

# New Bedford City Council Agenda – Thursday, March 14, 2013



New Bedford City Council Chambers

## CITY COUNCIL CALENDAR

THURSDAY, MARCH 14, 2013

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OPENING OF SESSION BY: CITY COUNCIL PRESIDENT BRUCE DUARTE,  
JR.

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PRAYER LED BY: REVEREND JOSEPH BASALA, OUR LADY OF THE  
ASSUMPTION PARISH

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PLEDGE OF ALLEGIANCE

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NOTE: THE NEXT REGULARLY SCHEDULED CITY COUNCIL MEETING WILL BE HELD ON WEDNESDAY, MARCH 27<sup>TH</sup> DUE TO HOLY THURSDAY AND PASSOVER. THE AGENDA WILL CLOSE

FRIDAY, MARCH 22<sup>ND</sup> AT 10 A.M. THE AGENDA WILL BE RELEASED ON MONDAY, MARCH 25<sup>TH</sup>.

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### ***RESOLUTION***

1. RESOLUTION, Councillors Gonsalves and Coelho, in Recognition and Celebration of NATIONAL WOMEN'S HISTORY MONTH – MARCH 2013.

### ***MAYOR'S PAPERS***

M1. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$240,000.00 from OVERLAY RESERVE, to PUBLIC FACILITIES, SUPPLIES & MATERIALS.

M1a. AN ORDER,

M2. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$30,000.00 from PUBLIC FACILITIES, SALARIES & WAGES, to PUBLIC FACILITIES, SUPPLIES & MATERIALS.

M2a. AN ORDER,

M3. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$3,398.00 from PARKS/RECREATION, SALARIES & WAGES, to PARKS/RECREATION, CAPITAL OUTLAY.

M3a. AN ORDER,

M4. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$1,885.00 from

PARKS/RECREATION, SALARIES & WAGES, to PARKS/RECREATION, CHARGES & SERVICES.

M4a. AN ORDER,

M5. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDINANCE, amending Chapter 9, Section 4000, by adding a new Section 4700A, Interim Regulations for Medical Marijuana Dispensaries, which will establish a moratorium to allow New Bedford time to consider whether to allow facilities associated with the medical use of marijuana.

M5a. AN ORDINANCE,

M6. COMMUNICATION, Mayor Mitchell, to City Council, submitting a ONE-YEAR WAIVER OF RESIDENCY for GREGORY HREN, Weymouth, MA, as a PARAMEDIC; Paramedic Hren has been an asset to New Bedford EMS since taking a per diem slot in February 2009, current Waiver expired February 2013.

M7. COMMUNICATION, Mayor Mitchell, to City Council, submitting a ONE-YEAR WAIVER OF RESIDENCY for KEVIN PORTER, Mattapoisett, MA, as a PARAMEDIC; Paramedic Porter has been an asset to New Bedford EMS since taking a per diem slot in February 2009, current Waiver expired February 2013.

M8. COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of BRUCE DUARTE, New Bedford, MA 02740, to the VETERAN'S ADVISORY BOARD, Mr. Duarte's term expired in December 2012; this term will expire December 2015.

M9. COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of LT. COLONEL (Ret.) GRACE REGAN, New Bedford, MA 02740, to the VETERAN'S ADVISORY BOARD, Ms. Regan's term expired December 2012; this term will expire December 2015.

M10. COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of VINCENT P. RODRIGUES, New

Bedford, MA, as a SPECIAL POLICE OFFICER.

M10a. APPLICATION,

***NEW BUSINESS***

1. LOAN ORDER, Ordered that the City appropriated \$750,000.00 for the purpose of paying costs of a feasibility study for the potential construction of a new John Hannigan Elementary School, to be located at 33 Emery Street and also, to pay schematic design costs associated with constructing a new John Hannigan Elementary School. (Passed to a Second Reading – February 28, 2013.)
2. WRITTEN MOTION, Council President Duarte, requesting, on behalf of AHA! New Bedford and the Earth Day Committee, that the following street(s) be CLOSED: MARKET STREET, from Pleasant Street to North Sixth Street, ON THURSDAY, APRIL 11, 2013, FROM 4:00 P.M. TO 7:00 P.M., for the purpose of the Earth Eve Parade.
3. WRITTEN MOTION, Council President Duarte, requesting, on behalf of AHA! New Bedford, that the following street(s) be CLOSED: PURCHASE STREET, between Union Street and Spring Street, ON THURSDAY, APRIL 11, 2013, FROM 4:00 P.M. TO 7:00 P.M., for the purpose of AHA! Night/A Sustainable Southcoast.
4. WRITTEN MOTION, Councillor Lopes, requesting, that the following street(s) be CLOSED: CLEVELAND STREET, from David Street to Rodney Street, ON SUNDAY, MAY 19, 2013, FROM: 9:30 A.M. TO 11:00 A.M., for the purpose of the 34<sup>TH</sup> ANNUAL HAZELWOOD WOMEN'S 5K RUN/WALK.
5. WRITTEN MOTION, Councillor Bousquet, requesting, on behalf of the residents at the Mount Pleasant Street Neighborhood Association, that the Mayor consider creating an Advisory Council made up of Citizens to help with snow removal issues and to come up with ideas to help during snow bans, and aid in making certain that the City's snow removal policy better reflects the needs of the residents.
6. WRITTEN MOTION, Councillors Coelho, Bousquet and Gonsalves, once again, requesting, that the Mayor's Office look into hiring a "Baby Advocate" for the City of New Bedford to address the needs of the growing baby population in the City, the advocate would assess the needs of both mothers and babies and bring in, if necessary, State agencies to provide proper services for the wellbeing and safety of the City's babies and possibly obtain grants or needed funding for the vital assistance needed for the welfare of these children.

7. WRITTEN MOTION, Council President Duarte, requesting, that due to a severe winter storm season and the many streets throughout our City that are in deplorable condition and are in desperate need of repair, that our State Legislative Delegation fight for all additional Chapter 90 funding available to address this issue that has worsened due to all the snow plowing done this year; and further, that a letter be sent to Governor Deval Patrick on behalf of the taxpayers of the City of New Bedford regarding this issue.
8. WRITTEN MOTION, Councillor Gomes, requesting, that the Special Committee on Employment Opportunities send a letter to Little Debbie/McKee Foods Corporation, issuing an invitation to the company to visit the City of New Bedford for the purposes of touring the former Sunbeam Bread Company located at 229 Coffin Avenue, and also to meet with the Special Committee on Employment Opportunities to discuss the possibilities of the company expanding its operations to New Bedford to produce their line of products; and further, that an invitation also be sent to Matthew Morrissey, Director, Economic Development Council asking for his participation in this venture.
9. WRITTEN MOTION, Councillor Gomes, requesting, that the Traffic Commission along with Department of Public Infrastructure Commissioner Ronald Labelle, look into the possibility of making Walnut Street, from South Second Street to Acushnet Avenue a TWO-WAY street, east and west, at the present time the intersection, from South Second Street to Acushnet Avenue is a one-way street east; and further, that the corner of Acushnet Avenue and Walnut Street be squared off on the north east corner and the left lane exit onto Walnut Street be closed off and that the present Monument and light pole island be taken back north, making it possible to square off the corner and have an intersection that can handle two-way traffic, east and west with "NO RIGHT TURN" Signs being installed at the corner along with a "STOP SIGN" in a westerly direction at Acushnet Avenue and Walnut Street; and further, that "NO PARKING" Signs be installed on the southside of Walnut Street, from Acushnet Avenue to South Second Street, for the purposes of a clean left turn off of Acushnet Avenue with no vehicle obstruction, the reason for this request is the amount of traffic since the revamping of Route 18 and Walnut Street has taken place, many motorists continue west on Walnut Street making it an unsafe situation towards Acushnet Avenue, this should cure the problem along with ensuring a normal flow of traffic from Acushnet Avenue, to the Waterfront Area and leaving the Waterfront Area heading in a westerly direction on Walnut Street. (To be Referred to the Traffic Commission and DPI Commissioner Ronald

Labelle.)

10. WRITTEN MOTION, Councillors Gomes and Oliveira, requesting, that the Committee on Public Safety and Neighborhoods along with the Mayor's Office and the Police Department look into providing Wendy's, located on Kings Highway with a Detail Officer, from 9:00 p.m. to 3:00 a.m., on Fridays and Saturdays, due to the numerous calls that come into the Police Department over the course of the weekend and the ongoing problem of groups hanging around, traffic build-up and noise complaints coming from that location, as Chairman and Vice-Chairman of the Committee on Public Safety and Neighborhoods, we believe that a Detail Officer would curb many of these problems existing at this location during the night time hours of operations.
11. WRITTEN MOTION, Councillors Gomes, Oliveira and Alves, requesting, that the Greater New Bedford Industrial Foundation Business Park along with the Department of Public Facilities/Forestry, immediately begin to cut back all the brush and branches along Phillips Road, from Braley Road south, on the west side of Phillips Road, land which is owned by the Business Park; and further, that the City take immediate action on City-owned land by cutting back the branches and the trees that have fallen during the winter storms, cleaning all the way to the end of the wooded area on Phillips Road, just before the Schooner Cove Condominium Project by the Muldoon's Mini-Mart making it safe for motorists headed in a southerly direction.
12. WRITTEN MOTION, Councillor Martins, requesting, that members of C.A.L.M., Inc., be invited to a Committee on Appointments and Briefings meeting to discuss their organization's involvement in the education and use of medical marijuana.
13. COMMUNICATION, Councillor Gomes, submitting email request from Lt. Jeffrey Silva, regarding amending the City Code to add fines for ONE-WAY violations. (To be Referred to the Committee on Ordinances and Legal Counsel David Gerwatoski.)
14. COMMUNICATION, Councillor Bousquet, submitting a request from John M. Janiak, Esquire, for the DISCONTINUANCE OF A PORTION OF EASTON STREET (BOARD OF SURVEY), 50 feet wide, from Upton Street northerly 193+/- feet.
15. ORDERED, for HEARING on THURSDAY, APRIL 25, 2013, at 7:00 p.m. in City Council Chambers, City Hall, for the DISCONTINUANCE of a PORTION OF EASTON STREET (BOARD OF SURVEY), 50 feet wide, from Upton Street northerly 193+/- feet.

***TABLED BUSINESS***

**02/28/2013** – HEARING, on NSTAR ELECTRIC COMPANY, for location of one (1) 4” Conduit in HATHAWAY STREET, corner of Riverside Avenue.

AN ORDER,

**02/28/2013** – HEARING, on NSTAR ELECTRIC COMPANY, for location of one (1) 4” Conduit in MANOMET STREET, corner of Riverside Avenue.

AN ORDER,