



Appointments and Briefings

September 16, 2014 – 7:02 PM – **Minutes**
Chambers of the City Council, Room 214

MEETING: COMMITTEE ON APPOINTMENTS & BRIEFINGS

DATE: SEPTEMBER 16, 2014

TIME: 7:02 P.M.

PLACE: CITY COUNCIL CHAMBER, ROOM 214, MUNICIPAL BUILDING

PRESENT: COUNCILLORS DAVID ALVES, CHAIRMAN; JAMES OLIVEIRA VICE-CHAIRMAN; HENRY BOUSQUET; NAOMI CARNEY; DEBORA COLEHO; BRIAN GOMES (7:10); JOSEPH LOPES (7:25); LINDA MORAD (7:07); DANA REBEIRO; KERRY WINTERSON

ABSENT: NO ONE

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Councillor Alves called the meeting to order and took attendance. The Clerk read a Communication into the record from Councillor Lopes, stating he would be late in attending tonight's meeting due to him attending the Conservation Commission Meeting. This Communication was received and placed on file by Councillor Winteron and seconded by Councillor Bousquet.

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Councillor Alves announced that the matter that was to be discussed at Citizens Input Time has been resolved so there will not be any Citizens Input Time this evening.

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Notice, City Clerk of reference of a Written Motion, Councillor Alves, at the request of the Trustees of the Bethel AME Church and on behalf of our Pastor, Reverend Irma Thibodeaux, officers and members of this historic Church, that the City Council look into what action or assistance the City can provide to ensure the Church is not forced to close, and that the Council follow up on many of the promises that have been made to the Church Trustees and Pastor by former Administrations for assistance; and further, that the Committee on Appointments and Briefings invite Department of Public Infrastructure Commissioner, Ronald Labelle, Tax Title Attorney Blair Bailey, as well as representatives of Bethel AME Church to discuss the matter (Ref'd 2/13/14) and a Communication/Email, Councillor Alves, submitting a request from Toni Pires, Trustee, Bethel AME Church, requesting assistance with issues and concerns at Church (Ref'd 2/13/14) was received and placed on file by Councillor Oliveira and seconded by Councillor Carney. (2,2a)

Reverend Thibbodeau, Pastor, Bethel A.M.E. Church on County Street, New Bedford, was present for this issue, as well as Ms. Toni Pires, Trustee for Bethel A.M.E. Church.

Reverend Thibbodeau told the Committee that at the present location of the Church, they are without adequate parking. They used to use the Old Bush Cleaners lot on Kempton Street on Sunday, but now it is a variety store and they are not able to use the lot anymore. They have plans for a small parking lot at the rear of the church they would like to turn in to a parking lot. In the meantime they would also like a Pastor Only sign on Mill Street near the Church and a Handicap parking space as well.

On motion by Councillor Winterson and seconded by Councillor Bousquet, the Committee VOTED: To receive and place on file the plans submitted by Reverend Thibbodeau. The plans were passed around for the Committee to view.

Councillor Alves asked if they are looking for parking spots on Mill Street soon and the answer was yes.

Councillor Carney asked how many spaces would fit in the back of the church and she was told eight (8) spaces would be needed. Councillor Carney explained they should reach out to the Traffic Commission for curb cuts.

On motion by Councillor Martins and seconded by Councillor Oliveira, the Committee VOTED: To send a letter to Ron Labelle and Scott Downing for signage request and curb cut at Bethel A.M.E. Church on County and Mill Streets. This motion passed on a voice vote.

Councillor Martins informed Reverend Thibbodeau that measurements and proper permits need to be filed. Reverend Thibbodeau said she would do so.

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Notice, City Clerk of reference of a Written Motion, Councillor Alves, requesting, that in light of the current back up at this time within the New Bedford Fire Prevention Department that has caused major problems in the scheduling for smoke inspection certificates, which is causing major delays in closing and/or the purchases of homes in the City of New Bedford of approximately five to six weeks, causing major inconveniences to families and the potential loss of a low mortgage rate for many first time homebuyers, that the City Council ask the Administration and /or the Chief of the Fire Department assign additional personnel to the Fire Prevention Unit to immediately address the problem (Ref'd 8/21/14) was received and placed on file by Councillor Bousquet and seconded by Councillor Martins.
(3)

Fire Chief Michael Gomes was present to discuss this issue. He explained the wait for fire alarm inspections on real estate houses has reduced from a six week to a three week wait. Reasons for delay are a lot of real estate activity not seen in years, new guidelines and code requirements for smoke alarms and CO2 alarms, so much so that ½ of the first inspections are failing; they are doing their best to do second visits timely. Another issue is that timeliness the realtors are calling in for appointments. Most closings have a sixty day notice, but realtors are calling them a week before. They have one individual

doing inspections, but there are others that can take his place when he is on vacation. The Chief did say that Benny's has donated some fire alarms and that if a home is in need of one, they are giving it to the homeowner.

Councillor Alves thanked the Chief for his answers. There were discussions on what will happen when Mr. Mendes retires (alarm inspector). The Chief assured the Committee that a proper and efficient person would be placed in that position.

Councillor Morad expressed her concern on the timeliness of the second visit for units that failed. The Chief said that in most cases they are going back that same day if they are notified the corrections have been made. They do many of their revisits towards the end of the day. But if there is an urgent need to execute an inspection they do go out of their way to visit the home, so not to upset the sale.

On motion by Councillor Gomes and seconded by Councillor Lopes, the Committee VOTED: To take No Further Action on this matter at this time. This motion passed on a voice vote.

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Notice, City Clerk of reference of a Written Motion, Councillor Gomes, requesting that the City take immediate action to repair New Bedford tourism radio 1620 AM, which broadcasts City attractions and events, and hasn't been working for some time and can be an asset to the tourism of the City of New Bedford; and further, once this broadcasting system is repaired, that signage also be requested on the State level, to be placed on Route 195 East and West approaching New Bedford for the purpose of increasing tourism for the City, at the present time signage is only located on Route 140 South, before Exit 7 (Ref'd 6/12/14) was received and placed on file by Councillor Lopes and seconded by Councillor Carney. (4)

Dagny Ashley, Director of the Office of Tourism was present and addressed the Committee.

Councillor Gomes explained his motion and his concern that the signs on 195 and 140 that tell drivers to tune into AM 1620 for visitor information were not working and he wanted to know why.

Ms. Ashley explained that their radio system was owned and operated by the National Park and that the system was down and in need of repair. She was told that the National Park was thinking of doing away with it because it was not cost effective; but that they were exploring whether or not there was need to reinstate it.

Councillor Gomes asked if we could take it over. Ms. Ashley explained that the National Park's take on this matter was that by the time you see the sign and go for the station on the radio it is too late, most people use their GPS' and cell phones to plan their trips. This would not be something Tourism would be looking to take over.

Councillor Gomes was fine with the response he received but would like to see the signs removed if the radio station was not going to be working. Ms. Ashley agreed.

On motion by Councillor Gomes and seconded by Councillor Winterson, the Committee VOTED: To table this matter at this time. This motion passed on a voice vote.

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Councillor Gomes made a motion to take item number ten (10) out of order which was seconded by Councillor Coelho. There was no objection.

Notice, City Clerk of reference of a Written Motion, Councillor Gomes, requesting that the Committee on Appointments and Briefings meet with Dr. Michael J. Langworthy and a representative from the Mayor's office, representative from the School Committee, a representative from the University of Massachusetts/Dartmouth and a representative from SeaLab, for the purposes of discussing a possible venture project of education and research with Dr. Langworthy and the Mars Project upon his research vessel (3/27/14) was received and placed on file by Councillor Gomes and seconded by Councillor Morad. (10)

Dr. Langworthy of SouthCoast Hospitals and Ms. Simone Bourgeois of SeaLab were both present to answer questions from the Committee.

Councillor Gomes explained his motion about wanting Dr. Langworthy's science project with the use of the doctor's specialized vessel to study ocean and space and how they interact with each other.

Councillor Morad asked if anyone from the School Committee was present, they were not. The letter received from the School Committee explaining their role and the City Council's role as it related to school issues was read into the record. This letter was received and placed on file by Councillor Lopes and seconded by Councillor Carney.

Councillor Lopes asked that a copy of the letter be sent to Susan Henriques in the Council Office to be placed on the City Council Agenda.

Dr. Langworthy explained his project and would like very much to work with the School Department in reaching out to school children exploring the ocean and space. The vessel they have is a working science class and they expect to have it for over the next ten (10) years.

Ms. Bourgeois was recognized from SeaLab, she said she was granted permission by Dr. Pia Durkin to attend tonight's meeting and that they would very much like to work with Dr. Langworthy and the schools SeaLab Program.

It was agreed they would meet and work out the details and Ms. Bourgeois would bring it to Dr. Durkin.

On motion by Councillor Gomes and seconded by Councillor Lopes, the Committee VOTED: To table this matter for ninety (90) days and bring both parties back to see if the proposal has moved along. This motion passed on a voice vote.

Councillor Morad asked for a tour of the vessel and Councillor Gomes informed her that it was being worked out for the entire Council.

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Notice, City Clerk of reference of a Communication, City Clerk/Clerk of the City Council, to City Council, on behalf of **Mariam Bokhari, 347 North Street, Apt 1E, New Bedford, MA 02740 & Ali Masood Bokhari, 44 Liberty Street, New Bedford, MA 02740, d/b/a MAGIC WHEELS TRANSPORTATION, 347 North Street, Apt 1E, New Bedford, MA 02740**, 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 (Ref'd 08/21/14) was received and placed on file by Councillor Winterson and seconded by Councillor Lopes. (5)

Mr. Ali Masood Bokhari, 44 Liberty Street, New Bedford was present to answer questions from the Committee. He informed the Committee that he would be doing normal livery services mostly limousines.

On motion by Councillor Winterson and seconded by Councillor Coelho, the Committee VOTED: To recommend to the City Council **APPROVAL** on behalf of **Mariam Bokhari, 347 North Street, Apt. 1E, New Bedford, MA 02740 & Ali Masood Bokhari, 44 Liberty Street, New Bedford, MA 02740, d/b/a MAGIC WHEELS TRANSPORTATION, 347 North Street, Apt. 1E, New Bedford, MA 02740**, 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. This motion passed on a voice vote.

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Notice, City Clerk of reference of a Communication, City Clerk/Clerk of the City Council, to City Council, on behalf of **David N. Pimental d/b/a CD'S RELIABLE TRANSIT, 135 Thompson Street, New Bedford, MA 02740**, 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 (Ref'd 08/21/14) was received and placed on file by Councillor Morad and seconded by Councillor Carney. (6)

Mr. Pimental was not present.

On motion by Councillor Morad and seconded by Councillor Carney, the Committee VOTED: To table this matter and that Mr. Pimental be contacted to see if he is still interested in obtaining this license. This motion passed on a voice vote.

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Notice, City Clerk of reference of a Communication, Mayor Mitchell, to City Council, submitting a **VETO** of a **PRIVATE LIVERY LICENSE** granted to Rafael Reyes d/b/a Road Runner

Transportation by the City Council on June 12, 2014; due to Mr. Reyes not filling out his Livery License application completely (Ref'd 08/21/14) and a Communication, City Clerk/Clerk of the City Council, to City Council, on behalf of **Rafael Reyes, d/b/a ROAD RUNNER TRANSPORTATION, 12 Roosevelt Street, New Bedford, MA 02744**, 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 24, 2014; License Granted – June 12, 2014; Vetoed by Mayor Mitchell – June 25, 2014; VETO Received and Ordered Spread on the Record – July 17, 2014)(Ref'd 08/21/14) was received and placed on file by Councillor Morad and seconded by Councillor Carney. (7, 7a)

Mr. Reyes was not in attendance.

On motion by Councillor Morad and Councillor Carney, the Committee VOTED: To table this matter at this time and contact Mr. Reyes to see if he still wants this license. This motion passed on a voice vote.

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Notice, City Clerk of reference of a Written Motion, Councillors Gomes and Duarte, requesting that the City reach out to the Greater New Bedford Regional Vocational Technical High School for the purpose of refurbishing our trolleys that are now close to two decades old and in need of serious repair work especially on the wood portions of the trolleys and these Councillors feel that Voc-Tech can be of significant help in refurbishing said trolleys which are a beacon within the City and the expertise of the Vocational students to perform this work would be greatly appreciated (Ref'd 8/16/12, 12/10/13 – Remain in Committee, 3/18/14 - tabled) was removed from the table by Councillor Morad and seconded by Councillor Carney. (8)

The Clerk read a letter into the record from Mr. Robert Gomes, Coordinator of Construction for Voc-Tech stating that he viewed the condition of the busses and evaluated the tasks and work involved in refurbishing them. After careful consideration he reported that this particular project is not in fact a good fit for their student's as it does not provide an educational benefit for the students and is not aligned with the curriculum and frame works in the career tech areas that would participate.

Councillor Gomes mentioned he was told that perhaps the Sheriff's Department could assist in refurbishing the trolleys.

Councillor Rebeiro suggested reaching out to Youth Build as well.

On motion by Councillor Gomes and seconded by Councillor Morad, the Committee VOTED: To send a letter of thank you to Voc-Tech for their reply and that they appreciate the work that they do in conjunction with the city; and further that a letter be sent to Ken Blanchard asking him what the trolley repairs actually involve and then refer to the Bristol County Sheriff's Office and Youth Build to see if they have an interest in helping with the restoration. This motion passed on a voice vote.

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Notice, City Clerk of reference of a Written Motion, Councillor Gomes, requesting, ONCE AGAIN, that the School Department consider implementation of school uniforms throughout the New Bedford School System; and further, requesting that members of the School Committee appear before the Committee on Appointments and Briefings for the purpose of discussing the implementation of the

school uniforms and to also discuss security measures proposed by the City Council, such as an emergency silent alarm system and what, if any security measures have been put in place throughout the New Bedford Schools. (Ref'd 10/24/13) (9)

Councillor Gomes expressed his frustration over the letter received from the School Committee asking the Council politely to allow the School Committee to conduct the business they are charged with.

On motion by Councillor Gomes and seconded by Councillor Bousquet, the Committee VOTED: To table this matter at this time. This motion passed on a voice vote.

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On motion by Councillor Gomes and seconded by Councillor Oliveira, the Committee VOTED: To waive the reading on items 11, 12, 12a, 13 & 14 and follow the Chairs recommendation for "No Further Action." This motion passed on a voice vote. The items are as follows:

Notice, City Clerk of reference of a Written Motion, Councillor Winterson, requesting that the Massachusetts Clean Energy Center hold a second public hearing and provide proper notification to the abutters in a 2000 foot radius of the construction of the 190-foot AM Radio Tower; and further, requesting that our State Delegation halt all construction plans on the AM Tower until all residents/abutters have a chance to voice their concerns to said construction and that at said meeting alternative sites be discussed. (Ref'd 7/17/14) (11)

Notice, City Clerk of reference of a Written Motion, Councillors Alves, Lopes, Martins, Winterson, Morad and Bousquet, in an effort to save over 32 City jobs and to insure local workings families are not placed in a hardship situation due to un-tested or un-proven government intervention, that the City Council immediately send a letter, signed by ALL the members of the City Council, to the Regional Director of the United States Environmental Protection Agency (EPA), requesting that they withdraw and/or delay their pending order to Coyne Textile Services located in the City of New Bedford, that they install experimental controls estimated to cost an excess of "One Million Dollars" or that the Company stop laundering, and that the City Council request, no action be taken to endanger local jobs pending a review and evaluation of the situation which would determine if there is REALLY a danger in the air quality and a real danger to employees, in light of the fact that the plant has operated in the City for over 50 years, made hundreds of thousands of dollars of investment in the facility, and employed hundreds of workers over that time without any history of medical danger, and that the City Council invite representatives of the EPA, Coyne Textile Services, Teamsters Local 59 to a meeting of the Committee on Appointments and Briefings to see what the City can do to assist in keeping this plant open. (Ref'd 1/23/14) and a Communication, Philip R. Sullivan, President and Business Representative, Teamsters Union Local No. 59, regarding the Notice of Temporary Layoffs Affecting Local 59 Plant Employees of Coyne Textile Services. (Ref'd 1/23/14) (12, 12a)

Notice, City Clerk of reference of a Communication, Mayor Mitchell, to City Council, submitting the APPOINTMENT of IAN ABREU, 273 Aquidneck Street, New Bedford, MA 02744, to the HISTORICAL COMMISSION as an ALTERNATE MEMBER fulfilling the Land Owner or Tenant slot, Mr. Abreu will be replacing Elsie Souza, whose term has expired; this term will expire February 2016. (Ref'd 12/19/13) (13)

Notice, City Clerk of reference of a Related Motion, Councillor Morad, requesting that the Committee on Appointments and Briefings invite Department of Inspectional Services Commissioner Romanowicz, Department of Public Infrastructure Commissioner Labelle, a Member of the Licensing Board, a Member of the Mayor's Task Force and a Representative of the Mayor's Office, to a meeting to brief the Committee Members on the process being utilized to identify the business not utilizing the Petition/Indemnity Agreements for permission to encroach on the City layout and sidewalk. (Ref'd 6/12/14) (14)

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Councillor Gomes made a motion to adjourn, which was seconded by Councillor Coelho.

This meeting adjourned @ 8:20 p.m.

ATTEST:

Clerk of Committees