

**CITY COUNCIL CALENDAR
THURSDAY, FEBRUARY 22, 2018
7 P.M. CITY COUNCIL CHAMBERS – ROOM 214
CITY HALL, 133 WILLIAM STREET, NEW BEDFORD, MA**

OPENING OF SESSION BY: CITY COUNCIL PRESIDENT LINDA M. MORAD

PRAYER LED BY: REVEREND PAUL LANGSTON-DALEY

PLEDGE OF ALLEGIANCE

MAYOR'S PAPERS

M1. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, authorizing the award of a contract between the City and W/S Gold Management, for the operation and management of the New Bedford Whaling Municipal Golf Course, the term of the contract is ten years with two additional five-year terms at the City's sole option.

M1a. AN ORDER,

M2. COMMUNICATION, Mayor Mitchell, to City Council, requesting to refer the disposition of the Phillips Avenue School to the Committee on City Property for their full consideration.

M3. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$20,000.00 from AIRPORT, SALARIES & WAGES, to AIRPORT, CHARGES & SERVICES in the amount of \$18,000.00 and AIRPORT, SUPPLIES & MATERIALS in the amount of \$2,000.00.

M3a. AN ORDER,

M4. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$15,000.00 from HEALTH, SALARIES & WAGES, to HEALTH CHARGES & SERVICES.

M4a. AN ORDER,

M5. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$30,000.00 from FIRE, CHARGES & SERVICES to FIRE, SUPPLIES & MATERIALS.

M5a. AN ORDER,

M6. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$40,000.00 from TRAFFIC, SALARIES & WAGES in the amount of \$20,000.00 and TRAFFIC, CHARGES & SERVICES in the amount of \$20,000.00 to FIRE, CAPITAL OUTLAY.

M6a. AN ORDER,

M7. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$20,000.00 from DEPARTMENT OF PUBLIC INFRASTRUCTURE, SALARIES & WAGES, to HEALTH, CHARGES & SERVICES.

M7a. AN ORDER,

M8. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$9,000.00 from CITY COUNCIL, SALARIES & WAGES, to CITY COUNCIL, SUPPLIES & MATERIALS in the amount of \$8,000.00 and CITY CLERK, SUPPLIES & MATERIALS in the amount of \$1,000.00.

M8a. AN ORDER,

CITY CLERK
2018 FEB 20 P 4:03
CITY CLERK'S OFFICE
NEW BEDFORD, MA

M9. COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of MARCELINO “SONNY” G. ALMEIDA, New Bedford, MA, to the LICENSING BOARD; this term will expire June 2022.

M10. COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of STEPHEN BROWN, New Bedford, MA, to the ZONING BOARD OF APPEALS, this term will expire December 2022.

M11. COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of LEO SCHICK, New Bedford, MA to the ZONING BOARD OF APPEALS, replacing Sherry McTigue; Mr. Schick has been a valued Alternate Member of the Zoning Board of Appeals since 2015; this term will expire December 2019.

M12. COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of JACOB GONSALVES, New Bedford, MA to the TRAFFIC COMMISSION; Mr. Gonsalves will be replacing Joseph Eugenio; this term will expire December 2020.

M13. COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of CARLOS SOUSA, New Bedford, MA 02740 as a CONSTABLE.

M13a. AN APPLICATION,

NEW BUSINESS

1. REPORT, Committee on Appointments & Briefings, recommending to the City Council APPROVAL of the APPLICATION, Daniel Freitas, d/b/a D.F.F. Realty Trust, for a SPECIAL PERMIT for Motor Vehicle Sales and Rentals, General Repairs and Light Service at 260 Dartmouth Street, New Bedford, MA 02740.

1a. APPLICATION, Daniel Freitas, d/b/a D.F.F. Realty Trust, for a SPECIAL PERMIT for Motor Vehicle Sales and Rentals, General Repairs and Light Service at 260 Dartmouth Street, New Bedford, MA 02740.

2. REPORT, Committee on Appointments & Briefings, recommending to the City Council to Grant the Partial Demolition – Roof only of 475 PURCHASE STREET, (MAP 41/LOT52) contingent on the ZBA and the Planning Board granting the Petitioner the relief being sought by each Board on the project.

2a. COMMUNICATION/DEMOLITION, New Bedford Historical Commission, to City Council, re: BUILDING DEMOLITION REVIEW: PARTIAL DEMOLITION – ROOF ONLY of 475 PURCHASE STREET, (MAP 41/LOT 52), – the property owner is proposing the partial demolition of the roof for the purpose of raising the overall height of the roof and adding another story to the building, no other demolition work has been proposed at this time or reviewed by the NBHC; the Jireh L. Ferguson House was constructed in 1841, in the Greek Revival style and is a contributing resource within the County Street National Register District; the property has historical significance due to its association with the broad architectural, cultural, economic political and social history of the City during the height of the whaling industry in the 19th century; the property owner has worked with the NBHC, and in the proposed design, dated 11/15/17, has revised the plans in an effort to mitigate the adverse effect the proposal will have on the property and District, “in light of these findings, the New Bedford Historical Commission has determined that the structure at 475 Purchase Street is Historically Significant, but is not a Preferably Preserved structure, this determination is applicable to demolition of the roof only.” (Referred to the Committee on Appointments and Briefings 12/14/2017.)

3. REPORT, Committee on Appointments & Briefings, recommending to the City Council APPROVAL of the APPOINTMENT of STEVEN ROGER VERRONNEAU, New Bedford, MA as a CONSTABLE.

3a. APPLICATION, (Referred to the Committee on Appointments and Briefings 01/11/2018.)

4. REPORT, Committee on Appointments & Briefings, recommending to the City Council APPROVAL of the APPOINTMENT of EMMANUEL MATIAS, Dartmouth, MA as a SPECIAL POLICE OFFICER.
 - 4a. APPLICATION, (Referred to the Committee on Appointments and Briefings 10/26/2017.)
5. REPORT, Committee on Finance, recommending to the City Council ADOPTION of TWO (2) LOAN ORDERS, appropriating \$4,100,344 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 and Hayden McFadden, Casmir Pulaski and Alfred J. Gomes Elementary Schools under the order approved on March 25, 2016.
 - 5a. LOAN ORDER, APPROPRIATING \$4,100,334 for an accelerated repair project at the Elizabeth Carter Brooks Elementary School. (Referred to the Committee on Finance – 01/11/2018; To be Passed to a Second Reading.)
 - 5b. 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 – 01/11/2018; To be Passed to a Second Reading.)
6. REPORT, Committee on Finance, recommending to the City Council ADOPTION of THREE ORDERS for the TRANSFER from FREE CASH, to OPEB TRUST FUND in the amount of \$150,000.00 to POLICE, CAPITAL OUTLAY in the amount of \$194,000.00; and the STABILIZATION FUND in the amount of \$800,000.00.
 - 6a. AN ORDER, FREE CASH, to OPEB TRUST FUND in the amount of \$150,000.00 (Referred to the Committee on Finance 01/25/2018.)
 - 6b. AN ORDER, FREE CASH, to POLICE, CAPITAL OUTLAY in the amount of \$194,000.00 (Referred to the Committee on Finance 01/25/2018.)
 - 6c. AN ORDER, FREE CASH, STABILIZATION FUND in the amount of \$800,000.00. (Referred to the Committee on Finance 01/25/2018.)
7. REPORT, Committee on Finance, recommending to the City Council to refer to the Committee on Licensing and Zoning for Cannabis a WRITTEN MOTION, Councillor Lopes, requesting, that the Committee on Finance work with the Mitchell Administration on the adoption of the maximum 2% local sale tax option upon the sale or transfer of marijuana or marijuana products by a marijuana retailer operating within the City of New Bedford if Ballot Question 4 is passed.
 - 7a. WRITTEN MOTION, Councillor Lopes, requesting, that the Committee on Finance work with the Mitchell Administration on the adoption of the maximum 2% local sale tax option upon the sale or transfer of marijuana or marijuana products by a marijuana retailer operating within the City of New Bedford if Ballot Question 4 is passed. (Referred to the Committee on Finance and Mayor Mitchell 09/22/2016.)
8. REPORT, Committee on Budget Review, recommending to the City Council to take **“NO FURTHER ACTION”** on a Communication, Council President Morad, submitting an email from Antonio Brito, New Bedford, MA, regarding Superintendent Durkin’s request for an additional \$11 million dollars in the upcoming School Budget.
 - 8a. COMMUNICATION, Council President Morad, submitting an email from Antonio Brito, New Bedford, MA, regarding Superintendent Durkin’s request for an additional \$11 million dollars in the upcoming School Budget. (To be Referred to the Special Committee on Budget Review; Copy all Councillors via email 03/17/16.) (Referred to the Special Committee on Budget Review 03/22/2016.)

9. REPORT, Committee on Public Safety and Neighborhoods, recommending to the City Council APPROVAL of the WRITTEN MOTION, Councillors Dunn, Abreu, Winterson, Coelho and Council President Lopes, requesting, that the Health Department, the Department of Public Infrastructure, the Traffic Commission and the Mayor's office explore the implementation of a program that places, at popular panhandling locations, signage designed to encourage and facilitate responsible giving by providing a telephone number to both donate to local charities that provide food, shelter and mental health services and enable this at risk population to access these services; and further, that the Traffic Commission create the signage and steps be taken to erect the signs in panhandling locations.

9a. WRITTEN MOTION, Councillors Dunn, Abreu, Winterson and Council President Lopes, requesting, that the Health Department, the Department of Public Infrastructure, the Traffic Commission and the Mayor's office explore the implementation of a program that places, at popular panhandling locations, signage designed to encourage and facilitate responsible giving by providing a telephone number to both donate to local charities that provide food, shelter and mental health services and enable this at risk population to access these services. (Referred to the Committee on Public Safety and Neighborhoods-08/17/2017.)

10. REPORT, Committee on Public Safety and Neighborhoods, recommending that the City Council send a letter to the owners of the Reed Estate asking that signage be posted that no Drone flying take place on the property; and further that Representative Antonio Cabral be sent a copy of the letter asking for his assistance in getting the State involved with this matter.

11. REPORT, Committee on Public Safety and Neighborhoods, recommending that the City Council follow the recommended action on the WRITTEN MOTION, Councillors Oliveira, Lopes, Gomes, Martins, Winterson, Alves, Bousquet, Carney, Rebeiro, requesting, that the city Administration conduct a feasibility study to develop a second entrance and exit to the Pulaski School, this is the only elementary school in New Bedford hosting over 700 students from across the City and the immediate area lacks a second means of access/egress and in the case of an emergency, having only one means of entrance and exiting the property could prove disastrous.

11a. WRITTEN MOTION, Councillors Oliveira, Lopes, Council President Gomes, Councillors Martins, Winterson, Alves, Bousquet, Carney and Rebeiro, requesting, that the City Administration conduct a feasibility study to develop a second entrance and exit to the Pulaski School, this is the only elementary school in New Bedford hosting over 700 students from across the City and the immediate area lacks a second means of access/egress and in the case of an emergency, having only one means of entrance and exiting the property could prove disastrous. (To be Referred to Mayor's Office, Committees on Appointments and Briefings and Public Safety and Neighborhoods – 02/15/2015; Returned Unsigned by the Mayor 03/09/2015.)

12. REPORT, Committee on Public Safety and Neighborhoods, recommending that the City Council follow the recommended action on the WRITTEN MOTION, Council President Gomes, requesting, that the New Bedford Police Department, the Fire Department and EMS look into implementing the I Teeth Clamp, which is a device used to close an open wound on a victim suffering from a gunshot wound, stabbing or any accidental superficial open wound, it has been credited in slowing blood loss and preventing loss of life in emergency situations; and further, for very little cost we can equip every Police Officer and train every emergency responder to administer the I Teeth Clamp in a crisis or emergency situation.

12a. WRITTEN MOTION, Council President Gomes, requesting, that the New Bedford Police Department, the Fire Department and EMS look into implementing the I Teeth Clamp, which is a device used to close an open wound on a victim suffering from a gunshot wound, stabbing or any accidental superficial open wound, it has been credited in slowing blood loss and preventing loss of life in emergency situations; and further, for very little cost we can equip every Police Officer and train every emergency responder to administer the I Teeth clamp in a crisis or emergency situation. (Referred to the Committee on Public Safety and Neighborhoods – 06/25/2015; Signed by the Mayor – 06/30/2015.)

13. REPORT, Committee on Public Safety and Neighborhoods, recommending that the City Council follow the recommended action on the WRITTEN MOTION, Council President Gomes, requesting, that Mayor Mitchell, Police Chief Provencher and City Solicitor McDermott, authorize the Police Department to enforce NO TRESPASSING Notices across the City, this action will help to assist property/homeowners that have followed the legal process through eviction to stop all criminal activity that has taken place at said residence or property, and further, that this is a Massachusetts State Law and should be strictly enforced.
- 13a. WRITTEN MOTION, Council President Gomes, requesting that Mayor Mitchell, Police Chief Provencher and City Solicitor McDermott, authorize the Police Department to enforce NO TRESPASSING Notices across the City, this action will help to assist property/homeowners that have followed the legal process through eviction to stop all criminal activity that has taken place at said residence or property, and further, that this is a Massachusetts State Law and should be strictly enforced. (Referred to the Committee on Public Safety and Neighborhoods – October 8, 2015; Returned Unsigned by the Mayor 10/26/2015.)
14. REPORT, Committee on Public Safety and Neighborhoods, recommending that the City Council follow the recommended action on the WRITTEN MOTION, Councillor Coelho, requesting, that the Police Department provide the City Council with the number of repeat overdoses in a twenty-four hour period in New Bedford, and that we look into possibly drafting an Ordinance addressing the matter; and further, that we ask our State Legislative Delegation to assist us in drafting a policy that would make it mandatory that anyone who overdoses, especially those who overdose repeatedly, not be treated and released, but held in the hospital for twenty-four hour surveillance, they are a harm to themselves and to society and are using up our resources.
- 14a. WRITTEN MOTION, Councillor Coelho, requesting, that the Police Department provide the City Council with the number of repeat overdoses in a twenty-four hour period in New Bedford, and that we look into possibly drafting an Ordinance addressing the matter; and further; that we ask our State Legislative Delegation to assist us in drafting policy that would make it mandatory that anyone who overdoses, especially those who overdose repeatedly, not be treated and released, but held in the hospital for twenty-four hour surveillance, they are a harm to themselves and to society and are using up our resources. (Referred to the Committees on Ordinances and Public Safety and Neighborhoods- 01/28/2016.)
15. REPORT, Committee on Public Safety and Neighborhoods, recommending that the City Council follow the recommended action on the WRITTEN MOTION, Councillors Bousquet, Lopes, Abreu, Council President Morad, Councillors Oliveira and Winterson, requesting, that the Administration work with the Health Department to develop a hoarding task force, an interagency response team to identify, recover, and get help for people who suffer from this condition, it shall include Health, Police, Fire, Minimum Housing and the Solicitors Office representative working together on this Citywide epidemic.
- 15a. WRITTEN MOTION, Councillors Bousquet, Lopes, Abreu, Council President Morad, Councillors Oliveira and Winterson, requesting, that the Administration work with the Health Department to develop a hoarding task force, an interagency response team to identify, recover, and get help for people who suffer from this condition, it shall include Health, Police, Fire, Minimum Housing and the Solicitors Office representatives working together on this Citywide epidemic. (Referred to the Committee on Public Safety and Neighborhoods – 02/25/2016.)
16. REPORT, Committee on Public Safety and Neighborhoods, recommending that the City Council follow the recommended action on the RELATED MOTION, Councillor Coelho, requesting, that Police Chief Cordeiro institute foot patrols during the next several months in those neighborhoods known for higher crime.
- 16a. RELATED MOTION, Councillor Coelho, requesting that Police Chief Cordeiro institute foot patrols during the next several months in those neighborhoods known for higher crime. (Referred to the Committee on Public Safety and Neighborhoods – 06/08/2017.)

17. WRITTEN MOTION, Councillor Gomes, requesting that Mayor Mitchell and School Superintendent Durkin put together the cost of installing security in all schools throughout the City, which includes panic buttons, cameras, and evacuation plan; and further, consider hiring armed guards possibly using former retirees from the Police Department and/or Veterans; furthermore, that the School Department install a hotline within the school system for students to report unusual activity, threats or even comments about guns or anything that threaten the well-being and safety of all faculty and students, title it "YOU HEAR IT, YOU SEE IT, YOU REPORT IT, TOGETHER WE MAKE OUR SCHOOLS SAFE." (To be Referred to the Mayor, Superintendent Durkin, the School Committee and the Committee on Public Safety and Neighborhoods.)

18. WRITTEN MOTION, Councillor Gomes, requesting, that the Committee on Public Safety and Neighborhoods meet with Police Chief Cordeiro and a representative from the Mayor's office to discuss the immediate implementation of Active Threat Resolution training for all Officers, requesting also a list of all specially trained officers within the department, these Officers with the special training and certification can be used to train other Officers within the department; and further, that training immediately go into effect making our department ready for possible active shooter situations, also known as the Active Shooter Response Team; and further, that the Police Department provide the City Council's Committee on Public Safety and Neighborhoods with a list of schools and City public buildings that have received ALICE Training (Alert, Lockdown, Inform, Counter, Evacuation, teaching staff what their options are if there is an active threat situation.

19. COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of **YESENIA MALDONADO, 177 Grinnell Street, New Bedford, MA 02740 d/b/a YESENIA TRANSPORTATION, 177 Grinnell Street, New Bedford, MA 02740**, hereby submits 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 12/08/2017.)

20. COMMUNICATION, Council President Morad, submitting a copy of a letter dated February 7, 2018 from Mayor Mitchell to the Bristol County Advisory Board, regarding the Advisory Board's meeting schedule and the proposed Bristol County Agricultural High School Building Project. (Copy all Councillors via email 02/08/2018.)

21. COMMUNICATION, Councillor Lopes, submitting a Petition signed by Residents of Portland Street, requesting that SRTA Bus Company stop using Portland Street as a bus route. (To be Referred to the Committee on Public Safety and Neighborhoods.)

22. COMMUNICATION, Council President Morad, submitting an email from Earl Delacy regarding the Management Contract for the New Bedford Whaling City Golf Course.

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.***