



Council Meeting – Agenda

CITY COUNCIL CALENDAR

Chambers of the City Council Municipal Building

Thursday, October 23, 2014 – 7:00 p.m.

OPENING OF SESSION BY: CITY COUNCIL PRESIDENT JOSEPH P. LOPES

**PRAYER LED BY: REVEREND DAVID LIMA, PASTOR AND EXECUTIVE MINISTER
INTER-CHURCH COUNCIL OF GREATER NEW BEDFORD**

PLEDGE OF ALLEGIANCE

**NOTE: DUE TO THE VETERAN'S DAY HOLIDAY ON TUESDAY, NOVEMBER 11, 2014;
THE AGENDA WILL CLOSE ON FRIDAY, NOVEMBER 7TH AT 10 AM
AND BE RELEASED ON MONDAY, NOVEMBER 10, 2014**

CITATIONS

1. CITATION, Councillors Martins and Morad, honoring LAUREN KUHN, Mass Massachusetts 2014, in recognition of her fourth place finish in the Miss America Pageant and her successful year representing our Commonwealth and Miss Massachusetts with many thanks.
2. CITATION, Councillor Martins and Council President Lopes, honoring SUZANNE RICHARD, Chief Photographer, New Bedford Cable Network, in recognition of her First Place Award in the Music and Performance Category, for the Music Video "Be A Hero" at the Annual Alliance for Community Media Regional Video Festival.
3. CITATION, Councillor Martins and Council President Lopes, honoring BEVERLY TAVARES, New Bedford Public Schools Educator, in recognition of her First Place Award in the Music and Performance Category, for the Music Video "Be A Hero", which she also wrote, at the Annual Alliance for Community Media Regional Video Festival.
4. CITATIONS, Councillor Martins and Council President Lopes, honoring DAN CABRAL, SUZANNE RICHARD, KEVIN VIDINHA, ETHAN LOPEZ, KAITLYN MEDEIROS and ALEXANDRA SIEGEL, New Bedford Cable Network, in recognition of their First Place Award in the Sports Programming Category for their coverage of the 37th Annual New Bedford Half-Marathon at the Annual Alliance for Community Media Regional Video Festival.
5. CITATION, Councillor Martins and Council President Lopes, honoring DANA DEBARROS, Videographer, New Bedford Cable Network, in recognition of his Third Place Award in the Community Impact Category for his New Bedford High School Graduate Profiles, highlighting the wide variety of career choices available to New Bedford High School Graduates.
6. CITATIONS, Councillor Carney, honoring MARISSA PEREZ-DORMITZER, DIANE A. BERUBE, RUSS WOTTON, BRIAN WOTTON, ANNE WHITING, MARIANNE PHILLIPS and KELLI MUNROE, in recognition of their commitment and dedication to Operation Clean Sweep.

RESOLUTIONS

7. RESOLUTION, Councillor Carney, honoring LYNN COISH for her dedication to Operation Clean Sweep.
8. RESOLUTION, Councillors Alves, Bousquet, Carney, Coelho, Gomes, Council President Lopes, Councillors Martins, Morad, Oliveira, Rebeiro and Winterson, honoring the INTER-CHURCH COUNCIL OF GREATER NEW BEDFORD on the occasion of the celebration of their 75th Anniversary.

MAYOR'S PAPERS

M1. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$500.00 from ASSESSORS, SALARIES & WAGES, to ASSESSORS, SUPPLIES & MATERIALS.

M1a. AN ORDER,

M2. COMMUNICATION, Mayor Mitchell, to City Council, requesting a ONE-YEAR WAIVER OF RESIDENCY for ELIZABETH TREADUP PIO, Acushnet, MA, Elizabeth has been employed in the Mayor's Office since 2006 and is a dedicated employee, who as a Public Information Officer, makes invaluable contributions to the operation of the office and the City. (Current Waiver expires October 2014.)

M3. COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of ARTHUR B. TRUNDY, IV, New Bedford, MA 02740, as a CONSTABLE.

M3a. AN APPLICATION,

M4. COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of DONALD CARPENTER, Rehoboth, MA 02769, as a SPECIAL POLICE OFFICER.

M4a. AN APPLICATION,

NEW BUSINESS

9. REPORT, Committee on Appointments and Briefings, recommending to the City Council APPROVAL of the APPOINTMENT of JENNIFER CLARKE, Dartmouth, MA, as ASSISTANT CITY PLANNER, at M9, Step 7, \$62,369.00 and APPROVAL of a SIX-MONTH WAIVER OF RESIDENCY to relocate to the City.

10. WRITTEN MOTION, Councillor Rebeiro, requesting, on behalf of AHA! New Bedford, that the following street(s) be CLOSED: CENTRE STREET, from North Water Street to Front Street, FROM 4:00 P.M. TO 9:00 P.M., ON THURSDAY, NOVEMBER 13, 2014, for the purpose of AHA! Homecomings.

11. WRITTEN MOTION, Councillor Carney, requesting that the Traffic Commission install "NO PARKING HERE TO CORNER" signs on the north side of Tobey Street and Acushnet Avenue, on the side of Our Lady of Fatima Church, due to parishioners parking their cars too close to the corner and obstructing vehicular traffic. (To be Referred to the Traffic Commission.)

12. WRITTEN MOTION, Councillors Carney, requesting that the Traffic Commission consider changing the speed limit on Coffin Avenue around Taber Mills, 217 Deane Street, from 30 mph to 20 mph for the safety of elderly residents in the area. (To be Referred to the Traffic Commission.)

13. WRITTEN MOTION, Councillor Winterson, requesting, that a representative from NSTAR Gas Company, Inc., be invited to the Committee on Appointments and Briefings meeting to discuss the possibility of installing gas lines in Tanglewood Drive, so that the homeowners on that street may heat their homes with

gas, as residents on nearby streets do, oil heat is the only method at the present time that the residents of Tanglewood Drive have available to them and the cost is prohibitive.

14. WRITTEN MOTION, Council President Lopes, Councillors Martins, Morad, Alves, Winterson, Rebeiro and Bousquet, requesting that the City of New Bedford make the much needed improvements to our newly updated City of New Bedford website to include ADA compliance for our City residents that have physical disabilities, and are unable to use the services that our website provides.

15. WRITTEN MOTION, Council President Lopes, Councillors Winterson and Gomes, requesting that the Committee on Appointments and Briefing review 501 Code of Massachusetts Regulations (CMR) Executive Office of Public Safety and Security, to allow for the establishment of the New Bedford Harbor Master under the New Bedford Police Department, and allow for the duties and responsibilities of the New Bedford Harbor Master to follow under the direction of the Director of the New Bedford Police Department's Port Security Unit, said consolidation will ensure the continuity in the Chief Law Enforcement entity in the City, under the control and authority of the Chief of Police.

16. WRITTEN MOTION, Councillors Bousquet and Winterson, requesting, on behalf of the management of the Whaling City Golf Course, that Johnson Golf Management submit a letter to the City Council detailing their plan for reinvestment in the City's premiere leased facility, since the City has invested in a new roof, the constituency would like to see some basic upgrade planning, like carts, bathrooms and lockers, etc. (To be Referred to the Mayor, the City Solicitor and Johnson Golf Management.)

17. WRITTEN MOTION, Councillor Gomes, requesting, that two light poles be installed on Pleasant Street, between Wing and Bedford Streets, this area is located at the former Morse Twist Drill location, the ground connections were installed when demolition took place on that site, this request comes from residents in the area looking to keep the neighborhood a safe place and to deter criminal activity.

18. WRITTEN MOTION, Councillor Gomes, requesting, that the Committee on Appointments and Briefings meet with a representative from the Mitchell administration, along with Department of Community Services Director Wallquist, to discuss whether the City has formulated a plan to address and deal with the homelessness and vagrants across New Bedford; and further, if there is a plan in place, to please submit said plan to the City Council and to also include how much money the City has received to deal with the homeless problem.

19. WRITTEN MOTION, Council President Lopes, requesting that the Superintendent of Schools and the Interim Business Manager provide a detailed breakdown of all the text books that were ordered, as well text books delivered to the New Bedford Public Schools for the 2014/2015 school year with proceeds from the FY 2015 School Budget; and further requesting, that the New Bedford Public School provide the New Bedford City Council with a detailed reconciliation of funds allocated versus funds spent for textbook purchases for FY 2015. (To be Referred to the Committee on Finance.)

20. WRITTEN MOTION, Councillor Gomes, requesting, on behalf of Bonnie White, 112 Peckham Road, Acushnet, MA, that the Committee on City Property consider changing the name of Kathleen Street, from Acushnet Avenue to its terminus, to SPOONER FARM DRIVE in honor of the late Mr. & Mrs. Spooner who lived on Kathleen Street; and further, that said name change would be a great honor to their memory and to the family. (To be Referred to the Committee on City Property.)

21. COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of **GABRIEL DAROSA, 56 Westwood Drive, North Dartmouth, MA 02747, d/b/a BLUEBIRD TRANSPORTATION, 1551 Purchase Street, New Bedford, MA 02740**, hereby submit a copy of the Application requesting a **RENEWAL** of a 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. **(Current License expired October 10, 2014.)**

22. COMMUNICATION, Councillor Morad, to Councillor Alves, Chairman, Committee on Appointments and Briefings regarding her anticipated absence or possible tardiness to the Committee on Appointments and Briefings held on Tuesday, October 14, 2014.

23. COMMUNICATION, Governor Patrick, to City Clerk Farias, responding to a letter dated September 16th and the City Council's motion of September 11th, regarding the name change of the New Bedford Marine Commerce Terminal. (Copy all Councillors 10/17/2014.)

24. COMMUNICATION, State Representative Markey, to City Clerk Farias, responding to a letter regarding the name change of the New Bedford Marine Commerce Terminal. (Copy all Councillors 10/20/2014.)

25. COMMUNICATION, State Representative Markey, to City Clerk Farias, responding to a letter, requesting that Mass/DOT monitor the property around the overpasses and the State Highway Rt. 18, behind the Car Barn and in the vicinity of Logan and Weld Streets for illegal behavior. (Copy all Councillors 10/21/2014.)

26. COMMUNICATION, State Representative Markey, to City Clerk Farias, responding to a letter, regarding roadway maintenance of exits, entering and exiting the City of New Bedford, off of Rt. 195, east and west and Route 18, north and south. (Copy all Councillors 10/21/2014.)

27. COMMUNICATION, Buzzards Bay Coalition, to David Lederer, U.S. EPA Region 1, regarding the status of air quality monitoring for the New Bedford Lower Harbor CAD Cell. (Copy all Councillors 10/09/2014.)

28. COMMUNICATION, Department of Environmental Protection Waterways Regulation Program, giving public notice of a waterways application by the New Bedford Department of Public Infrastructure to construct and maintain a replacement storm drain at 20 Howard Avenue. (Copy all Councillors 10/14/2014.)

TABLED BUSINESS

01/23/2014 CITATION, Councillor Rebeiro, honoring **REVEREND RUSS CHAMBERLAIN**, Mercy Meals and More, in recognition of his hard work and dedication to the homeless during the recent snow storm of January 2 and 3, 2014.

03/27/2014 WRITTEN MOTION, Councillor Rebeiro, requesting, that the Department of Public Infrastructure which maintains the street lights provide the City Council with a report on the annual cost of upkeep including labor and materials; and further, whether it would be more cost efficient to contract the work to a private firm should be included in said report.

08/21/2014 CITATIONS, Councillors Martins and Bousquet, honoring **NEIGHBORHOODS UNITED** and **JERRY PINTO**, President of Neighborhoods United, in recognition of their planning and organizing **NATIONAL NIGHT OUT 2014** held at Riverside Park on August 05, 2014.

08/21/2014 CITATION, Councillor Alves, honoring **LARRY ABREU JACQUES**, President – 100th Feast of the Blessed Sacrament, in recognition of his commitment and dedication to preserving the cultural traditions of our Madeiran Ancestors and in acknowledgment of his hard work and a successful 100th Feast.

09/11/2014 WRITTEN MOTION, Councillor Martins, requesting, that the Attorney General and our City Solicitor, look into "Just Energy", who have a bad reputation in Massachusetts for harassing people about their services, representatives from "Just Energy" are ringing door bells and telling people they are from the electric company, "Just Energy" has a troubled past in Massachusetts and in several other States, where they faced allegations of deceptive practices, convincing people to switch over once pressured and once people sign up, they are committed for five years and rates can change every month; and further, requesting, that "Just Energy" be seriously investigated and until they are, they should be banned from New Bedford to better protect our constituents.