

**CITY COUNCIL CALENDAR  
THURSDAY, OCTOBER 26, 2017  
7 P.M. CITY COUNCIL CHAMBERS – ROOM 214  
CITY HALL, 133 WILLIAM STREET, NEW BEDFORD, MA**

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

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**PRAYER LED BY: REVEREND PAMELA J. COLE, PRESIDENT  
GNB CHAPTER OF CHURCH WOMEN UNITED**

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**PLEDGE OF ALLEGIANCE**

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**MAYOR'S PAPERS**

CITY CLERK

2017 OCT 24 P 3:34

CITY CLERKS OFFICE  
NEW BEDFORD, MA

M1. COMMUNICATION, Mayor Mitchell, to City Council, submitting A LOAN ORDER in the amount of \$8,538,654.00 to pay costs of the reconstruction of Runway 14-32 at the New Bedford Regional Airport including design, engineering, administrative and constructions services, and all other costs related thereto to be reduced by the amount of any State or Federal Aid received at the time of issuance.

M1a. LOAN ORDER,

M2. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER authorizing the City to enter into a capital lease for the purchase of replacement vehicles assigned to the departments of Facilities and Fleet Management and Public Infrastructure.

M2a. AN ORDER,

M3. COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of DONALD R. GAUDETTE, JR, New Bedford, MA to the ELECTION COMMISSION replacing J. Louis LeBlanc, whose term will expire upon Council approval of Mr. Gaudette's appointment; this term will expire April 2019.

M4. COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of EMMANUEL MATIAS, Dartmouth, MA as a SPECIAL POLICE OFFICER.

M4a. APPLICATION,

M5. COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of RENALD RUSSO III, New Bedford, MA as a CONSTABLE.

M5a. APPLICATION,

M6. COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of ARTHUR B. TRUNDY, IV, New Bedford, MA as a CONSTABLE.

M6a. APPLICATION,

**NEW BUSINESS**

1. REPORT, Committee on Appointments & Briefings, recommending to the City Council APPROVAL of a ONE YEAR WAIVER OF RESIDENCY for SUSAN BRUCE, Plymouth, MA 02360, our selection for PURCHASING DIRECTOR for the City of New Bedford.

1a. COMMUNICATION, Mayor Mitchell, to City Council, submitting the WAIVER OF RESIDENCY for SUSAN BRUCE, Plymouth, MA 02360, our selection for PURCHASING DIRECTOR for the City of New Bedford. (Referred to the Committee on Appointments and Briefings – October 12, 2017.)

2. REPORT, Committee on Appointments & Briefings, recommending to the City Council, APPROVAL of the APPOINTMENT of JOSEPH M. TAVARES, New Bedford, MA to the HARBOR DEVELOPMENT COMMISSION, Mr. Tavares will be replacing James Boyle whose term has expired; this term will expire December 2019.
- 2a. COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of JOSEPH M. TAVARES, New Bedford, MA to the HARBOR DEVELOPMENT COMMISSION, Mr. Tavares will be replacing James Boyle whose term has expired; this term will expire December 2019. (Referred to the Committee on Appointments and Briefings – September 14, 2017.)
3. REPORT, Committee on Appointments & Briefings, recommending to the City Council, APPROVAL of the APPOINTMENT of HEATHER HEFFERNAN, New Bedford, MA to the ELECTION COMMISSION, Ms. Heffernan will be replacing Celeste Paleologos who has resigned from the Commission; this term will expire April 2021.
- 3a. COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of HEATHER HEFFERNAN, New Bedford, MA to the ELECTION COMMISSION, Ms. Heffernan will be replacing Celeste Paleologos who has resigned from the Commission; this term will expire April 2021. (Referred to the Committee on Appointments and Briefings – September 14, 2017.)
4. REPORT, Committee on Appointments & Briefings, recommending to the City Council to take **“NO FURTHER ACTION”** on the Communication, Councillors Dunn, Abreu, Winterson, Gomes, Council President Lopes, Councillors Morad, Oliveira and Martins requesting that Mayor Mitchell provide assistance to any evacuees from Puerto Rico in the wake of Hurricane Maria.
- 4a. COMMUNICATION, Councillors Dunn, Abreu, Winterson, Gomes, Council President Lopes, Councillors Morad, Oliveira and Martins requesting that Mayor Mitchell provide assistance to any evacuees from Puerto Rico in the wake of Hurricane Maria. (Referred to the Committee on Appointments and Briefings – September 28, 2017.)
5. REPORT, Committee on Appointments & Briefings, recommending to the City Council to take **“NO FURTHER ACTION”** on the WRITTEN MOTION, Council President Gomes, requesting, that the Committee on Appointments and Briefings meet with local banks, mortgage institutions and credit unions, along with all local realtors, for the purpose of putting together a strategic plan of action to maintain and protect any deterioration in the neighborhoods across the City dealing with the over 1000 bank-owned or homes in foreclosure; and further, more importantly to protect those homes from becoming part of a growing number of properties deteriorating within our neighborhoods across the City.
- 5a. WRITTEN MOTION, Council President Gomes, requesting, that the Committee on Appointments Briefings meet with local banks, mortgage institutions and credit unions, along with all local realtors, for the purpose of putting together a strategic plan of action to maintain and protect any deterioration in the neighborhoods across the City dealing with the over 1000 bank-owned or homes in foreclosure; and further, more importantly to protect those homes from becoming part of a growing number of properties deteriorating within our neighborhoods across the City. (Referred to the Committee on Appointments and Briefings – September 24, 2015.)
6. REPORT, Committee on Ordinances, recommending to the City Council to take **“NO FURTHER ACTION”** on the REPORT, Committee on Appointments and Briefings, recommending to the City Council that the Committee on Appointments & Briefings refer to the Committee on Ordinance a motion to have the Election Commission and Election Commissioner appointment process reviewed.
- 6a. REPORT, Committee on Appointments and Briefings, recommending to the City Council that the Committee on Appointments & Briefings refer to the Committee on Ordinance a motion to have the Election Commission and Election Commissioner Appointment process reviewed. (Referred to the Committee on Ordinances – July 20, 2017.)

7. REPORT, Committee on Ordinances, recommending to the City Council to take **“NO FURTHER ACTION”** on the COMMUNICATION, Mayor Mitchell to City Council, submitting four (4) ORDINANCES, updating the City’s processes for issuing Outdoor Café Permits.
- 7a. AN ORDINANCE, amending Chapter 15, Article VI – Planning Board Licenses and Permits – Article VI stricken in its entirety. (Referred to the Committee on Ordinances – July 20, 2017.)
- 7b. AN ORDINANCE, amending Chapter 15, Article I - In General, by inserting Section 15-15 OUTDOOR CAFÉ PERMIT. (Referred to the Committee on Ordinances – July 20, 2017.)
- 7c. AN ORDINANCE, amending Chapter 17, Section 17-18 Noncriminal disposition of violations of certain Ordinances, Rules and Regulations. (Referred to the Committee on Ordinances – July 20, 2017.)
- 7d. AN ORDINANCE, amending Chapter 17, Section 17-28 Chapter 40U of the Massachusetts General Laws. (Referred to the Committee on Ordinances – July 20, 2017.)
8. REPORT, Committee on Finance, recommending to the City Council ADOPTION of the ORDER, authorizing the Mayor to enter into a Master Lease Agreement in the amount not to exceed \$3,684,000.00 for the financing of the costs of Phase 2 energy conservation measures and facility measures to various municipal buildings and facilities pursuant to the master energy management services agreement between the City and Siemens Industry, Inc.
- 8a. AN ORDER, (Referred to the Committee on Finance – September 28, 2017.)
9. WRITTEN MOTION, Council President Lopes, Councillors Abreu, Gomes, Winterson and Martins, requesting, that the City Council go on record stating its desire to Energy and Environmental Affairs Secretary Matt Beaton, that the Schooner Ernestina-Morrissey retain the home port of New Bedford, MA, after restorations have been completed, the Schooner Ernestina-Morrissey was a gift from the Government of Cape Verde to the United States of America in 1977, designated by the United States Department of the Interior as a National Historic Landmark in 1990, designated the official vessel of the Commonwealth of Massachusetts in 1994, and in 1996, the Schooner Ernestina-Morrissey became a part of the New Bedford Whaling National Historical Park.
10. WRITTEN MOTION, Councillor Morad, requesting to go before the Park Board at their next meeting, representing a long-term south end resident, Frances Drozek Perry, her family is requesting that a bench be dedicated at Hazelwood Park celebrating her 100th Birthday which is December 1, 2017.
11. WRITTEN MOTION, Councillor Carney, requesting that the City accept Massachusetts General Law, Chapter 90, Section 18B which allows Cities and Towns in the Commonwealth of Massachusetts to establish Safety Zones and such safety zones shall be posted and enforced as having a speed limit of 20 miles per hour.
- 11a. AN ORDER, ORDERED, that the City of New Bedford hereby accepts the provision of Section 18B of Chapter 90 of the General Laws.
12. WRITTEN MOTION, Councillors Gomes and Carney, requesting that the Committee on Public Safety and Neighborhoods meet with officials from St. Luke’s Hospital, Massachusetts Med Flight, Airport Manager Servis, Police Chief Cordeiro and a representative from State Representative Cabral’s Office, to discuss the fact that drones are being flown less than 150 yards away from the Hospital’s helicopter pad from a 2.89 acre parcel of land known as the ‘Reed Estate’, which is owned by the State of Massachusetts; and further that the State install ‘NO TRESPASSING’ signs with rules and regulations for said property; and furthermore, that Mr. William P. Walsh, concerned citizen, be invited to said meeting, bringing all parties together for a plan of action.
- 12a. COMMUNICATION, Councillor Gomes, submitting a letter from William P. Walsh regarding the drone activity at the Reed Estate.

13. COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of **Walter Callahan, 86 North Street, Mattapoisett, MA 02739 d/b/a TRANSIT SERVICES, INC., 987 Pleasant Street, New Bedford, MA 02740**, hereby submitting 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 expires November 10, 2017.)**
14. COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of **Robert Neves, 420 Huttleston Avenue, Fairhaven, MA 02719 d/b/a WHALING CITY TRANSIT INC., 16 Shore Street, New Bedford, MA 02744**, hereby submitting 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 expires November 10, 2017.)**
15. COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of **CLAUDIA TABARES, 772 County Street, New Bedford, MA 02740 d/b/a DANIEL'S TRANSPORTATION, 772 County Street, New Bedford, MA 02740**, 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 on October 13, 2017.)**
16. 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 LLC, 458 Dartmouth Street, New Bedford, MA 02740**, hereby submitting 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 expires November 12, 2017.)**
17. 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 expires October 27, 2017.)**
18. COMMUNICATION, Manuel DeBrito, Jr., Chairman, Board of Election Commissioners, to City Council, requesting that the attached list be designated as Polling Precincts for the upcoming Municipal Election on Tuesday, November 07, 2017.
19. COMMUNICATION, Council President Lopes, submitting a letter from the Committee to Honor the late Thomas Wayne Barao, New Bedford High School Basketball Player Class of 1968, regarding naming the basketball court at Ashley Park in Mr. Barao's honor. (To be Referred to the Committee on Memorials and Dedications.)
20. COMMUNICATION, Councillor Morad, submitting a letter from Members of the City of New Bedford's EMS Department, regarding Group IV Retirement Benefits. (To be Referred to the Committee on Finance.)
21. COMMUNICATION, Councillor Morad, submitting a request from Christian A. Farland, Farland Corp, to rezone the easterly edge of Assessor's Map 130D, Lots 379,380,381,408,409 and 410 from Residential A to MIXED-USE BUSINESS approximately 48 feet. (To be Referred to the Committee on Ordinances and the Planning Board.)

**TABLED BUSINESS**

**NO ITEMS ON THIS AGENDA.**

***In accordance with the Americans with Disabilities Act (ADA),  
if any accommodations are needed, please contact the City Council Office at 508-979-1455.  
Requests should be made as soon as possible but at least 48 hours prior to the scheduled meeting.***