**, for permission to maintain a STREET OBSTRUCTION at **42 West Rodney French Boulevard**, provisionally granted by the City Clerk on April 19, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 02, 2016.

Approved May 04, 2016.

(#0698)

APPLICATION, **Frank Corp. Environmental Services**, for permission to maintain a STREET OBSTRUCTION at **25 Buttonwood Street**, provisionally granted by the City Clerk on April 21, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 02, 2016.

Approved May 04, 2016.

(#0699)

APPLICATION, **JLC Construction**, for permission to maintain a STREET OBSTRUCTION at **255 River Road**, provisionally granted by the City Clerk on April 22, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval May 02, 2016.
Approved May 04, 2016.

(#0700)

APPLICATION, **W.C. Smith & Son**, for permission to maintain a STREET OBSTRUCTION at **2056 Acushnet Avenue**, provisionally granted by the City Clerk on April 22, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval May 02, 2016.
Approved May 04, 2016.

(#0701)

APPLICATION, **JLC Construction**, for permission to maintain a STREET OBSTRUCTION at **50 Kilburn Street**, provisionally granted by the City Clerk on April 22, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval May 02, 2016.
Approved May 04, 2016.

(#0702)

APPLICATION, **JLC Construction**, for permission to maintain a STREET OBSTRUCTION at **164 Chestnut Street**, provisionally granted by the City Clerk on April 22, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval May 02, 2016.
Approved May 04, 2016.

(#0703)

APPLICATION, **W.C. Smith & Son**, for permission to maintain a STREET OBSTRUCTION at **130 Garfield Street**, provisionally granted by the City Clerk on April 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 May 02, 2016.
Approved May 04, 2016.

(#0704)

APPLICATION, **JLC Construction**, to DISTURB THE SURFACE, of **252 Chestnut Street**, provisionally granted by the City Clerk on April 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 May 02, 2016.
Approved May 04, 2016.

(#0705)

APPLICATION, **JLC Construction**, to DISTURB THE SURFACE, of **2 Vine Street**, provisionally granted by the City Clerk on April 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 May 02, 2016.
Approved May 04, 2016.

(#0706)

APPLICATION, **JB Lanagan & Co.**, to DISTURB THE SURFACE, of **42 West Rodney French Boulevard**, provisionally granted by the City Clerk on April 19, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval May 02, 2016.
Approved May 04, 2016.

(#0707)

APPLICATION, **Frank Corp. Environmental Services**, to DISTURB THE SURFACE, of **25 Buttonwood Street**, provisionally granted by the City Clerk on April 21, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval May 02, 2016.
Approved May 04, 2016.

(#0708)

APPLICATION, **JLC Construction**, to DISTURB THE SURFACE, of **255 River Road**, provisionally granted by the City Clerk on April 22, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval May 02, 2016.
Approved May 04, 2016.

(#0709)

APPLICATION, **W.C. Smith & Son**, to DISTURB THE SURFACE, of **2056 Acushnet Avenue**, provisionally granted by the City Clerk on April 22, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 02, 2016.

Approved May 04, 2016. (#0710)

APPLICATION, **JLC Construction**, to DISTURB THE SURFACE, of **50 Kilburn Street**, provisionally granted by the City Clerk on April 22, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 02, 2016.

Approved May 04, 2016. (#0711)

APPLICATION, **JLC Construction**, to DISTURB THE SURFACE, of **164 Chestnut Street**, provisionally granted by the City Clerk on April 22, 2016, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 02, 2016.

Approved May 04, 2016. (#0712)

APPLICATION, **W.C. Smith & Son**, to DISTURB THE SURFACE, of **130 Garfield Street**, provisionally granted by the City Clerk on April 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 May 02, 2016.

Approved May 04, 2016. (#0713)

APPLICATIONS, **Eversource Gas**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on April 19, 2016, subject to ratification by the Mayor and City Council as follows:

794 Purchase Street (#0714)

385 County Street (#0715)

177 Thompson Street (#0716)

70 Morgan Street (#0717)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 02, 2016.

Approved May 04, 2016.

APPLICATION, **Eversource Gas**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on April 20, 2016, subject to ratification by the Mayor and City Council as follows:

378 – 380 Bedford Street

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 02, 2016.

Approved May 04, 2016. (#0718)

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

794 Purchase Street (#0719)

159 – 163 Acushnet Avenue (#0720)

163 Maxfield Street (#0721)

28 Alva Street (#0722)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 02, 2016.

Approved May 04, 2016.

APPLICATIONS, **Eversource Gas**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on April 26, 2016, subject to ratification by the Mayor and City Council as follows:

12 Viall Street (#0723)

38 – 40 Cove Street

(#0724)

146 Clifford Street

(#0725)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 02, 2016.

Approved May 04, 2016.

APPLICATION, **NSTAR Electric Company d/b/a Eversource Energy**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on April 21, 2015, subject to ratification by the Mayor and City Council as follows:

Ocean Street, North of Maple Street

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 02, 2016.

Approved May 04, 2016.

(#0726)

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

County Street, North of South Street

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 02, 2016.

Approved May 04, 2016.

(#0727)

APPLICATION, **S & L Roll-Off Service**, for permission to maintain a STREET OBSTRUCTION, provisionally granted by the City Clerk on April 19, 2016, subject to ratification by the Mayor and City Council as follows:

63 Adams Street

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 02, 2016.

Approved May 04, 2016.

(#0728)

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

27 Maple Street

(#0729)

2841 Acushnet Avenue

(#0730)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 02, 2016.

Approved May 04, 2016.

PETITION, NSTAR Electric Company d/b/a Eversource Energy for location of one (1) 4" Conduit, three (3) 4" Conduits and One (1) 45"x 45"x 36" Handhole in WEST CLINTON STREET, West of James Street.

RECEIVED AND HEARING ORDERED FOR THURSDAY, MAY 12, 2016.

PETITION, NSTAR Electric Company d/b/a Eversource Energy for location of one (1) 4" Conduit, three (3) 4" Conduits and One (1) 6'x10'x6' Manhole in JAMES STREET, opposite West Clinton Street.

RECEIVED AND HEARING ORDERED FOR THURSDAY, MAY 12, 2016.

PETITION, NSTAR Electric Company d/b/a Eversource Energy for location of one (1) 2" Conduit, in CHESTNUT STREET, North of Merrimac Street.

RECEIVED AND HEARING ORDERED FOR THURSDAY, MAY 12, 2016.

On a motion, the Council then adjourned at 8:30 p.m.

ATTEST:

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