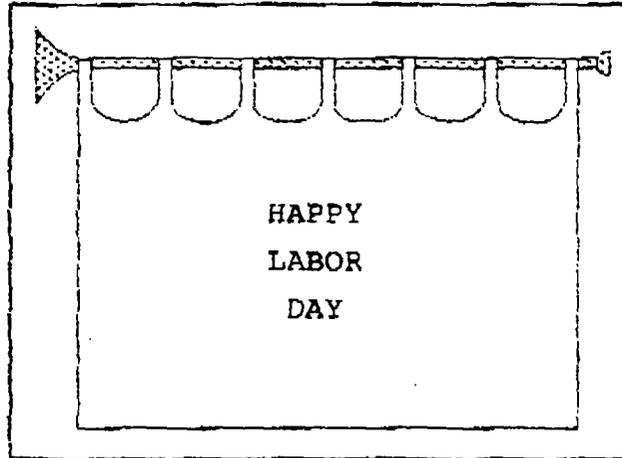


CITY COUNCIL CALENDAR  
No. 15  
Thursday, September 9, 1993  
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~~XXXXXXXXXX~~  
NEW BEDFORD  
7.1  
296008



1. A HEARING on PETITION of Com/Electric Co., for location of 6 conduits and 2 handholes in CHESTNUT ST., S. of Hillman St.
  - 1a. ORDER,
2. A HEARING on PETITION of Com/Electric Co., for location of 1 handhole in MECHANICS LANE, E. of Purchase St.
  - 2a. ORDER,
3. A HEARING on PETITION of Com/Electric Co., for location of 1 conduit in TABER ST., W. of Page St.
  - 3a. ORDER,
4. A HEARING on PETITION of Com/Electric Co. and N. E. Telephone/Telegraph Co., for location of one (1) pole in MERRIMAC ST., E. of Cottage St.
  - 4a. ORDER,
5. A HEARING on PETITION of Com/Electric Co., for location of 2 conduits and 1 handhole in BROCK AVENUE, North of Lucas St.
  - 5a. ORDER,
6. A HEARING on PETITION of Com/Electric Co., for location of 1 conduit in HILLMAN ST., E. of Chestnut St.
  - 6a. ORDER,



7. A HEARING on PETITION of Com/Electric Co., for location of 6 conduits and 2 handholes in CHESTNUT STREET, south of Merrimac Street.
  - 7a. ORDER,
8. A HEARING on PETITION of Com/Electric Co., for location of 6 conduits and 3 handholes in ARMOUR ST., south of Union St.
  - 8a. ORDER,
9. A HEARING on PETITION of Whaling City Cable TV, Inc., for location of one conduit in PURCHASE ST., at inter. of Hazard St.
  - 9a. ORDER,
10. A HEARING on PETITION of Whaling City Cable TV, Inc., for location of one conduit in ELM ST., at inter. of Cottage St.
  - 10a. ORDER,
11. A HEARING on PETITION of Whaling City Cable TV, Inc., for location of one conduit in COUNTY ST., at inter. of Elm St.
  - 11a. ORDER,
12. A HEARING on PETITION of Whaling City Cable TV, Inc., for location of one conduit in WATER ST., at inter. of School St.
  - 12a. ORDER,
13. A HEARING on PETITION of Whaling City Cable TV, Inc., for location of one conduit in SCHOOL ST., at inter. of Second St.
  - 13a. ORDER,
14. A HEARING on PETITION of Whaling City Cable TV, Inc., for location of one conduit in COTTAGE ST., at inter. of Court St.
  - 14a. ORDER,
15. A HEARING on PETITION of Whaling City Cable TV, Inc., for location of one conduit in UNION ST., at inter. of County St.
  - 15a. ORDER,

16. A HEARING on PETITION of Whaling City Cable TV, Inc., for location of one conduit in COUNTY ST., at inter. of Court St.

16a. ORDER,

17. A HEARING on PETITION of Whaling City Cable TV, Inc., for location of one conduit in COURT ST., at inter. of County St.

17a. ORDER,

18. A HEARING on PETITION of Whaling City Cable TV, Inc., for location of one conduit in ORCHARD ST., at inter. of Union St.

18a. ORDER,

19. A HEARING on PETITION of Whaling City Cable TV, Inc., for location of one conduit in WILLIS ST., at inter. of County St.

19a. ORDER,

20. A HEARING on PETITION of Whaling City Cable TV, Inc., for location of one conduit in CAMPBELL ST., at inter. of Pleasant St.

20a. ORDER,

21. A HEARING on PETITION of Whaling City Cable TV, Inc., for location of one conduit in SHAWMUT AVE., in area of Rt. 140.

21a. ORDER,

22. A HEARING on PETITION of Whaling City Cable TV, Inc., for location of one conduit in PURCHASE ST., at inter. of School St.

22a. ORDER,

23. A HEARING on PETITION of Whaling City Cable TV, Inc., for location of one conduit in PURCHASE ST., at inter. of Coggeshall St.

23a. ORDER,

24. A HEARING on PETITION of Whaling City Cable TV, Inc., for location of one conduit in COGGESHALL ST., at inter. of Purchase St.

24a. ORDER,

25. A HEARING on PETITION of Whaling City Cable TV, Inc., for location of one conduit in HATHAWAY RD., in area of Rte. 140

25a. ORDER,

26. A HEARING on the layout and acceptance of contemplated TACOMA STREET, 50 feet wide, from Wildwood Road westerly 317.23 feet.

26a. ORDER,

MAYOR'S PAPERS

M1. COMMUNICATION, Mayor Tierney, submitting VETO of ordinance relative to the salary of Assessors, because "action is subject to challenge, because the ordinance was not adopted by the required two-thirds vote under the General Laws." (to be received and ordered spread on the records).

M2. COMMUNICATION, Mayor Tierney, submitting VETO of ordinance establishing an Enterprise Fund for the Zoo because MGL Chapter 44, Section 53 F 1/2 has not been accepted.

M3. COMMUNICATION, Mayor Tierney, submitting for approval an Ordinance amending Chapter 241 of expending funds for handicap parking violations for purposes recommended by the Commission for Citizens with Disabilities.

M3a. AN ORDINANCE,.....

M4. COMMUNICATION, Mayor Tierney, submitting for approval the reappointment of ALLEN W. RICHARD, 303 Cedar Street, New Bedford, as a Special Police Officer.

M5. COMMUNICATION, Mayor Tierney, submitting for approval the reappointments of:

OTIS K. JOHNSON, JR., 319 Maxfield Street,  
RICHARD W. PATNAUDE, 746 Coggeshall Street,  
EVAN B. ROUSSEAU, 389 Cedar Street,  
RICHARD SIMMONS, 43 Brier Street, and  
STEVEN P. TORRES, 70 Oaklawn Street,

all of New Bedford, as Constables.

M6. COMMUNICATION, Mayor Tierney, submitting for approval a residency waiver for Elizabeth Bettencourt, Environmental Planner.

## NEW BUSINESS

27. REPORT, Special Committee on Weld Street Area, recommending that the council request the Mayor to arrange for the installation of CRIME WATCH signs in suitable places.
28. REPORT, Committee on Appointments and Briefings, recommending favorable action on reappointment of JOHN A. DIAS, JR., 348 Sawyer Street, as a member of the Veterans Advisory Board as a Vietnam War Veteran, for a 3-yr. term to expire in December 1994.
29. REPORT, Committee on Ordinances, recommending adoption of an Ordinance creating an Energy Resource Commission, together with an Order accepting the provisions of MGL Chap. 40, Sec. 8I, allowing the city to establish an Energy Resource Commission for the promotion of development of energy resources in the City.
- 29a. ORDER, accepting provisions of MGL Chap. 40, Sec. 8I
- 29b. ORDINANCE, creating an Energy Resource Commission (to be passed to a second reading)
30. REPORT, Committee on Shellfish and Fishing Industry, recommending approval of a License and/or Agreement to "Clark's Cove TNT Aquaculture" for 15 acres of Clark's Cove for the purpose of establishing an Aquafarm and submitting an Order authorizing the City Solicitor to draft the License and/or Agreement to "Clark's Cove TNT Aquaculture" for 15 acres of Clark's Cove.
- 30a. ORDER,
31. REPORT, Committee on Shellfish and Fishing Industry, recommending adoption of an Order adding Rules and Regulations governing Aquaculture/Mariculture grants as authorized in Chap. 130, Sec. 64 of MGL to the City's Shellfish Rules and Regulations.
- 31a. ORDER, adding rules.....
32. AN ORDINANCE, pertaining to WATER CONTAMINATION; NOTIFICATION TO THE CITY COUNCIL. (to be passed to be ordained).
33. AN ORDINANCE, pertaining to LITTERING GENERALLY - DEFINITIONS. (to be passed to be ordained).
34. AN ORDINANCE, pertaining to PROHIBITED SALES - CRIMINAL TRADING CARDS. (to be passed to be ordained).

\*\*\*The following item was CHARTER RULED on 8-19-93\*\*\*

WRITTEN MOTION, Councillors Hodgson and Rogers, that the City Council send a letter to Governor Weld and to our local delegation reiterating our position that we do not want a needle exchange program in the City of New Bedford.

\*\*\*\*End of Charter Ruled item\*\*\*\*

- RESOLUTION, Councillor Rogers, honoring NEW BEDFORD HIGH SCHOOL Music Department for outstanding award-winning performances at the MUSIC FESTIVALS COMPETITION in Virginia Beach, VA. (Tabled from May 27th meeting to this meeting).
37. RESOLUTION, Councillor Rogers, honoring the NEW BEDFORD HIGH SCHOOL CHAMPIONSHIP BASEBALL TEAM.
38. RESOLUTION, Councillor Rogers, honoring the NEW BEDFORD HIGH SCHOOL CHAMPIONSHIP VOLLEYBALL TEAM - *Postponed to 9-23*
39. RESOLUTION, Councillor Rogers, commending the SAVE OUR PLANET CLUB for service rendered at Buttonwood Park. (Postponed to this meeting from August 19th).
40. RESOLUTION, Councillor Rogers, honoring GRACE EPISCOPAL CHURCH on the occasion of its successful rebuilding effort.
41. RESOLUTION, Councillor Rogers, on dedication of the PFC CHARLES GAUDREAU MEMORIAL -- to be adopted tonight and presented at a later date.
42. RESOLUTION, Councillor Gerwatowski, honoring the AMERICAN LEGION POST ONE BASEBALL TEAM.
43. RESOLUTION, Councillor Kalisz, recognizing the efforts of American Legion POST ONE in bringing a Regional Tournament to the community.
44. WRITTEN MOTION, Councillor Ferreira, that the vote taken on Petition/Indemnity Agreement of Philip G. David for permission to erect and maintain a free-standing sign at 877 Mt. Pleasant Street be RECONSIDERED.
- 44a. PETITION/INDEMNITY AGREEMENT,.....
- 44b. ORDER,.....

45. PETITION, Councillor Rogers, that the City Council President appoint a 3 member Special City Council Committee to Monitor Construction of the Wastewater Treatment Plant so that it can work with the construction company in general charge of the construction project at Fort Rodman, the City and the neighbors to try to minimize problems that could arise from this project and that have already risen.
46. WRITTEN MOTION, Councillors Ferreira and Kruger, that the City Council accept the provisions of MGL Chapter 44, Section 53F 1/2 -- "ENTERPRISE FUND; ESTABLISHMENT AND MAINTENANCE; INVESTMENT OF FUNDS; SUBMISSION OF INCOME AND LINE ITEM BUDGET; TAX LEVY; SURPLUS IN RESERVE FUND.
- 46a. ORDER, accepting legislation.
47. WRITTEN MOTION, Councillor Ferreira, that the City Council demand that the Mayor and the Park Board explain to the City Council what they have against the Buttonwood Park Zoological Society and the reason why they would not sign an agreement with the BPZS to manage and run the Zoo.
48. WRITTEN MOTION, Councillor Ferreira, that the City Council ask the Park Board to explain why it has been leading the Buttonwood Park Zoological Society on, making the Society believe that an agreement would be reached between them to keep the Zoo operating; and also, to inquire as to what the BPZS has done that is so bad that the Mayor will not consider allowing the Society to help to keep the Zoo operating.
49. WRITTEN MOTION, Councillor Ferreira, that the City Council ask the Mayor and the Park Board why they think that the Chamber of Commerce will be able to run the Zoo when they cannot even do what they are supposed to within their own organization.
50. WRITTEN MOTION, Councillor Ferreira, that the City Council ask Antone Souza, Director of Community Development, how far along the process is of getting the \$900,000 self-help grant which was transferred to Fort Taber transferred back to the Zoo for which it was originally appropriated.
51. WRITTEN MOTION, Councillor Ferreira, that the City Council demand that the present administration stop using the Zoo as a political football and that we either fully fund it or close it.

52. WRITTEN MOTION, Councillor Gerwatowski, that the City Council officially endorse the Highway Signage Plan for the New Bedford Regional Airport; and further, that a copy of the plan be distributed to all State Legislators from this area asking that they collectively work to achieve state approval and implementation of the plan.
- 52a. COMMUNICATION, Councillor Gerwatowski to John Drury, Airport Manager, requesting a copy of the Highway Signage Plan for the New Bedford Regional Airport -- to be referred to Committee on Commerce, Labor and Transportation.
- 52b. COMMUNICATION, John Drury, Airport Manager, to Councillor Gerwatowski, re: Highway Signage Plan -- to be referred to Committee on Commerce, Labor and Transportation.
- 52c. COMMUNICATION, Councillor Gerwatowski to All Councillors, re: Highway Signage Plan for New Bedford Regional Airport -- to be referred to Committee on Commerce, Labor and Transportation.
53. PETITION, Councillor Rogers, that the Election Commissioners be required to notify candidates for public office who have filed their nomination papers that it is a requirement of candidacy that they file officially in order to verify their candidacy and that a form be devised that would require a signature by the candidate that he/she has been notified that official filing is required in order to be put on the ballot.
54. WRITTEN MOTION, Councillor Hodgson, that the City Council request that the Traffic Commission consider installing flashing lights, pedestrian crossing signs and paint the crosswalk on Rockdale Avenue at Court Street to address the public safety concerns of pedestrians visiting Buttonwood Park.
55. PETITION, Councillor Alves, that the Traffic Commission place an HP sign in front of 327 South Second Street, this request is on behalf of Lucia Martins.
56. WRITTEN MOTION, Councillor Kruger, that the Police Department take immediate action to resolve the drug and prostitution problem in the Clasky/Common Park area, specifically on the Pope Street side.
57. PETITION, Councillor Alves, on behalf of participating Downtown Merchants, requesting street closing on THURSDAY, SEPTEMBER 16, 1993, from 5 a.m. to 10 p.m. as follows: PURCHASE ST., betw. Union/Spring; and from 5 p.m. to 10 p.m. as follows: ACUSHNET AVE., betw. William and Union Sts; PURCHASE ST., betw. Elm/Spring; WILLIAM ST., betw. Pleasant/Acushnet Ave., for SEPTEMBER 50'S NIGHT FESTIVAL. Also requesting that Wastewater to send

street cleaner to clean the area on morning of 9/16 and 9/17.

58. PETITION, Councillor Kruger, on behalf of the Pinto Family of 65 Highland Street, that the DPW fill in the dirt sidewalk at said address to cover tree roots.
59. WRITTEN MOTION, Councillor Alves, on behalf of the residents in the Greater New Bedford Regional Vocational Technical High School neighborhood and the surrounding area, that the City Council send a letter to Superintendent/Director Jeffrey Riley requesting that in the future the neighborhood be apprised of any and all events to be held at the facility in light of the firing of Howitzer cannons that occurred recently without notice to the community, invoking fear and concern in many of the residents of the area.
60. PETITION, Councillor Gerwatowski, that the City Council take the appropriate action to eliminate the Facilities Management Department.
61. PETITION, Councillor Alves, that the DPW Wastewater Division assign the street sweeper to sweep/clean the area of County Street, south of Rivet Street, including the side streets, and that this be done prior to 6 a.m. when the streets have few or no parked cars.
62. PETITION, Councillor Rogers, that the Ordinance Committee consider setting up Advisory Panels to the following entities of City government to aid them and the city in revitalizing the city's economy: Airport, H.D.C; New Bedford Redevelopment Authority; Housing 70 Corp; Foreign Trade Zone Commission; Park Board, Recreation Commission; Council on Aging; and Human Relations Commission.
63. WRITTEN MOTION, Councillor Alves, in light of the monies authorized by the City Council as part of its support of the \$6 Million bond request by the Mayor to repair school buildings, that the School Committee be requested to seek to repair/replace broken windows at the Hayden McFadden School gym prior to the start of winter.
64. PETITION, Councillor Rogers, that the City Council Committee on Public Safety review the situation surrounding the ELCO DRESS CO. building on the corner of Collette Street and Church Street to ascertain if something can be done to either safeguard the structure from entry or to help seek an alternative use for this factory before vandalism strikes it again.

65. WRITTEN MOTION, Councillor Alves, that Com/Gas repair the damage/hole made in the original historic design in Centre Street. The City is working hard for designation of the area as a National Park for New Bedford and as such it is requested that any company or group disturbing roads, sidewalks or easements repair/or replace the area to its historic state as quickly as possible and that the DPW and/or any City department work to that goal.
66. PETITION, Councillor Kruger, that the City Council request information relative to new regulations that the City is imposing on homeowners that requires them to pay for piping and the installation of that piping within our City streets. Further, requesting that this matter be further investigated by the Committee on Streets, Street Lights and Sidewalk.
67. WRITTEN MOTION, Councillor Alves, that the Traffic Commission be requested to post NO PARKING ON EITHER SIDE signs on Smith Street Court to ensure access on this narrow lane by residents on a regular basis and by emergency response vehicles in the event of an emergency.
68. PETITION, Councillor Gerwatowski, that the Committee on Recreation, Tourism and Historical Commission study the possibility of creating a Sports Events Commission to help bring events to the City of New Bedford such as the American Legion Tourney and the recent Little League Tourney. This commission should have a variety of sports represented on it and the goal should be to bring tourists to New Bedford and also to better the quality of life for New Bedford residents through sports and sporting events.
69. WRITTEN MOTION, Councillor Hodgson, that the Mayor and/or her representatives from the Office of Tourism meet with the Committee on Recreation, Tourism and Historical Objects to discuss how the committee may be able to assist in developing and advancing a strategic marketing plan for the city's tourism industry; and further, that local public relations firms be invited to the meeting to provide input.
70. WRITTEN MOTION, Councillor Hodgson, that the Mayor and/or her representatives from the Office of Tourism meet with the Committee on Recreation, Tourism and Historical Objects to determine what plans, if any, are being developed for the ERNESTINA'S Centennial Celebration; and further, how the members of the said Committee can assist in insuring that this be one of the major successful events and celebrations in New Bedford in 1994. It is also requested that representatives of the ERNESTINA COMMISSION and Ms. Pina, Director of the Bristol County Convention and Visitors' Bureau be invited.

71. PETITION, Councillor Rogers, that the City Council Ordinance Committee look into devising an ordinance that would impose a penalty for defacing a park memorial such as has been done with the Veterans Memorial at Clasky Common.
- 71a. COMMUNICATION, Councillor Rogers to Barry Meunier, Director of Recreation/Parks, re: graffiti and filth on veterans memorial in Clasky Common Park.
72. PETITION, Councillor Zajac, that the City Council Committee on Public Safety consider making a recommendation to the Mayor regarding the establishment of a Harbor Patrol in and for the City of New Bedford and its neighboring waterways.
73. WRITTEN MOTION, Councillor Alves, Whereas the Annual Fiscal Year 1994 Budget does not include sufficient funding for the operation of the Veterans Benefits and Veterans Services Department which the City Council deemed necessary in discussions relative to establishing Regional Veterans Benefits Districts, it is hereby requested that the Mayor make an appropriation of FIFTEEN THOUSAND DOLLARS (\$15,000) for said purpose.
74. WRITTEN MOTION, Councillor Hodgson, that the City look into the possibility of acquiring billboard space in order to advertise the tremendous accomplishments of its sports teams over the past year -- 4 State Championships and 17 out of 24 Division Titles.
75. COMMUNICATION, Paul Keough, EPA, insisting that City Council repeal ordinance, allow street opening permit and authorize Com/Electric to provide service and that City Council respond by September 10, 1993, or face "other means" to obtain access, with possible \$25,000 per day judicial penalties.
76. COMMUNICATION, Councillor Rogers to Mayor Tierney, re: PCB incinerator, asking whether or not the Chief of Police will endorse the Council-approved ordinance banning mechanism from City -- to be referred to Committee on Ordinances.
77. COMMUNICATION, submitted by Councillor Rogers, from the SUNDAY CAPE COD TIMES of 8-22-93, entitled, "ISLAND INVITATIONS TO CLINTONS ABOUND" - mentioning the fact that Councillor Rogers invited President Clinton to view incinerator site -- to be referred to Committee on Ordinances.
78. COMMUNICATION, Councillor Rogers to Jim Denning, members of resident group in Holbrook opposed to incineration by the EPA in their city.

79. COMMUNICATION, Councillor Rogers to Vice President Gore, re: PCB incinerator issue -- THIRD LETTER requesting a response.
- 79.1 COMMUNICATION, White House, acknowledging receipt of letter to President Clinton from Councillor Rogers concerning PCB incineration.
- 79.2. COMMUNICATION, Douglas Hallett, President, ECO LOGIC, in response to Council's request, stating that the company would certainly entertain a formal request to perform a demonstration but would require state and federal regulatory acceptance and appropriate funding.
80. COMMUNICATION, Councillor Rogers to Board of Selectmen, Town of Martha's Vineyard, re: incineration planned by EPA.
81. COMMUNICATION, Gayle Garman of EPA to Councillor Rogers, re: council motion on use of Council Chamber by groups discussing incineration.
82. COMMUNICATION, Councillor Rogers to All Councillors, re: Water Board action on incinerator -- Water Board denied granting permission to a contractor who applied for a permit to excavate the street to service the incinerator.
83. COMMUNICATION, Councillor Rogers to Joseph Finnerty, Director of the Housing Authority, re: grants available from the Massachusetts Society for the Prevention of Cruelty to Children -- to be referred to Committee on Elderly Affairs, Health, Housing and Veterans.
84. COMMUNICATION, Councillor Rogers to Paul Landreville, Building Commissioner, RE: Alden Corrugated Container Corp. -- to be referred to Committee on Internal Affairs.
85. COMMUNICATIONS, (submitted by Council President Kalisz), J. Mark Treadup, asking City Council to consider the enactment of an ordinance which would require the removal of weeds and other wild growth from city sidewalks when such are above a certain height and submitting photographs showing area of the city with such overgrowth -- to be referred to Committee on Ordinances.
86. REPORT, Councillor Rogers to Council President Kalisz, of meeting of Labor Relations Committee of MMA in Boston on August 26, 1993; and meeting on Riverboat Gambling in Boston on August 27, 1993.
87. COMMUNICATION, City Solicitor, submitting proposed order authorizing the City of New Bedford to accept a Grant of Easement from New Bedford Housing Authority for the installation and maintenance of utilities on premises known as EVERGREEN PARK a/k/a DUNCAN DOTTIN PLACE.

- 87a. ORDER,
88. COMMUNICATION, DPW, reporting that owners have complied with Rules and Regulations covering layout of streets in connection the acceptance of proposed LYNN STREET, 50 feet wide, from Worcester Street westerly 230.42 feet to proposed Springfield Street.
- 88a. COMMUNICATION, DPW, requesting the taking of required land in connection with the layout and acceptance of contemplated LYNN STREET, 50 feet wide, from Worcester Street westerly 230.42 feet to proposed Springfield Street.
- 88b. COMMUNICATION, DPW, recommending no damages in connection with the layout and acceptance of contemplated LYNN STREET, 50 feet wide, from Worcester Street westerly 230.42 feet to proposed Springfield Street.
- 88c. COMMUNICATION, DPW, defining metes and bounds on contemplated LYNN STREET, 50 feet wide, from Worcester Street westerly 230.42 feet to proposed Springfield Street.
- 88d. ORDER, for hearing on Thursday, September 23, 1993.
- 88e. ORDER, requesting City Solicitor to prepare layout order.
89. COMMUNICATION, DPW, reporting that owners have complied with Rules and Regulations covering layout of streets in connection the acceptance of proposed MACARTHUR DRIVE, variable width, from the New Bedford-Fairhaven Bridge northerly to existing MacArthur Drive south of Herman Melville Boulevard.
- 89a. COMMUNICATION, DPW, requesting the taking of required land in connection with the layout and acceptance of contemplated MACARTHUR DRIVE, variable width, from the New Bedford-Fairhaven Bridge northerly to existing MacArthur Drive south of Herman Melville Boulevard.
- 89b. COMMUNICATION, DPW, recommending no damages in connection with the layout and acceptance of contemplated MACARTHUR DRIVE, variable width, from the New Bedford-Fairhaven Bridge northerly to existing MacArthur Drive south of Herman Melville Boulevard.
- 89c. COMMUNICATION, DPW, defining metes and bounds on contemplated MACARTHUR DRIVE, variable width, from the New Bedford-Fairhaven Bridge northerly to existing MacArthur Drive south of Herman Melville Boulevard.
- 89d. ORDER, for hearing on Thursday, September 23, 1993.
- 89e. ORDER, requesting City Solicitor to prepare layout order.

90. COMMUNICATION, Elizabeth Bettencourt, Environmental Planner, to Councillor Kalisz, City Council President, re: Greater New Bedford Environmental Community Work Group.
91. COMMUNICATION, Senator Kerry, in response to council's communication, re: Canadian program for displaced fishermen.
92. COMMUNICATION, Senator Montigny, in response to Council communication re: H3524 re: confiscation of drug related money, property and assets, stating that similar amendment was vetoed by the Governor and the Leadership is considering an override.
93. COMMUNICATION, Senator Montigny, in response to Council's motion, re: amending Chapter 30B, stating that proposed bill would raise maximum for sole source purchases from \$10,000 to \$200,000. and advising that the Inspector General has expressed concern.
94. COMMUNICATION, Massachusetts Audubon Society, asking City Council to oppose Massachusetts bill S887 which would allow unrestricted use of off road vehicles on any beach no matter what damage they do to bird nesting grounds and the environment.
95. COMMUNICATION, Rite Media, Inc., Revere, MA, informing City Council that they have applied for state sign permits for a billboard to be located at 101 Belleville Avenue, New Bedford. The City has the right to comment on, object on, or appear in opposition to this application at: MA Outdoor Advertising Board, 10 Park Plaza, Boston, 02116.

#### TABLED BUSINESS

- 4/14/88 PETITION, Councillor Sullivan, on behalf of residents of Pine Hill Acres, in opposition to the proposed plans by the owner of the land situated north of Birchwood Drive to tie into Birchwood Drive's already overworked sewer system (124 signed.)
- 4/17/90 COMMUNICATION, Mayor Bullard, submitting VETO of motion by Councillor Rogers, adopted 2/22/90, asking State Officials to reject the dedesignation of the Port of New Bedford as a working harbor.
- 8/16/90 PETITION, Councillor Rogers, that Acushnet Avenue, from Coggeshall Street to Nash Road, be closed to all traffic except emergency vehicles, fire apparatus and delivery trucks, in order to create a real NORTH END MARKETPLACE, at least for a one-month trial basis in order to see if this will help businesses still remaining in this district, remove the street-corner drug dealers and

CONSENT AGENDA  
Thursday, September 9, 1993

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96. PETITION, Councillor Gomes, that NO PARKING signs be implemented on BONNEAU COURT, on the east side and that a BONNEAU COURT street sign be put up, to be located in front of 203 Sawyer Street.

Referred to Traffic Commission.

97. PETITION, Councillor Gomes, that a stop sign be placed at the corner of Maxfield Street and Beech Streets stopping traffic on Beech Street in a northerly direction.

Referred to Traffic Commission.

98. PETITION, Councillor Kruger, that the Health Department, the Building Department and the Fire Prevention and the Minimum Housing conduct a major investigation at 484 Summer Street. There are many, many violations of the City Code, i.e., garbage, roaches, no window screens, lead, etc.

Referred to Health, Building, Minimum Housing and Fire Prevention.

99. PETITION, Councillor Kruger, that the Building Department investigate 949 County Street. This property is ridden with trash which poses a fire hazard to the neighborhood.

Referred to Building Department.

100. PETITION, Councillor Kruger, requesting the Police Department provide greater police protection in the Summer Street area between Weld and Clark Streets due to the large number of young men congregating and disturbing the peace.

Referred to Police Chief.

101. PETITION, Councillor Kruger, on behalf of Mr. and Mrs. Ken Silva of 24 Pamela Drive, that Rep. McIntyre be requested to contact the State DPW and ask that they cut the grass on the overpass on Rockdale Avenue, just north of Potter Street.

Referred to Rep. McIntyre.

102. PETITION, Manuel Calheta, 56 Delano Street, that S. SECOND STREET, from Division to Delano Sts., be closed on Sept. 4 and Sept. 5, 1993 for Portuguese Sport Club's Annual Feast. Granted provisionally by the City Council President on August 27, 1993.

Received and action of the City Council President ratified.

103. COMMUNICATION, Councillor Rogers to Patrick Mercier, re: major festival for New Bedford -- to be referred to Committee on Recreation, Tourism, Historical Objects.

Referred to Committee on Recreation, Tourism, Historical Objects.

104. COMMUNICATION, Attorney Bachand to Councillor Rogers, re: Minority and Women Business Enterprises.

Referred to Committee on Ordinances.

- 104a. COMMUNICATION, Mary Lobo-Dorsey to Councillor Rogers, re: "Local Hiring" definition from Executive Order No. 11246.

Received and placed on file.

105. COMMUNICATION, Attorney Bachand to Councillor Rogers, re: EPA and incinerator issue.

Referred to Committee on Appointments and Briefings.

- 105a. COMMUNICATION, Councillor Rogers to Arthur Caron, First Asst. City Solicitor, re: EPA threat to City Council re: PCB issue.

Received and placed on file.

106. COMMUNICATION, Edith DeMello, Executive Director, Greater New Bedford Regional Refuse Management District, informing City Council of award of 5th recycling equipment grant -- district will purchase 3rd truck.

Received and placed on file.

107. INVITATION, VFW Whaling City Post 3196, inviting Councillors to attend and participate in the ceremonies to dedicate a stone marker and a flag pole in memory of PFC Charles Gaudreau.

Received and placed on file.

108. CONSTABLE BOND, OTIS K. JOHNSON, JR., with WESTERN SURETY COMPANY to the City of New Bedford, dated April 14, 1993, in the amount of \$5,000.00.

Approved.

109. CONSTABLE BOND, Richard W. Patnaude, with MASSACHUSETTS BAY INSURANCE COMPANY, to the City of New Bedford, dated August 20, 1993, in the amount of \$5,000.00.

Approved.

110. CONSTABLE BOND, Evan R. Rousseau, with FIDELITY AND DEPOSIT COMPANY, to the City of New Bedford, dated August 16, 1993, in the amount of \$5,000.00.

Approved.

111. CONSTABLE BOND, Richard Simmons with MASSACHUSETTS BAY INSURANCE COMPANY to the City of New Bedford, dated August 12, 1993, in the amount of \$5,000.00.

Approved.

112. CONSTABLE BOND, Steven P. Torres with WESTERN SURETY COMPANY to the City of New Bedford, dated August 24, 1993, in the amount of \$5,000.00

Approved.

113. BOND, Joseph Gnazzo Company, Inc., with AETNA CASUALTY AND SURETY COMPANY to the City of New Bedford, dated August 23, 1993, in the amount of \$5,000.00., to cover all street and sidewalk obstructions.

Received and approved.

114. BOND, Saris, Inc., d/b/a Custom Modular Homes, with AMERICAN MANUFACTURERS MUTUAL INS. CO. to the City of New Bedford, dated July 7, 1993, in the amount of \$5,000.00., to cover all street and sidewalk obstructions.

Received and approved.

115. BOND, Franklin Brothers, Inc., with WESTERN SURETY CO. to the City of New Bedford, dated July 23, 1993, in the amount of \$5,000.00., to cover all street and sidewalk obstructions.

Received and approved.

116. BOND, Farrell Electric, Inc., with HARTFORD FIRE INSURANCE COMPANY, to the City of New Bedford, dated July 23, 1993, in the amount of \$5,000.00., to cover all street and sidewalk obstructions.

Received and approved.

117. MINUTES, New Bedford Council on Aging, submitting minutes of meeting held on August 5, 1993.

Received and placed on file.

118. MINUTES, Board of Health, submitting minutes of meeting held on August 10, 1993.

Received and placed on file.

119. MINUTES, New Bedford Planning Board, submitting minutes of meeting held on June 23, 1993.

Received and placed on file.

120. MINUTES, New Bedford School Committee, submitting minutes of meeting held on August 16, 1993, and minutes of the Post Audit and Oversight Committee held on August 11, 1993.

Received and placed on file.

121. MINUTES, New Bedford Traffic Commission, submitting minutes of meeting held on June 24, 1993.

Received and placed on file.

122. MINUTES, Greater New Bedford Regional Vocational Technical High School District, submitting minutes of meeting held on June 8, 1993.

Received and placed on file.

123. MINUTES, New Bedford Water Board, submitting minutes of meeting held on July 27, 1993.

Received and placed on file.

124. MINUTES, New Bedford Zoning Board of Appeals, submitting minutes of meeting held on August 12, 1993.

Received and placed on file.

#### STREET OBSTRUCTIONS

125. Rivet and Bolton Streets, s.w.c.  
126. Union Street and Ash Street easterly  
127. Spring, Purchase and Union Streets  
128. 118 Arnold Street  
129. Alford Circle, north side, at cul-de-sac  
130. Whitman Street, s.s., 320' W. of Hope Street  
131. 60 Babbitt Street  
132. Acorn Street - permission to move a building from Taylor, Penn.

#### STREET DISTURBANCES

133. 118 Arnold Street  
134. Alford Circle, n.s., at cul-de-sac  
135. Whitman Street, s.s., 320' W. of Hope Street  
136. 60 Babbitt Street  
137. 3 & 4 Church Street  
138. 90-95 Amanda Avenue  
139. Amanda Avenue for 1 & 2 Church Street

140. 38 George Street
141. 474 - 478 Rivet Street
142. L71 Hathaway Road
143. 171 Seymour Street
144. Coggeshall Street for L84 Grandfield Street
145. 431 Bolton Street
146. 131 Lafayette Street
147. Bolton Street from Lot 119 Norwell Street

## DUMPSTERS

148. 385 Loftus Street on Shirley Street side, east side
149. PETITION, New England Telephone and Telegraph Company, for location of conduit in WILLIAM STREET, East of Pleasant Street.

Received and hearing ordered for September 23, 1993.

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PETITIONS, WHALING CITY CABLE TV, INC., for location of conduit at the following locations:

150. MADISON ST., at inter. of Acushnet Avenue
151. ACUSHNET AVE., at inter. of School Street
152. SECOND ST., at inter. of Howland Street
153. SCHOOL ST., at inter. of Second Street
154. SECOND ST., at inter. of Grinnell Street
155. GRINNELL ST., at inter. of Second Street

ALL RECEIVED AND HEARINGS ORDERED for September 23, 1993.

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156. PETITION, N. E. Telephone and Telegraph Company, for location of conduit in RODNEY FRENCH BOULEVARD, at inter. of Brock Avenue.

Received and hearing ordered for

LATE-FILED ITEMS  
SEPTEMBER 9, 1993  
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1. RESOLUTION, Couns. Rogers & Kruger, Honoring St. Joseph Sodality of Our Lady of Purgatory Church on their 75th Anniversary.
2. WRITTEN MOTION, Coun. Ferreira, that the Committee on Ordinances consider an ordinance that would prohibit political signs in the city prior to 30 days before a preliminary election and that would require signs of those candidates whose names will not appear on the final ballot to be taken down within three days after the preliminary election and signs of those candidates whose names do appear on the final ballot to be taken down within three days after that election.
3. PETITION, Coun. Gerwatowski, that the City Council re-examine the manner in which people are invited to City Council Committee meetings and that invitations be changed to include more detail on items as well as the invitee's role and why each particular person is invited. Further, that the invitation include the name of the Committee Chairperson and a telephone number that the invitee could call in case questions arise prior to the meeting. The petitioner requests that this matter be referred to the Committee on Internal Affairs.
4. WRITTEN MOTION, Coun. Gerwatowski, that the City Council vote to have the following question on the November ballot:

"Shall the term of office of Mayor of the City of New Bedford be four years rather than the current 2 years?"

A majority vote in the affirmative would affect the term of the Mayor that is elected subsequent to passage of a Home Rule Bill in the State Legislature.
5. RESOLUTION, Coun. Barros, Honoring Joseph Andrade on his 100th Birthday and being the oldest Whaler in the United States.
6. WRITTEN MOTION, Coun. Gomes, that the Mayor order the proper agency or department responsible for the fountain on the State Pier to: 1) return the fountain to working order, 2) clean the fountain and 3) keep the fountain clean
7. WRITTEN MOTION, Coun. Gomes, that the DPW Commissioner and a representative of the Mayor's Office meet with the Committee on Appointments and Briefings to discuss allowing residents to dump at the Landfill. Further, that the City issue a one-time a year dump permit to all

Residents AT NO COST. Residents would ONLY be allowed to dump from the period of April 1st through Labor Day.

COMMUNICATION. EPA, requiring response by 11:00 AM on September 10, 1993 or, failing notification of revocation and repeal. EPA will file an access order under section 104 of CERCLA and schedule a conference in Boston from 10 AM to 12 PM on Monday, September 13, 1993. Further, the EPA will ask the Department of Justice to petition the federal district court for the appropriate relief on September 14, 1993.

WRITTEN MOTION. Coun. Rogers, Recommending to Representative Cabral and other members of the New Bedford Legislative Delegation that H5045 be amended in line 12, after the word "from" by deleting "the southeastern region of the Commonwealth," and adding the words "the City of New Bedford" and also, urge the whole delegation to support Representative Cabral's bill.

prostitutes and put a stop to the incessant cruising that has caused so much havoc over the past few years, this request being made at the request of the Luzo-American Business Association.

- 11/20/90 COMMUNICATION, Mayor Bullard, submitting veto of motion of Councillor Alves requesting that an increase be submitted for the Asst. City Clerk to Grade M-3, Step 4, stating that he will submit an increase to Step 2. (Received and spread on the records 11/8/90).
- 10/24/91 RESOLUTION, Councillor Alves and Saunders, honoring the Market Ministries on the 10th Anniversary of the Soup Kitchen.
- 10/24/91 PETITION, Councillor Rogers, that the City Council Committee on Commerce/Labor/Transportation offer to meet with the principals of O'Hara Chevrolet-Cadillac to see if there might be some way the city can assist this dealership to re-open or, barring that, to see if we can attract some industry to this locale which might employ the people who have been laid off.
- 12/19/91 RESOLUTION, Councillor Kalisz, honoring Councillor STEVEN C. SHAREK.
- 1/23/92 COMMUNICATION, Dyer/Brown & Associates, submitted by Councillor Barros, re: City of New Bedford Project Status Report (Revised) -- a summary of all projects currently being considered for construction as directed by the City.
- 3/26/92 COMMUNICATION, Election Commission, submitting plan for re-precincting according to new congressional district lines for City Council approval.
- 6/11/92 RESOLUTION, Councillor Rogers, honoring the Acushnet Company, Jim Honohan and Senator Maclean, for making the transition for Foot-Joy World Wide and Titleist Divisions of the Acushnet Co. to come into Fairhaven with their plant.
- 7/16/92 RESOLUTION, Councillor Kalisz, honoring STEPHEN BIGOS, Past President of the North End Business Association.
- 7/16/92 PETITION, Councillor Saunders, that the Council request the local legislative delegation to file legislation to amend MGL Chapter 94C, Section 32J, so that besides schools it would also include "buildings used by or occupied by Alcoholic Anonymous and Narcotics Anonymous."
- 8/20/92 PETITION, Councillor Ferreira, that the Health Department, Building Department, DPW and Harbor Development Commission work together to require that the

owners of the property known as Fish Island clean up that property in view of the fact that there is a Post Card in circulation depicting the area in a very bad light.

- 11/24/92 RESOLUTION, Councillor Kruger, Honoring MAYOR ROSEMARY S. TIERNEY for her forthrightness in her "Cornerstone for Change" Project.
- 12/17/92 WRITTEN MOTION, Councillor Alves, that the City Council Committee on Internal Affairs review the contract between the City of New Bedford and the Town of Acushnet relative to authorizations to tie into our system and that the Committee evaluate any current requests in light of the existing moratorium.
- 2/25/93 RESOLUTION, Councillor Hodgson, honoring Dr. Norman C. Telles on the occasion of his retirement as Director of Public Health.
- 4/22/93 WRITTEN MOTION, Councillor Gomes, that the Committee on Appointments and Briefings conduct a visiting trip to the old Goodyear Plant on Orchard Street which was recently proposed as a new development by the Chamber of Commerce. Further, that the Committee report its findings as to the condition of the building, any hazardous waste, and what, if any, materials are presently in the building.
- 6/24/93 PETITION, Coun. Rogers, to req. the Committee on Commerce, Labor and Transportation meet w/Airport Manager and Chairman of Airport Commission to discuss ways the Council might aid in the development of the Airport.
- 8/19/93 PETITION, Coun. Alves, that the HDC install electrical access boxes at a fee to fishing boats requesting service. This service could be provided at a fee or on a meter to boats agreeing to pay for the access/service fee. This is being req. in an effort to eliminate the need for the vessels to run their engines while in port.