

NEW BEDFORD, MASSACHUSETTS

MEETING: COMMITTEE ON ORDINANCES
DATE: APRIL 21, 2021
TIME: 7:02 P.M.
PLACE: HELD REMOTELY IN ACCORDANCE WITH THE GOVERNOR OF MASSACHUSETTS' MARCH 12, 2020 ORDER SUSPENDING CERTAIN PROVISIONS OF THE OPEN MEETING LAW G. L. C. 30A, SECTION 20 AND THE CITY COUNCIL'S VOTE TO WAIVE RULE 21A

PRESENT: COUNCILLORS HUGH DUNN, CHAIRMAN (REMOTELY); WILLIAM BRAD MARKEY, VICE CHAIRMAN (REMOTELY); IAN ABREU (REMOTELY); DEREK BAPTISTE (7:19) (REMOTELY); NAOMI CARNEY (7:15) (REMOTELY); MARIA GIESTA (REMOTELY); BRIAN GOMES (REMOTELY); SCOTT LIMA (REMOTELY); JOSEPH LOPES (REMOTELY); LINDA MORAD (REMOTELY)

ABSENT: COUNCILLOR DEBORA COELHO

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Councillor Dunn Called the Ordinance Committee Meeting to order and took attendance. The Clerk read a Communication from Councillor Carney explaining she would be late to this meeting. This Communication was received and placed on file by Councillor Lopes and seconded by Councillor Abreu. This motion passed on a Roll Call Vote of Yeas 8, Nays 0, with Councillors Abreu, yes; Dunn, yes; Giesta, yes; Gomes, yes; Lima, yes; Lopes, yes; Markey, yes; Morad, yes and Councillor Baptiste not present for the vote.

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Notice, City Clerk of reference of a PUBLIC HEARING on a COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDINANCE, Amending Chapter 9, Section 4400, Flood Hazard Overlay District (FHOD), which updates definitions, requirements and references to the Bristol County Flood Insurance Rate Map (FIRM) that will become effective on July 06, 2021 (Ref'd 03/11/2021) (Duly advertised in the Standard-Times on Wednesday, April 7, 2021 and Wednesday, April 14, 2021.) was received and placed on file and the hearing opened by Councillor Lopes and seconded by Councillor Markey. This motion passed on a Roll Call Vote of Yeas 8, Nays 0, with Councillors Abreu, yes; Dunn, yes; Giesta, yes; Gomes, yes; Lima, yes; Lopes, yes; Markey, yes; Morad, yes and Councillors Baptiste & Carney not present for the vote. (1, 1a)

Notice, City Clerk of reference of a COMMUNICATION, Anne Louro, Acting Director, Department of City Planning, to Councillor Hugh Dunn, Chairman, Committee on Ordinances, advising that the Planning Board held a public hearing on April 14, 2021 to discuss the proposed request for amending the City of New Bedford Zoning By-laws, Chapter 9, Section 4400 with updated definitions, requirements, and references to the Bristol County Flood Insurance Rate Map and Flood Insurance Study report that will become effective on July 6, 2021; the Planning Board voted to send a FAVORABLE RECOMMENDATION, recommending that the City Council approve the request for amending the City of New Bedford Zoning By-laws, Chapter 9, Section 4400 with

updated definitions, requirements, and references to the Bristol County Flood Insurance Rate Map and Flood Insurance Study report that will become effective on July 6, 2021 (Ref'd 04/16/2021) was received and placed on file by Councillor Lopes and seconded by Councillor Markey. This motion passed on a Roll Call Vote of Yeas 8, Nays 0, with Councillors Abreu, yes; Dunn, yes; Giesta, yes; Gomes, yes; Lima, yes; Lopes, yes; Markey, yes; Morad, yes and Councillors Baptiste & Carney not present for the vote. (1b)

Attorney Elizabeth Lydon from the Solicitor's Office was present to address the Committee. She explained that this amendment will amend Chapter 9, Section 4400, Flood Hazard Overlay District (FHOD) which updates definitions, requirements, and references to the Bristol County Flood Insurance Rate Map (FIRM) that will become effective on July 6, 2021. If the City does not adopt these changes it would adversely affect the flood insurance costs to those residents who have homes in designated flood areas, such as the south-end. FEMA reviews and makes maps and flood zone changes at their discretion, as needed. It was explained that the City did not have the ability to change the overlay district plan submitted.

Attorney David Gerwatowski, Legal Counsel to the City Council, explained that the flood plan details what guidelines the City is required to follow when handing out permits or variances. It does not appear that it will affect the cost of flood insurance.

Christina Connelly of the Mayor's Office stated that if the City does not accept these guidelines, the City will not be complying and would not allow flood coverage for the designated areas.

Councillor Dunn asked if there was anyone present who wanted to speak or be recorded in favor of the Ordinance; there were none. He asked if there was anyone present who wanted to speak or be recorded in opposition to the Ordinance; there were none. The hearing was closed.

On motion by Councillor Lopes and seconded by Councillor Markey, the Committee VOTED: To recommend to the City Council ADOPTION of the ORDINANCE, Amending Chapter 9, Section 4400, Flood Hazard Overlay District (FHOD), which updates definitions, requirements and references to the Bristol County Flood Insurance Rate Map (FIRM) that will become effective on July 06, 2021. This motion passed on a Roll Call Vote of Yeas 7, Nays 3, with Councillors Abreu, Carney & Giesta opposed; and Councillors Baptiste, yes; Dunn, yes; Gomes, yes; Lima, yes; Lopes, yes; Markey, yes and Morad, yes.

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Notice, City Clerk of reference of a COMMUNICATION, Mayor Michell, to City Council submitting four (4) Ordinances, amending Chapters 2, 10 and 19, as they pertain to the Department of Public Infrastructure and Environmental Stewardship, and the New Bedford Energy Now Revolving Fund, changing the name of the Environmental Stewardship Department and Department Head, to the Department of Resilience and Environmental Stewardship and to the Director of Resilience and Environmental Stewardship (Ref'd 03/25/2021) was received and placed on file by Councillor Lopes and seconded by Councillor Lima. This motion passed on a Roll Call Vote of Yeas 10, Nays 0, with Councillors Abreu, yes; Baptiste, yes; Carney, yes; Dunn, yes; Giesta, yes; Gomes, yes; Lima, yes; Lopes, yes; Markey, yes; Morad, yes. (2, 2a, 2b, 2c, 2d)

The Clerk read the Communication from Michele Paul, Director of Environmental Stewardship, stating her support in changing the name of the Environmental Stewardship and Department Head to the Department of Resilience and Environmental Stewardship and that it would fall under the DPI umbrella of departments. This Communication was received and placed on file by Councillor Lopes and seconded by Councillor Abreu. This motion passed on a Roll Call Vote of Yeas 10, Nays 0, with Councillors Abreu, yes; Baptiste, yes; Carney, yes; Dunn, yes; Giesta, yes; Gomes, yes; Lima, yes; Lopes, yes; Markey, yes; Morad, yes.

Scott Durkee, Director of Energy explained this change would have minimal implications on the work the department does. The two departments work with each other on several items.

DPI Commissioner Jamie Ponte explained this was more of an operation move built on the efficiencies of the department. The DPI agrees with the merger.

The Committee asked if there would be a change in grades and positions once the merger occurs and CFO Sky explained the grades would remain the same, as well as the positions. He would provide the Committee with the organizational report.

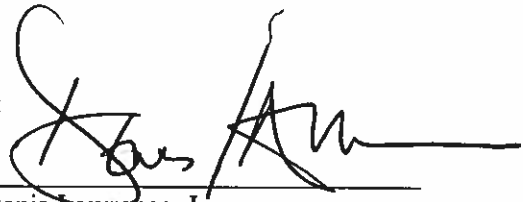
Christina Connelly of the Mayor's Office explained that there are three (3) positions that would be moved, two (2) are currently filled and there is one (1) vacant position.

On motion by Councillor Lima and seconded by Councillor Markey, the Committee VOTED: To recommend to the City Council ADOPTION of the four (4) ORDINANCES, amending Chapters 2, 10 and 19, as they pertain to the Department of Public Infrastructure and Environmental Stewardship, and the New Bedford Energy Now Revolving Fund, changing the name of the Environmental Stewardship Department and Department Head, to the Department of Resilience and Environmental Stewardship and to the Director of Resilience and Environmental Stewardship. This motion passed on a Roll Call Vote of Yeas 10, Nays 0, with Councillors Abreu, yes; Baptiste, yes; Carney, yes; Dunn, yes; Giesta, yes; Gomes, yes; Lima, yes; Lopes, yes; Markey, yes; Morad, yes.

Councillor Gomes made a motion to adjourn, which was seconded by Councillor Abreu. This motion passed on a Roll Call Vote of Yeas 10, Nays 0, with Councillors Abreu, yes; Baptiste, yes; Carney, yes; Dunn, yes; Giesta, yes; Gomes, yes; Lima, yes; Lopes, yes; Markey, yes; Morad, yes.

This meeting adjourned @ 7:43 p.m.

ATTEST:



Denis Lawrence, Jr.,
Clerk of Committees