

REGULAR MEETING  
Chambers of the City Council  
Thursday, January 11, 2018

CITY COUNCIL  
Municipal Building  
7:02 p.m.

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PRESENT: Council President Morad, Councillors Abreu, Carney, Coelho, Dunn, Giesta, Gomes, Lima, Lopes,  
Markey and Rebeiro.  
LATE: No One  
ABSENT: No One

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Council President Linda M. Morad called the meeting to order and presided.

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Prayer Led By: Reverend Pamela J. Cole, President of the Greater New Bedford Chapter of Church Women  
United.

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Councillor Gomes led the Assembly in the Pledge of Allegiance to the flag.

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COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDINANCE, amending Chapter 6,  
Buildings and Other Structures, which lowers the number of valid police complaints necessary for a property to be  
designated a problem property from eight to four.

Referred to the Committee on Ordinances. (#0007)

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AN ORDINANCE,  
Referred to the Committee on Ordinances. (#0008)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDINANCE, amending Chapter 6,  
Buildings and Other Structures, that requires the owners of non-owner occupied buildings to post the contact information  
of the property owner and manager or agent in a conspicuous place in the building's main public area.

Referred to the Committee on Ordinances. (#0009)

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AN ORDINANCE,  
Referred to the Committee on Ordinances. (#0010)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDINANCE, amending Chapter 12,  
Section 12-41, that property owners have only five (5) days as opposed to fourteen (14) to dispose of litter that is a  
source of filth or that is dangerous to the public health, safety or welfare.

Referred to the Committee on Ordinances. (#0011)

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AN ORDINANCE,  
Referred to the Committee on Ordinances. (#0012)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER to accept Massachusetts  
General Laws Chapter 32B, Sections 21-23 to provide the City with the tools to implement necessary changes to City  
health insurance benefits and to enable more effective collaboration with the public employee unions.

Referred to the Committee on Finance – Yeas 10, Nays 1. (Councillor Dunn OPPOSED.)  
(#0013)

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AN ORDER,  
Referred to the Committee on Finance – Yeas 10, Nays 1. (Councillor Dunn OPPOSED.)  
(#0014)

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RELATED MOTION, Councillor Carney requesting that the Committee on Finance Chairman, table the matter  
pertaining to M.G. L. Chapter 32B, Sections 21, 22, and 23 for 90 days to give the public employee Committee (PEC)  
and the Administration time to negotiate the City's employee health care benefits.

Adopted. (#0015)

COMMUNICATION, Mayor Mitchell to City Council, submitting TWO (2) LOAN ORDERS, appropriating \$4,100,334 for an accelerated repair project at the Elizabeth Carter Brooks Elementary School and rescinding a \$1,000,000.00 portion of the appropriation for accelerated repair projects at Carney Academy, Hayden McFadden, Casmir Pulaski and Alfred J. Gomes Elementary Schools under the order approved on March 25, 2016.

Referred to the Committee on Finance. (#0016)

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LOAN ORDER, APPROPRIATING \$4,100,334 for an accelerated repair project at the Elizabeth Carter Brooks Elementary School.

Referred to the Committee on Finance. (#0017)

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LOAN ORDER, RESCINDING a \$1,000,000.00 portion of the appropriation for accelerated repair projects at Carney Academy and the Hayden McFadden, Casmir Pulaski and Alfred J. Gomes Elementary Schools under the order approved on March 25, 2016.

Referred to the Committee on Finance. (#0018)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of MELVIN DAVIS, New Bedford, MA to the NEW BEDFORD HOUSING AUTHORITY BOARD; this term will expire December 2018.

Rule 38 Waived, Reappointment Confirmed and Rule 40 Waived – Yeas 9, Nays 2. (Councillors Giesta and Rebeiro OPPOSED.) (#0019)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of REVEREND LEONA FISHER, New Bedford, MA to the NEW BEDFORD HOUSING AUTHORITY BOARD; this term will expire December 2019.

Rule 38 Waived, Reappointment Confirmed and Rule 40 Waived – Yeas 11, Nays 0. (#0020)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of RICHARD J. COLETTI, East Wareham, MA as a CONSTABLE.

Received and Placed on File. (#0021)

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APPLICATION, RICHARD J. COLETTI, East Wareham, MA 02538, for APPOINTMENT as a CONSTABLE. Confirmed. (#0022)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of STEVEN ROGER VERRONNEAU, New Bedford, MA as a CONSTABLE.

Referred to the Committee on appointments and Briefings. (#0023)

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APPLICATION,  
Referred to the Committee on Appointments and Briefings. (#0024)

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WRITTEN MOTION, Council President Morad, requesting that Section 2-58 of Chapter 2 of the Code of Ordinances be amended to include the Committee on City Property as a Committee that shall consist of all members of the City Council.

Adopted. (#0025)

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AN ORDINANCE, Relative to the Committee on City Property. (To be Passed to a Second Reading.)  
Passed to a Second Reading. (#0026)

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WRITTEN MOTION, Councillor Lopes, requesting, that the City Council President establish a Special Subcommittee on Residency and Waivers of Residency.

Referred to the City Council President. (#0027)

COMMUNICATION, Dennis W. Farias, City Clerk/Clerk of the City Council, submitting a copy of a letter from Catherine Copper, Executive Director of Southeastern Massachusetts Education Collaborative requesting a Special Municipal Employee Status for Michael Watson an administrator at the Greater New Bedford Regional Vocational Technical High School. (To be Referred to the Mayor's Office and City Solicitor McDermott.)

Referred to the Mayor's Office and City Solicitor McDermott.

Presented to the Mayor for approval January 16, 2018.

RETURNED UNSIGNED January 31, 2018. (#0028)

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COMMUNICATION, Dennis W. Farias, City Clerk/Clerk to the City Council, submitting copy of a letter from Hanne Rush, Assistant Attorney General, to David Gerwatowski, Legislative Counsel, Office of the City Council, relative to the resolution of the Open Meeting Law Complaint made by Mr. Ronald Beaty.

Received and Placed on File. (#0029)

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CITATION, Councillors Gomes and Rebeiro, honoring EVA A. GOMES, in recognition of her commitment, dedication and years of service to the New Bedford Head Start Program.

Adopted, to be presented at a later date. (#0030)

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CITATION, Councillors Gomes, Rebeiro, Carney and Coelho, honoring, the N.A.A.C.P., New Bedford Chapter, in recognition of their 100 years of providing service to the Greater New Bedford Area and supporting the community against discrimination, racism, in justice and for equality.

Adopted, to be presented at a later date. (#0031)

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WRITTEN MOTION, Councillor Dunn, requesting, that the following street(s) be CLOSED: WELD STREET, from County Street to State Street, ON SATURDAY, JANUARY 27, 2018, FROM 12:00 P.M. (NOON) TO 2:00 P.M., for the purpose of ADOPT-A-BLOCK.

Permission Granted.

Presented to the Mayor for approval January 16, 2018.

Approved January 22, 2018. (#0032)

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PETITION INDEMNITY AGREEMENT, DUPRE, INC., for Permission to Erect and Maintain a Projecting, Illuminated Sign at 369 Nash Road, New Bedford, MA 02746. Provisionally Granted, subject to Approval of the Building Commissioner and subject to Ratification by Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval January 16, 2018.

Approved January 22, 2018. (#0033)

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CONSTABLE BOND, GREGORY S. KAMON, Fairhaven, MA 02719, in the amount of \$5,000.00, with the Massachusetts Bay Insurance Company.

Approved.

Presented to the Mayor for approval January 16, 2018.

Approved January 22, 2018. (#0034)

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MINUTES, Commission for Citizens with Disabilities, submitting MINUTES of meetings held on September 26, and October 17, 2017.

Received and Placed on File. (#0035)

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MINUTES, Zoning Board of Appeals, submitting MINUTES of meetings held on October 19, and November 16, 2017.

Received and Placed on File. (#0036)

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MINUTES, Board of Assessors, submitting MINUTES of a meeting held on December 08, 2017.

Received and Placed on File. (#0037)

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MINUTES, Library Board of Trustees, submitting MINUTES of a meeting held on November 28, 2017.

Received and Placed on File. (#0038)

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MINUTES, Bristol County PHEP Coalition, submitting MINUTES of a meeting held on December 19, 2017.  
Received and Placed on File. (#0039)

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MINUTES, Bristol County PHEP Executive Board, submitting MINUTES of a meeting held on December 19, 2017.  
Received and Placed on File. (#0040)

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COMMUNICATION, City Clerk/Clerk of the City Council, to the City Council, notifying that the Office of the City Clerk has received Meeting Minutes from the Greater New Bedford Regional Refuse Management District, for a meeting held on November 15, 2017.  
Received and Placed on File. (#0041)

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APPLICATION, **Farland Corp, Inc.**, for permission to maintain a STREET OBSTRUCTION at **38 south Sixth Street**, provisionally granted by the City Clerk on December 18, 2017, subject to ratification by the Mayor and City Council.  
Received and Action of the City Clerk Ratified.  
Presented to the Mayor for approval January 16, 2018.  
Approved January 22, 2018. (#0042)

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APPLICATION, **RJ Canessa Excavating**, for permission to maintain a STREET OBSTRUCTION at **621 Shawmut Avenue**, provisionally granted by the City Clerk on December 19, 2017, subject to ratification by the Mayor and City Council.  
Received and Action of the City Clerk Ratified.  
Presented to the Mayor for approval January 16, 2018.  
Approved January 22, 2018. (#0043)

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APPLICATION, **Able Asphalt, Inc.**, for permission to maintain a STREET OBSTRUCTION at **77 East Clinton Street**, provisionally granted by the City Clerk on December 19, 2017, subject to ratification by the Mayor and City Council.  
Received and Action of the City Clerk Ratified.  
Presented to the Mayor for approval January 16, 2018.  
Approved January 22, 2018. (#0044)

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APPLICATION, **Able Asphalt, Inc.**, for permission to maintain a STREET OBSTRUCTION at **338 Hawes Street**, provisionally granted by the City Clerk on December 19, 2017, subject to ratification by the Mayor and City Council.  
Received and Action of the City Clerk Ratified.  
Presented to the Mayor for approval January 16, 2018.  
Approved January 22, 2018. (#0045)

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APPLICATION, **JLC Construction**, for permission to maintain a STREET OBSTRUCTION at **76 Query Street**, provisionally granted by the City Clerk on December 19, 2017, subject to ratification by the Mayor and City Council.  
Received and Action of the City Clerk Ratified.  
Presented to the Mayor for approval January 16, 2018.  
Approved January 22, 2018. (#0046)

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APPLICATION, **JLC Construction**, for permission to maintain a STREET OBSTRUCTION at **98-100 Willard Street**, provisionally granted by the City Clerk on December 19, 2017, subject to ratification by the Mayor and City Council.  
Received and Action of the City Clerk Ratified.  
Presented to the Mayor for approval January 16, 2018.  
Approved January 22, 2018. (#0047)

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APPLICATION, **JLC Construction**, for permission to maintain a STREET OBSTRUCTION at **673 Brock Avenue**, provisionally granted by the City Clerk on December 19, 2017, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval January 16, 2018.

Approved January 22, 2018. (#0048)

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APPLICATION, **W.C. Smith & Son**, for permission to maintain a STREET OBSTRUCTION at **436 Belleville Avenue**, provisionally granted by the City Clerk on December 21, 2017, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval January 16, 2018.

Approved January 22, 2018. (#0049)

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APPLICATION, **Cardoso Contracting**, for permission to maintain a STREET OBSTRUCTION at **246 – 248 Mt. Pleasant Street**, provisionally granted by the City Clerk on December 20, 2017, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval January 16, 2018.

Approved January 22, 2018. (#0050)

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APPLICATION, **R.J. Canessa Excavating**, for permission to maintain a STREET OBSTRUCTION at **223 England Street**, provisionally granted by the City Clerk on December 26, 2017, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval January 16, 2018.

Approved January 22, 2018. (#0051)

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APPLICATION, **R.J. Canessa Excavating**, for permission to maintain a STREET OBSTRUCTION at **532 Lantern Lane**, provisionally granted by the City Clerk on January 02, 2018, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval January 16, 2018.

Approved January 22, 2018. (#0052)

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APPLICATION, **Farland Corp., Inc.**, for permission to maintain a STREET OBSTRUCTION at **398 County Street**, provisionally granted by the City Clerk on January 11, 2018, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval January 16, 2018.

Approved January 22, 2018. (#0053)

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APPLICATION, **Farland Corp. Inc.**, to DISTURB THE SURFACE, of **38 South Sixth Street**, provisionally granted by the City Clerk on December 18, 2017, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval January 16, 2018.

Approved January 22, 2018. (#0054)

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APPLICATION, **RJ Canessa Excavating**, to DISTURB THE SURFACE, of **621 Shawmut Avenue**, provisionally granted by the City Clerk on December 19, 2017, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval January 16, 2018.

Approved January 22, 2018. (#0055)

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APPLICATION, **Able Asphalt, Inc.**, to DISTURB THE SURFACE, of **77 East Clinton Street**, provisionally granted by the City Clerk on December 19, 2017, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval January 16, 2018.

Approved January 22, 2018. (#0056)

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APPLICATION, **Able Asphalt, Inc.**, to DISTURB THE SURFACE, of **338 Hawes Street**, provisionally granted by the City Clerk on December 19, 2017, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval January 16, 2018.

Approved January 22, 2018. (#0057)

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APPLICATION, **JLC Construction**, to DISTURB THE SURFACE, of **76 Query Street**, provisionally granted by the City Clerk on December 19, 2017, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval January 16, 2018.

Approved January 22, 2018. (#0058)

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APPLICATION, **JLC Construction**, to DISTURB THE SURFACE, of **98-100 Willard Street**, provisionally granted by the City Clerk on December 19, 2017, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval January 16, 2018.

Approved January 22, 2018. (#0059)

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APPLICATION, **JLC Construction**, to DISTURB THE SURFACE, of **673 Brock Avenue**, provisionally granted by the City Clerk on December 19, 2017, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval January 16, 2018.

Approved January 22, 2018. (#0060)

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APPLICATION, **W.C. Smith & Son**, to DISTURB THE SURFACE, of **436 Belleville Avenue**, provisionally granted by the City Clerk on December 21, 2017, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval January 16, 2018.

Approved January 22, 2018. (#0061)

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APPLICATION, **Cardoso Contracting**, to DISTURB THE SURFACE, of **246 – 248 Mt. Pleasant Street**, provisionally granted by the City Clerk on December 20, 2017, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval January 16, 2018.

Approved January 22, 2018. (#0062)

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APPLICATION, **Cardoso Contracting**, to DISTURB THE SURFACE, of **223 England Street**, provisionally granted by the City Clerk on December 26, 2017, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval January 16, 2018.

Approved January 22, 2018. (#0063)

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APPLICATION, **R.J. Canessa Excavating**, to DISTURB THE SURFACE, of **532 Lantern Lane**, provisionally granted by the City Clerk on January 02, 2018, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval January 16, 2018.

Approved January 22, 2018. (#0063a.)

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APPLICATION, **Farland Corp., Inc.**, to DISTURB THE SURFACE, of **398 County Street**, provisionally granted by the City Clerk on January 11, 2018, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval January 16, 2018.

Approved January 22, 2018. (#0064)

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APPLICATION, **NSTAR Electric Company d/b/a Eversource Energy**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on December 15, 2017, subject to ratification by the Mayor and City Council as follows:

Coggeshall Street, Opposite Mitchell Street

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval January 16, 2018.

Approved January 22, 2018. (#0065)

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APPLICATIONS, **NSTAR Electric Company d/b/a Eversource Energy**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on December 19, 2017, subject to ratification by the Mayor and City Council as follows:

141 Union Street, West of South Second Street (#0066)

139 Union Street, West of South Second Street (#0067)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval January 16, 2018.

Approved January 22, 2018.

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APPLICATION, **NSTAR Electric Company d/b/a Eversource Energy**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on January 02, 2018, subject to ratification by the Mayor and City Council as follows:

417 Rivet Street, West of Bolton Street

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval January 16, 2018.

Approved January 22, 2018. (#0068)

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APPLICATIONS, **ABC Disposal Service**, for permission to maintain a STREET OBSTRUCTION, provisionally granted by the City Clerk on February 03, 2017, subject to ratification by the Mayor and City Council as follows:

14 Calumet Street (#0069)

182 North Street (#0070)

78 Tallman Street (#0071)

92 Holly Street (#0072)

139 – 141 Union Street (#0073)

54 Sunset Street (#0074)

39 Turner Street (#0075)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval January 16, 2018.

Approved January 22, 2018.

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On a motion, the Council then adjourned at 7:55 p.m.

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ATTEST:

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

