



# ***Council Meeting*** – **Minutes**

## ***CITY COUNCIL CALENDAR***

Chambers of the City Council Municipal Building  
***Thursday, May 28, 2015 – 7:09 p.m.***

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

LATE: Councillor Lopes (7:10 p.m.)

ABSENT: No One

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Council President Gomes called the meeting to order and presided.

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Prayer Led By: Reverend Leona Fisher, Pastor In The Name Of Jesus Church.

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Councilor at Large Naomi Carney led the Assembly in the Pledge of Allegiance to the flag.

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Moment of Silence: The Honorable John A. Tierney.

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CITATION, Councillor Martins, honoring KENNEDY M. C. ZUSSY, in recognition of her sharing her love of reading and collecting books to donate to children in need.

TABLED.

Removed from the Table and Adopted. (#0843)

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CITATION, Councillors Lopes, Alves and Oliveira, honoring MEMBERS OF THE UNITED STATES ARMED FORCES, in recognition of honoring the current and former members of the Armed Forces, including those who have died in the pursuit of freedom and peace.

TABLED.

Removed from the Table and Adopted. (#0844)

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CITATIONS, Councillor Lopes, honoring Detective Alberto Silva, Detective Macaila Saunders, Sgt. James Estrella, Officer Henry Turgeon II, Officer Michael Cassidy, Officer Daniel Sweeney, Officer John Ribeiro III, Animal Control Director Emanuel Maciel and Massachusetts State Trooper Christopher Andrade, in recognition of their dedication and commitment in raising awareness of the sacrifices made by law enforcement personnel who have died in the line of duty and their support of the National Law Enforcement Officers Memorial.

Tabled.

Removed from the Table and Adopted. (#0845)

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CITATIONS, Councillor Martins, honoring the Members of the All-City Middle School Band, Colorguard and Instructors, in recognition of winning Gold Medals at the Music in the Parks Festival and NESBA Winterguard Championship.

Adopted.

(#0846)

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CITATION, Council President Gomes and Councillor Martins, honoring MICHAEL CASSIDY, New Bedford Police Department Dive Team, in recognition of his rescue of Baltazar Laborinho in New Bedford Harbor on Tuesday, April 28, 2015, and his dedication and commitment to serving the Citizens of New Bedford.

Tabled.

Removed from the Table and Adopted.

(#0695)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, for the TRANSFER of ~~\$618,000.00.00~~ \$598,000.00 from FACILITIES AND FLEET MANAGEMENT SALARIES AND WAGES in the amount of \$170,000.00, HEALTH SALARIES AND WAGES, in the amount of \$75,000.00, RECREATION AND PARKS SALARIES AND WAGES, in the amount of ~~\$31,000.00~~, \$11,000.00 TOURISM/MARKETING SALARIES AND WAGES, in the amount of \$6,000.00, POLICE SALARIES AND WAGES, in the amount of \$186,000.00, INSPECTIONAL SERVICES SALARIES AND WAGES, in the amount of \$29,000.00, FACILITIES AND FLEET, CHARGES AND SERVICES, in the amount of \$115,000.00 and POLICE SUPPLIES AND MATERIALS, in the amount of \$6,000.00, to GENERAL GOVERNMENT UNCLASSIFIED CHARGES AND SERVICES.

Referred to the Committee on Finance.

(#0847)

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AN ORDER,

Referred to the Committee on Finance.

(#0848)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, for the TRANSFER of \$517,000.00.00 from PUBLIC INFRASTRUCTURE SALARIES AND WAGES in the amount of \$78,000.00, LIBRARY SALARIES AND WAGES in the amount of \$129,000.00, INSPECTIONAL SERVICES SALARIES AND WAGES, in the amount of \$80,000.00, PUBLIC INFRASTRUCTURE CHARGES AND SERVICES in the amount of \$74,000.00, HEALTH DEPARTMENT CHARGES AND SERVICES, in the amount of \$13,000.00, TREASURER CHARGES AND SERVICES, in the amount of \$95,000.00, DFFM SUPPLIES AND MATERIALS, in the amount of \$25,000.00, PUBLIC INFRASTRUCTURE SUPPLIES AND MATERIALS, in the amount of \$5,000.00 and PUBLIC INFRASTRUCTURE CAPITAL OUTLAY, in the amount of \$18,000.00, to FIRE SALARIES AND WAGES.

Referred to the Committee on Finance.

(#0849)

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AN ORDER,

Referred to the Committee on Finance.

(#0850)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, for the TRANSFER of \$89,900.00 from LIBRARY CAPITAL OUTLAY, to LIBRARY OTHER CHARGES.

Received and Placed on File.

(#0851)

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CITY OF NEW BEDFORD  
IN CITY COUNCIL  
MAY 28, 2015

ORDERED, that the sum of **EIGHTY NINE THOUSAND, NINE HUNDRED DOLLARS (\$89,900.00)** now standing to the credit of the account from **LIBRARY CAPITAL OUTLAY** be and the same is hereby transferred and appropriated to as follows:

**LIBRARY OTHER CHARGES.....\$89,900.00**

To be certified and approved by the Department Head.

Adopted – Yeas 9, Nays 0. (Council President Gomes and Councillor Winterson not present for vote.)

Presented to the Mayor for approval June 01, 2015.

Approved June 06, 2015.

(#0852)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, for the TRANSFER of \$74,000.00 from POLICE SALARIES AND WAGES, to POLICE CHARGES AND SERVICES.

Received and Placed on File.

(#0853)

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CITY OF NEW BEDFORD  
IN CITY COUNCIL  
MAY 28, 2015

ORDERED, that the sum of **SEVENTY-FOUR THOUSAND DOLLARS (\$74,000.00)** now standing to the credit of the account from **POLICE SALARIES AND WAGES** be and the same is hereby transferred and appropriated to as follows:

**POLICE CHARGES AND SERVICES.....\$74,000.00**

To be certified and approved by the Department Head.

Adopted.

Presented to the Mayor for approval June 01, 2015.

Approved June 06, 2015.

(#0854)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, for the TRANSFER of \$13,500.00 from LABOR RELATIONS SALARIES AND WAGES, to GENERAL GOVERNMENT UNCLASSIFIED CHARGES AND SERVICES.

Referred to the Committee on Finance.

(#0855)

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AN ORDER,

Referred to the Committee on Finance.

(#0856)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, for the TRANSFER of \$1,000.00 from PLANNING AND COMMUNITY DEVELOPMENT CHARGES AND SERVICES, to PLANNING AND COMMUNITY DEVELOPMENT SUPPLIES AND MATERIALS.

Received and Placed on File.

(#0857)

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CITY OF NEW BEDFORD  
IN CITY COUNCIL  
MAY 28, 2015

ORDERED, That the sum of **ONE THOUSAND DOLLARS (\$1,000.00)** now standing to the credit of the account from **PLANNING AND COMMUNITY DEVELOPMENT CHARGES AND SERVICES** be and the same is hereby transferred and appropriated to as follows:

**PLANNING AND COMMUNITY DEVELOPMENT SUPPLIES AND MATERIALS.....\$1,000.00**

To be certified and approved by the Department Head.

Adopted.

Presented to the Mayor for approval June 01, 2015.

Approved June 06, 2015.

(#0858)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, for the TRANSFER of \$800.00 from LABOR RELATIONS SALARIES AND WAGES, to LABOR RELATIONS CHARGES AND SERVICES.

Received and Placed on File.

(#0859)

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CITY OF NEW BEDFORD  
IN CITY COUNCIL  
MAY 28, 2015

ORDERED, That the sum of **EIGHT HUNDRED DOLLARS (\$800.00)** now standing to the credit of the account from **LABOR RELATIONS SALARIES AND WAGES** be and the same is hereby transferred and appropriated to as follows:

**LABOR RELATIONS CHARGES AND SERVICES .....\$800.00**

To be certified and approved by the Department Head.

Adopted.

Presented to the Mayor for approval June 01, 2015.

Approved June 06, 2015.

(#0860)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of ELAINE SAFIOLEAS, New Bedford, MA, to the PARK BOARD; this term will expire May of 2019.

Rule 38 Waived, Reappointment Confirmed and Rule 40 Waived – Yeas 10, Nays 0. (Council President Gomes not present for vote.)

(#0861)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of PETER BOSWELL, New Bedford, MA, to the PARK BOARD; this term will expire May of 2020.

Rule 38 Waived, Reappointment Confirmed and Rule 40 Waived – Yeas 10, Nays 0. (Council President Gomes not present for vote.) (#0862)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of CHARLES (Chuck) COTTER, New Bedford, MA, to the PARK BOARD; this term will expire May of 2020.

Rule 38 Waived, Reappointment Confirmed and Rule 40 Waived – Yeas 10, Nays 0. (Council President Gomes not present for vote.) (#0863)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of ATTORNEY J. LOUIS LEBLANC, New Bedford, MA, to the ELECTION COMMISSION; this term will expire April of 2019.

Rule 38 Waived, Reappointment Confirmed and Rule 40 Waived – Yeas 10, Nays 0. (Council President Gomes not present for vote.) (#0864)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of EGIDIO MELLO, New Bedford, MA, to the CEMETERY BOARD; this term will expire April of 2018.

Rule 38 Waived, Reappointment Confirmed and Rule 40 Waived – Yeas 10, Nays 0. (Council President Gomes not present for vote.) (#0865)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of CAROL GRIMES, New Bedford, MA, to the CEMETERY BOARD; this term will expire April of 2018.

Rule 38 Waived, Reappointment Confirmed and Rule 40 Waived – Yeas 10, Nays 0. (Council President Gomes not present for vote.) (#0866)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of CARLOS DACUNHA, New Bedford, MA, to the AIRPORT COMMISSION; this term will expire December of 2017.

Rule 38 Waived, Reappointment Confirmed and Rule 40 Waived – Yeas 10, Nays 0. (Council President Gomes not present for vote.) (#0867)

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COMMUNICATION Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of BROOKE MILLER, New Bedford, MA, to the COMMISSION FOR CITIZENS WITH DISABILITIES; this term will expire May of 2018.

Rule 38 Waived, Reappointment Confirmed and Rule 40 Waived – Yeas 10, Nays 0. (Council President Gomes not present for vote.) (#0868)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of JOHN TYSON, New Bedford, MA, to the COMMISSION FOR CITIZENS WITH DISABILITIES; this term will expire May of 2018.

Rule 38 Waived, Reappointment Confirmed and Rule 40 Waived – Yeas 10, Nays 0. (Council President Gomes not present for vote.) (#0869)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of DENNIS DEMARINIS JR., New Bedford, MA, to the COMMISSION FOR CITIZENS WITH DISABILITIES; this term will expire May of 2018.

Rule 38 Waived, Reappointment Confirmed and Rule 40 Waived – Yeas 10, Nays 0. (Council President Gomes not present for vote.) (#0870)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting ORDINANCES, Amending Chapter 16, Article VIII, MUNICIPAL UTILITIES AND SERVICES; Amending Chapter 17, Section 17-28, Noncriminal Disposition of Violations of Certain Ordinances, Rules & Regulations – (j) Relative to STORMWATER MANAGEMENT; and Amending Chapter 17, Section 17-28, Chapter 40U of the Massachusetts General Laws.

Referred to the Committee on Ordinances. (#0871)

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AN ORDINANCE, Amending Chapter 16, Article VIII, STORMWATER MANAGEMENT.

Referred to the Committee on Ordinances. (#0872)

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AN ORDINANCE, Amending Chapter 17, Section 17-28, Noncriminal Disposition of Violations of Certain Ordinances, Rules & Regulations – (j) Relative to STORMWATER MANAGEMENT.

Referred to the Committee on Ordinances. (#0873)

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AN ORDINANCE, Amending Chapter 17, Section 17-18, Chapter 40U of the Massachusetts General Laws.

Referred to the Committee on Ordinances. (#0874)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting a request to rename a section of Massachusetts Route 18, from Elm Street to Cove Street, from “John F. Kennedy Highway” to “John F. Kennedy Boulevard,” the purpose being to improve pedestrian access from our Downtown and south end neighborhoods to the waterfront and to beautify the area.

Referred to the Special Committee on Memorials and Dedications – Yeas 8, Nays 2. (Councilors Martins and Morad OPPOSED.) (#0875)

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REPORT, Committee on Finance, recommending to the City Council ADOPTION of the ORDER, for the transfer of \$650,000 from FREE CASH to GENERAL GOVERNMENT UNCLASSIFIED, RESERVE FOR APPROPRIATION.

Recommendation Followed. (#0876)

IN CITY COUNCIL

APRIL 09, 2015

ORDERED, That the sum of **SIX HUNDRED FIFTY THOUSAND DOLLARS (\$650,000.00)** now standing to the credit of the account from **FREE CASH** be and the same is hereby transferred and appropriated to as follows:

**GENERAL GOVERNMENT UNCLASSIFIED RESERVE FOR APPROPRIATION.....\$650,000.00**

To be certified and approved by the Department Head.

Rule 42 Waived – Yeas 8, Nays 0. (Councillors Coelho and Oliveira not present for vote.)

CHARTER RULED.

Councillor Morad rescinded her CHARTER RULED motion – Yeas 8, Nays 1. (Councillor Martins Opposed; Council President Gomes not present for vote.)

Referred to the Committee on Finance - April 09, 2015.

Adopted – Yeas 10, Nays 0. (Council President Gomes not present for vote.)

Presented to the Mayor for approval June 01, 2015.

Approved June 06, 2015. (#0499)

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REPORT, Committee on Finance, recommending to the City Council ADOPTION of the ORDER, for the transfer of \$125,000 from WATER, CAPITAL OUTLAY to WATER, SALARIES & WAGES.

Recommendation Followed. (#0877)

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CITY OF NEW BEDFORD

IN CITY COUNCIL

APRIL 09, 2015

ORDERED, That the sum of **ONE HUNDRED TWENTY FIVE THOUSAND DOLLARS (\$125,000.00)** now standing to the credit of the account from **WATER CAPITAL OUTLAY** be and the same is hereby transferred and appropriated to as follows:

**WATER SALARIES AND WAGES .....\$125,000.00**

To be certified and approved by the Department Head.

Rule 42 Waived – Yeas 8, Nays 0. (Councillors Coelho and Oliviera not present for vote.)

CHARTER RULED.

Councillor Morad rescinded her CHARTER RULED Motion – Yeas 8, Nays 1. (Councillor Martins OPPOSED; Council President Gomes not present for vote.)

Referred to the Committee on Finance-April 09, 2015.

Adopted.

Presented to the Mayor for approval June 01, 2015.

Approved June 06, 2015. (#0501)

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REPORT, Committee on Finance, recommending to the City Council ADOPTION of the ORDER, for the transfer of \$50,000 from WASTEWATER, CAPITAL OUTLAY to WASTEWATER, SALARIES & WAGES.

Recommendation Followed.

(#0878)

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CITY OF NEW BEDFORD  
IN CITY COUNCIL  
APRIL 09, 2015

ORDERED, That the sum of **FIFTY THOUSAND DOLLARS (\$50,000.00)** now standing to the credit of the account from **WASTEWATER CAPITAL OUTLAY** be and the same is hereby transferred and appropriated to as follows:

**WASTEWATER SALARIES AND WAGES.....\$50,000.00**

To be certified and approved by the Department Head.

Rule 42 Waived – Yeas 8, Nays 0. (Councillors Coelho and Oliveira not present for vote.)

CHARTER RULED.

Councillor Morad rescinded her CHARTER RULED Motion - Yeas 8, Nays 1. (Councillor Martins OPPOSED; Council President Gomes not present for vote.)

Referred to the Committee on Finance-April 09, 2015.

Adopted.

Presented to the Mayor for approval June 01, 2015.

Approved June 06, 2015. (#0503)

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REPORT, Committee on Finance, recommending to the City Council ADOPTION of the ORDER, for the transfer of \$15,000 from AIRPORT, FREE CASH to AIRPORT, SALARIES & WAGES.

Recommendation Followed. (#0879)

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CITY OF NEW BEDFORD  
IN CITY COUNCIL  
APRIL 09, 2015

ORDERED, That the sum of **FIFTEEN THOUSAND DOLLARS (\$15,000.00)** now standing to the credit of the account from **AIRPORT FREE CASH** be and the same is hereby transferred and appropriated to as follows:

**AIRPORT SALARIES AND WAGES.....\$15,000.00**

To be certified and approved by the Department Head.

Rule 42 Waived – Yeas 8, Nays 0. (Councillors Coelho and Oliveira not present for vote.)

CHARTER RULED.

Councillor Morad rescinded her CHARTER RULED Motion - Yeas 8, Nays 1. (Councillor Martins OPPOSED; Council President Gomes not present for vote.)

Referred to the Committee on Finance-April 09, 2015.

Adopted.

Presented to the Mayor for approval June 01, 2015.

Approved June 06, 2015. (#0505)



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WRITTEN MOTION, Councillor Lopes, requesting, that the City of New Bedford and the Office of Labor Relations begin a discussion with the Human Rights Campaign (HRC), so that the City of New Bedford can begin the Municipal Equality Index (MEI) process of self-submission, by which any City can submit themselves to be rated by The Human Rights Campaign, the Municipal Equality Index examines the laws, policies, and services of Municipalities across the Country and rates them on the basis of their inclusivity of the lesbian, gay, bisexual and transgender community.

Referred to the Committee on Appointments and Briefings. (#0880)

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WRITTEN MOTION, Councillor Lopes, requesting, that the Committee on Ordinances review Chapter 12, Section 39.5 of the City Code, which regulates unattended clothing donation containers, and that both Department of Inspectional Services Commissioner Romanowicz and Board of the Health Director, Dr. Brenda Weis, be invited to attend a Committee on Ordinances meeting to discuss solutions that will improve the current Ordinance and will properly address the sanitation and quality of life issues that can arise from these collection bins being located in residential neighborhoods. (To be Referred to the Committee on Ordinances, Department of Inspectional Services, Commissioner Romanowicz and Board of Health Director, Dr. Brenda Weis.)

Referred to the Committee on Ordinances. (#0881)

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WRITTEN MOTION, Council President Gomes, requesting, that the Department of Public Infrastructure sweep and clean the streets prior to the Cape Verdean Recognition Day Parade on SUNDAY, JULY 05, 2015, the Parade route is as follows: UNION STREET, from ROCKDALE AVENUE, right onto ACUSHNET AVENUE, right onto GRINNELL STREET, right onto PURCHASE STREET, ending at the reviewing stand located at the Cape Verdean-American Veterans Memorial Hall, 561 Purchase Street. (Copy of the Parade Permit enclosed.)

Permission Granted.

Presented to the Mayor for approval June 01, 2015.

Approved June 06, 2015. (#0882)

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WRITTEN MOTION, Council President Gomes, requesting, on behalf of Mr. John Silva, that the following street(s) be CLOSED: ACUSHNET AVENUE, from Russell Street South to Bedford Street, ON SUNDAY, JULY 05, 2015, FROM 11:00 A.M. TO 8:00 P.M.; and further, that this area be closed as soon as the Cape Verdean Recognition Parade Passes said area and remain closed until 8:00 P.M., for the purpose of the Cape Verdean Recognition Day Basketball Tournament.

Permission Granted.

Presented to the Mayor for approval June 01, 2015.

Approved June 06, 2015. (#0883)

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WRITTEN MOTION Council President Gomes, requesting, that the following street(s) be CLOSED: ACUSHNET AVENUE, from Madison Street to Grinnell Street, AND the INTERSECTION OF RUSSELL STREET AND PURCHASE STREET, ON SATURDAY, JULY 04, 2015, FROM 8:00 A.M. TO 8:00 P.M., for the purpose of the ATA (Albina Tavares Association) Independence Day Bike Ride.

Permission Granted.

Presented to the Mayor for approval June 01, 2015.

Approved June 06, 2015. (#0884)

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WRITTEN MOTION, Council President Gomes, requesting, that the following street(s) be CLOSED: WILLIAM STREET, from Sixth Street to Pleasant Street, ON MONDAY, JUNE 29, 2015, FROM 4:30 P.M. TO 5:30 P.M., for the purpose of the RAISING OF THE CAPE VERDEAN FLAG.

Permission Granted.

Presented to the Mayor for approval June 01, 2015.

Approved June 06, 2015. (#0885)

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WRITTEN MOTION, Council President Gomes, requesting, on behalf of the Cape Verdean Recognition Committee, that the following street(s) be CLOSED: MADISON STREET, from Pleasant Street to Acushnet Avenue and PURCHASE STREET, between Russell Street and Walnut Street (In Front of Cape Verdean-American Veterans Hall – 561 Purchase Street) ON: SUNDAY, JULY 05, 2015, FROM: 11:00 A.M. TO 8:00 P.M., for the purpose of the Cape Verdean Recognition Day Festival.

Permission Granted.

Presented to the Mayor for approval June 01, 2015.

Approved June 06, 2015. (#0886)

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WRITTEN MOTION, Council President Gomes, on behalf of the Cape Verdean Recognition Day Committee, requesting that the following street(s) be CLOSED, due to the Recognition Day Parade: UNION STREET, from Rockdale Avenue to ACUSHNET AVENUE, ACUSHNET AVENUE, from Union Street to Grinnell Street; PURCHASE STREET, from Grinnell Street to School Street, MADISON STREET, from Pleasant Street to Acushnet Avenue AND GRINNELL STREET, from Acushnet Avenue to Purchase Street, ON SUNDAY, JULY 05, 2015, FROM 11:00 A.M. TO 5:00 P.M., for the purpose of The 43rd Annual Cape Verdean Recognition Day Parade.

Permission Granted.

Presented to the Mayor for approval June 01, 2015.

Approved June 06, 2015. (#0887)

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WRITTEN MOTION, Councillor Rebeiro, requesting, on behalf of Eric S. Britto, True Bounce, Inc., that the following street(s) be CLOSED: PLEASANT STREET, from Union Street to the Entrance of SRTA Bus Terminal; WILLIAM STREET, from North Sixth Street to Purchase Street, and MARKET STREET, from North Sixth Street to Pleasant Street, ON FRIDAY, JULY 24, 2015, FROM 4:00 P.M. THROUGH SUNDAY, JULY 26, 2015, 9:00 P.M., for the 3rd Annual True Bounce 3 on 3 Basketball Classic, A Two Day Basketball Tournament.

Permission Granted.

Presented to the Mayor for approval June 01, 2015.

Approved June 06, 2015. (#0888)

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WRITTEN MOTION, Councillor Rebeiro, requesting, that the following street(s) be CLOSED: WILLIAM STREET, from Pleasant Street to Purchase Street, ON THURSDAY, JUNE 11, 2015, FROM 4:00 P.M. TO 9:00 P.M., for the purpose of AHA! New Bedford.

Permission Granted.

Presented to the Mayor for approval June 01, 2015.

Approved June 06, 2015. (#0889)

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WRITTEN MOTION, Councillor Rebeiro, requesting, on behalf of Our Lady's Chapel, that the following street(s) be CLOSED: PLEASANT STREET, from Market Street to Union Street AND MARKET STREET, from Pleasant Street to North Sixth Street, ON SUNDAY, JUNE 07, 2015, FROM 11:00 A.M. TO 3:00 P.M., for the purpose of A RELIGIOUS PROCESSION.

Permission Granted.

Presented to the Mayor for approval June 01, 2015.

Approved June 06, 2015. (#0890)

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WRITTEN MOTION, Councillor Rebeiro, requesting, on behalf of Mass in Motion New Bedford, that the following street(s) be CLOSED: BARKER'S LANE, from Acushnet Avenue, to North Second Street, EVERY THURSDAY, FROM JUNE 18, 2015, TO OCTOBER 29, 2015, FROM 1:00 P.M. TO 7:00 P.M., for the purpose of vendor parking for the New Bedford Farmer's Market. PLEASE NOTE: REQUESTING THAT WHEN AHA! NEW BEDFORD IS HELD, THAT THIS AREA REMAIN CLOSED ONE ADDITIONAL HOUR UNTIL 8:00 P.M. Also requesting: that area allow for food trucks to park at said location.

TABLED. (#0891)

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WRITTEN MOTION, Councillor Alves, requesting, that the City Council consider adopting the provisions of Chapter 329, of the Commonwealth's Acts of 1987, pertaining to increasing local control over the annual School Budget. (Copy enclosed.)

Referred to the Committee on Appointments and Briefings – FAILED – Yeas 4, Nays 7. (Councillors Carney, Martins, Morad and Winterson IN FAVOR.)

Adopted – Yeas 8, Nays 3. (Councillors Carney, Martins and Morad OPPOSED.)

Rule 40 Waived – Yeas 8, Nays 3. (Councillors Carney, Martins and Morad OPPOSED.)

Presented to the Mayor for approval May 29, 2015.

RETURNED UNSIGNED June 23, 2015. (#0892)

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WRITTEN MOTION, Councillor Bousquet, requesting, that Department of Inspectional Services Commissioner, Danny Romanowicz send an inspector to Bob's Tire Company, 55 Brook Street, to investigate the obnoxious sound emanating from the tire recycling facility and to ask them on behalf of the neighborhood, to make it stop.

Referred to the Department of Inspectional Services.

Presented to the Mayor for approval June 01, 2015.

RETURNED UNSIGNED June 23, 2015. (#0893)

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WRITTEN MOTION, Councillors Oliveira and Morad, requesting, that the Committee on Ordinances review the proposed language from DPI Commissioner Ronald Labelle, regarding Alternate Sewer Assessment – Special Project Method and that Legal Counsel to the City Council, Attorney David Gerwatowski draft an Ordinance from this language.

Referred to the Committee on Ordinances. (#0894)

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COMMUNICATION, Councillors Oliveira and Morad, submitting wording for proposed Ordinance, Alternate Sewer Assessment – Special Project Method.

Referred to the Committee on Ordinances. (#0895)

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WRITTEN MOTION, Councillor Winterson and Council President Gomes, requesting, that the Police Department enforce the laws regarding texting while driving, as distracted driving is on the rise and becoming more dangerous.

Referred to the Police Department.

Presented to the Mayor for approval June 01, 2015.

RETURNED UNSIGNED June 23, 2015. (#0896)

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COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of **Tanya Depina, 47 Lauren Drive, New Bedford, MA 02745, d/b/a COMFORT TRANSPORTATION LLC, 47 Lauren Drive, New Bedford, MA 02745**, 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 expired 11/14/14.**)

Referred to the Committee on Appointments and Briefings. (#0897)

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COMMUNICATION, City Clerk/Clerk of the City Council Dennis W. Farias, submitting a letter from State Representative Christopher Markey, in response to a letter from the City Council Meeting of April 09, 2015, regarding Massachusetts State Legislative Bill H-1275, which calls for the banning of the sale or trade of ivory. (Copy all Councillors 05/22/15.)

Received and Placed on File. (#0898)

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COMMUNICATION, City Clerk/Clerk of the City Council Dennis W. Farias, submitting a letter from State Representative Christopher Markey, in response to a letter from the City Council Meeting of April 09, 2015, regarding the “Fight for \$15” campaign for healthcare and homecare workers promoted by members of 1199 SEIU. (Copy all Councillors 05/22/15.)

Received and Placed on File.

(#0899)

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COMMUNICATION, City Clerk/Clerk of the City Council Dennis W. Farias, submitting a letter from State Representative Christopher Markey, in response to a letter from the City Council Meeting of April 09, 2015, regarding the headlight law. (Copy all Councillors 05/22/15.)

Received and Placed on File.

(#0900)

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COMMUNICATION, City Clerk/Clerk of the City Council Dennis W. Farias, submitting copy of a letter from Elizabeth Grob, Director of Urban Permitting Services, VHB, to Matthew Beaton, Secretary, Executive Office of Energy and Environmental Affairs, submitting the Environmental Notification Form (ENF) for the Cannon Street Station, a waterfront Casino and resort to be built on thirty acres of land at 180 MacArthur Drive, along the New Bedford Harbor. (Copy all Councillors 04/20/15.) (DVD of Cannon Street Station/ Environmental Notification Form on file in City Council Office.)

Received and Placed on File.

(#0901)

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RELATED MOTION, Councillor Morad, requesting that the Committee on Ordinances, in conjunction with the City Clerk, Commissioner of Inspectional Services and the Police Chief review the City’s options as it relates to enforcing the annual Livery License renewal process and/or the City’s options available to revoke said Livery Licenses. (To be Referred to the Committee on Ordinances.)

Referred to the Committee on Ordinances.

(#0902)

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CITATION, Council President Gomes, honoring STEVE COSTA, Southcoast Hospitals Group, in recognition of his 40 years of Dedication and Commitment to St. Luke’s Hospital in the Clinical Engineering Department in providing a vital service over the years to our Community.

Adopted.

(#0903)

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WRITTEN MOTION, Councillor Lopes, requesting on behalf of Mr. Keith A. Valente, owner of 22 Dunbar Street, New Bedford, that the Traffic Commission install a “HANDICAP PARKING SPACE” for his tenant, Ms. Cheryl Vieira, in front of said residence. (Copy of Handicap Placard and letter from Mr. Valente allowing installation enclosed.) (To be Referred to the Traffic Commission.)

Referred to the Traffic Commission.

(#0904)

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WRITTEN MOTION, Councillor Alves, requesting on behalf of Maria Adelaide Lourenco, 34 Willard Street, that a Handicap parking sign be installed in front of the residence with the consent of the property owner, due to the fact

that Ms. Lourenco does not have access to parking in the driveway. (Copy of Disabled Persons Parking Identification Place card and letter from property owner allowing installation of Parking Space attached.) (To be Referred to the Traffic Commission.)

Referred to the Traffic Commission.

(#0905)

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COMMUNICATION/EMAIL, Councillor Morad, submitting an email urging that Emily and Ruth be moved to a elephant sanctuary in Tennessee.

Received and Placed on File.

(#0906)

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PETITION INDEMNITY AGREEMENT, JENNIFER FERREIRA d/b/a SOUTH BEACH HAIR AND TANNING for permission to Erect and Maintain a Projecting Illuminated Sign at 660 Brock Avenue, New Bedford, MA. 02745. Provisionally Granted, subject to approval of Building Commissioner and subject to ratification by Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 01, 2015.

Approved June 06, 2015.

(#0907)

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MINUTES, Greater New Bedford Regional Refuse Management District, submitting Minutes of a meeting held on April 02, 2015.

Received and Placed on File.

(#0908)

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MINUTES, Council on Aging, submitting MINUTES of a meeting held on April 09, 2015.

Received and Placed on File.

(#0909)

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MINUTES, Bristol County PHEP Coalition SPECIAL Executive Board, submitting MINUTES of a meeting held on May 05, 2015.

Received and Placed on File.

(#0910)

MINUTES, Licensing Board, submitting MINUTES of a meeting held on January 20, 2015.

Received and Placed on File.

(#0911)

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MINUTES, Airport Commission, submitting MINUTES of a meeting held on March 11, 2015.

Received and Placed on File.

(#0912)

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APPLICATION, **Cardoso Contracting, Inc.**, for permission to maintain a STREET OBSTRUCTION at **10 Winsor Street**, provisionally granted by the City Clerk on May 18, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 01, 2015.

Approved June 06, 2015.

(#0913)

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APPLICATION, **W.C. Smith & Son.,** for permission to maintain a STREET OBSTRUCTION at **203 County Street,** provisionally granted by the City Clerk on May 18, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 01, 2015.

Approved June 06, 2015.

(#0914)

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APPLICATION, **W.C. Smith & Son.,** for permission to maintain a STREET OBSTRUCTION at **14 Shore Street,** provisionally granted by the City Clerk on May 18, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 01, 2015.

Approved June 06, 2015.

(#0915)

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APPLICATION, **R.J. Canessa Excavating,** for permission to maintain a STREET OBSTRUCTION at **339 Park Avenue,** provisionally granted by the City Clerk on May 19, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 01, 2015.

Approved June 06, 2015.

(#0916)

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APPLICATION, **Christopher Mendoza,** for permission to maintain a STREET OBSTRUCTION at **189 Bonney Street,** provisionally granted by the City Clerk on May 19, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 01, 2015.

Approved June 06, 2015.

(#0917)

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APPLICATION, **Christopher Mendoza,** for permission to maintain a STREET OBSTRUCTION at **71 Valentine Street,** provisionally granted by the City Clerk on May 19, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 01, 2015.

Approved June 06, 2015.

(#0918)

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APPLICATION, **Precision Valley Communications of Vermont, LLC,** for permission to maintain a STREET OBSTRUCTION at **1707 Purchase Street,** provisionally granted by the City Clerk on May 18, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 01, 2015.

Approved June 06, 2015.

(#0919)

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APPLICATION, **Mirra Company, Inc.** for permission to maintain a STREET OBSTRUCTION at **26 South Water Street to Intersection of School and Second Streets** , provisionally granted by the City Clerk on May 20, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 01, 2015.

Approved June 06, 2015.

(#0920)

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APPLICATION, **JLC Construction** for permission to maintain a STREET OBSTRUCTION at **1147 County Street**, provisionally granted by the City Clerk on May 21, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 01, 2015.

Approved June 06, 2015.

(#0921)

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APPLICATION, **Able Asphalt, Inc.**, for permission to maintain a STREET OBSTRUCTION at **1056 Cherokee Street**, provisionally granted by the City Clerk on May 26, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 01, 2015.

Approved June 06, 2015.

(#0922)

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APPLICATION, **Cardoso Contracting Inc.**, to DISTURB THE SURFACE, of **10 Winsor Street**, provisionally granted by the City Clerk on May 18, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 01, 2015.

Approved June 06, 2015.

(#0923)

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APPLICATION, **W.C. Smith & Son**, to DISTURB THE SURFACE, of **203 County Street**, provisionally granted by the City Clerk on May 18, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 01, 2015.

Approved June 06, 2015.

(#0924)

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APPLICATION, **W.C. Smith & Son**, to DISTURB THE SURFACE, of **14 Shore Street**, provisionally granted by the City Clerk on May 18, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 01, 2015.



Approved June 06, 2015.

(#0925)

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APPLICATION, **R.J. Canessa Excavating**, to DISTURB THE SURFACE, of **339 Park Avenue**, provisionally granted by the City Clerk on May 19, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 01, 2015.

Approved June 06, 2015.

(#0926)

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APPLICATION, **Christopher Mendoza**, to DISTURB THE SURFACE, of **189 Bonney Street**, provisionally granted by the City Clerk on May 19, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 01, 2015.

Approved June 06, 2015.

(#0927)

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APPLICATION, **Christopher Mendoza**, to DISTURB THE SURFACE, of **71 Valentine Street**, provisionally granted by the City Clerk on May 19, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 01, 2015.

Approved June 06, 2015.

(#0928)

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APPLICATION, **Precision Valley Communications of Vermont, LLC.**, to DISTURB THE SURFACE, of **1707 Purchase Street**, provisionally granted by the City Clerk on May 19, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 01, 2015.

Approved June 06, 2015.

(#0929)

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APPLICATION, **Mirra Company, Inc.** to DISTURB THE SURFACE, of **26 South Water Street to Intersection of School and Second Streets**, provisionally granted by the City Clerk on May 20, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 01, 2015.

Approved June 06, 2015.

(#0930)

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APPLICATION, **JLC Construction**, to DISTURB THE SURFACE, of **1147 County Street**, provisionally granted by the City Clerk on May 21, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 01, 2015.

Approved June 06, 2015.

(#0931)

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APPLICATION, **Able Asphalt Inc.**, to DISTURB THE SURFACE, of **1056 Cherokee Street**, provisionally granted by the City Clerk on May 26, 2015, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 01, 2015.

Approved June 06, 2015. (#0932)

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APPLICATIONS, **NSTAR Gas d/b/a Eversource Energy**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on May 18, 2015, subject to ratification by the Mayor and City Council as follows:

Between 1102 and 1116 Chaffee Street (Oswald Street)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 01, 2015.

Approved June 05, 2015. (#0933)

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APPLICATIONS, **NSTAR Gas d/b/a Eversource Energy**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on May 14, 2015, subject to ratification by the Mayor and City Council as follows:

115 Hillman Street (#0934)

405 County Street (#0935)

52 Anthony Terrace (#0936)

31 7<sup>th</sup> Street (#0937)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 01, 2015.

Approved June 05, 2015.

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APPLICATIONS, **NSTAR Gas d/b/a Eversource Energy**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on May 26, 2015, subject to ratification by the Mayor and City Council as follows:

170 Highland Street (#0938)

91 Willis Street (#0939)

416-418 Summer Street (#0940)

62 Church Street (#0941)

43 Highland Street (#0942)

399 Summer Street (#0943)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 01, 2015.

Approved June 05, 2015.  
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APPLICATIONS, **NSTAR Electric Company d/b/a Eversource Energy**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on March 22, 2015, subject to ratification by the Mayor and City Council as follows:

Cottage Street, North of Clinton Street

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 01, 2015.

Approved June 06, 2015. (#0944)

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

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WRITTEN MOTION, Council President Gomes, requesting that the City Council WAIVE RULE 27, IN ORDER TO HOLD BUDGET INTERVIEW SESSION on TUESDAY, JUNE 02, 2015.

Rule 42 Waived – Yeas 11, Nays 0.

Adopted – Yeas 11, Nays 0. (#0945)

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REPORT, Committee on Appointments & Briefings, recommending to the City Council APPROVAL of the APPOINTMENT of SEAN COLLINS, Westport, MA to the New Bedford Airport Commission, replacing James Reid, this term will expire December 2016 and GRANTING a one (1) Year WAIVER OF RESIDENCY, to go along with the appointment.

Rule 42 Waived – Yeas 11, Nays 0.

Amended that Waiver of Residency expire December 2016 – Yeas 9, Nays 2. (Councillors Alves and Coelho OPPOSED.)

Appointment Confirmed and Waiver of Residency Granted as amended – Yeas 11, Nays 0.

Presented to the Mayor for approval June 01, 2015.

Approved June 05, 2015. (#0946)

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REPORT, Committee on Appointments & Briefings, recommending to the City Council APPROVAL of the APPOINTMENT of MEGHAN KISH, New Bedford, MA 02740 to the HISTORICAL COMMISSION, as an Alternate Member, replacing Jennifer White Gonsalves Smith whose term has expired; this term will expire March 2018.

Rule 42 Waived – Yeas 11, Nays 0.

Recommendation Followed and Appointment Confirmed – Yeas 11, Nays 0. (#0947)

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REPORT, Committee on Appointments & Briefings, recommending to the City Council APPROVAL on behalf of Michael Souza, d/b/a SOUZA TRANSPORTATION, 91 Clifford Street, New Bedford, MA 02745, of an Application requesting a NEW Private Livery License, under the provisions of M.G.L. Chapter 159A, Section 1 and amendment

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.

Rule 42 Waived – Yeas 11, Nays 0.

Recommendation Followed.

(#0948)

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COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of **Michael Souza, d/b/a SOUZA TRANSPORTATION, 91 Clifford Street, New Bedford, MA 02745**, hereby submit a copy of the Application requesting a **NEW Private Livery License**, under the provisions of M.G.L. Chapter 159A, Section 1 and amendments thereto, and M.G.L. Chapter 270, Section 22 (Smoke Free Workplace Law) and all other laws applicable to such operation, to carry passengers for hire over the streets of New Bedford.

Referred to the Committee on Appointments and Briefings April 23, 2015.

Rule 42 Waived – Yeas 11, Nays 0.

Livery License Granted – Yeas 11, Nays 0.

Presented to the Mayor for approval June 01, 2015.

Approved June 05, 2015.

(#0632)

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COMMUNICATION, School Committee Members to City Council President Gomes, thanking him for his concern regarding the safety and security of the students and staff at New Bedford Public Schools. (To be Received and Placed on File.)

Rule 42 Waived – Yeas 11, Nays 0.

Received and Placed on File.

(#0949)

COMMUNICATION, Councillor Martins, submitting a PRESS RELEASE from Architectural Consulting Group, LLC, Inc. announcing that the company has hired five local military veterans.

Rule 42 Waived – Yeas 11, Nays 0.

Received and Placed on File.

(#0950)

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COMMUNICATION, City Clerk/Clerk of the City Council, submitting a request from Joseph Grivers, Vice-President of MassDevelopment, that the Mayor and City Council request the Agency (MassDevelopment) to assume the role of authority in financing a project for Finicky Pet Foods, Inc. located at 68 Blackmer Street, since the City does not have an active Industrial Development Finance Authority that would be available to undertake the financing of the Project. (To be Referred to the Administration and the Committee on Finance; copy all Councillors via email 05/27/2015.)

Rule 42 waived – Yeas 11, Nays 0.

Referred to the Administration and the Committee on Finance.

Presented to the Mayor for approval June 01, 2015.

Approved June 05, 2015.

(#0951)

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COMMUNICATION, Councillor Lopes, submitting a response from CFO Sky regarding FY2016 Budget Reduction and Efficiencies List which was requested at the City Council meeting of May 14, 2015.

Rule 42 Waived – Yeas 11, Nays 0.

Received and Placed on File.

(#0952)

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COMMUNICATION, Councillor Bousquet submitting a petition with 500 signatures in opposition to the closing of the H.A. Kempton Elementary School.

Rule 42 Waived – Yeas 11, Nays 0.

Referred to the School Committee and the Quasi Committee of the Whole meeting on June 18, 2015.

Presented to the Mayor for approval June 01, 2015.

RETURNED UNSIGNED June 23, 2015.

(#0953)

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On a motion, the Council then adjourned at 8:54pm.

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ATTEST:

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