



CITY OF NEW BEDFORD
JONATHAN F. MITCHELL, MAYOR

March 2, 2017

President Joseph Lopes and Honorable Members of the New Bedford City Council
City Hall
133 William Street
New Bedford, MA 02740

Dear President Lopes and Members of the City Council,

I am submitting for your approval the appointment of New Bedford Police Chief Joseph Cordeiro as Harbormaster for a term of five years in accordance with the provisions of Chapter 109 of the Acts of 2014. I am also hereby requesting your approval of a residence waiver as required under Chapter 109.

After careful consideration about how best to fill the current vacancy in the Harbormaster position, I have come to agree with Commissioners of the Harbor Development Commission (HDC) who have recommended the designation of the Police Chief in this dual capacity.

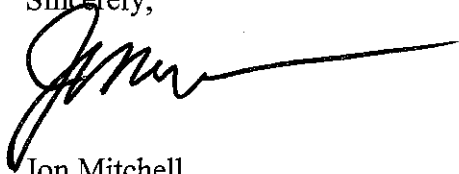
As detailed in the attached letter from the HDC, the designation has several merits, and is superior to the previous practice of conferring the statutory authority of a harbormaster on an employee of the HDC. Among other merits,

- It builds on the long-standing close cooperative relations between the HDC staff and the NBPD Marine Unit.
- It formalizes a long-standing division of labor whereby the HDC staff focuses on its primary strength (assisting and coordinating users of the harbor) and the NBPD Marine Unit's strength (law enforcement).
- It can be done in full compliance with the provisions of the special legislation enacted in 2014.

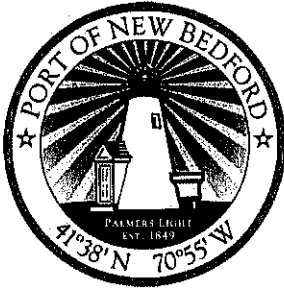
- It is a practice commonly used in other port communities throughout the Commonwealth.
- It will have no impact operationally or budgetarily on Chief Cordeiro, the New Bedford Police Department, or the City of New Bedford.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jon Mitchell', with a long horizontal flourish extending to the right.

Jon Mitchell
Mayor



HARBOR DEVELOPMENT COMMISSION

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February 28, 2017

President Joseph Lopes and Honorable Members of The New Bedford City Council
City Hall
133 William Street
New Bedford, MA 02740

Dear President Lopes and Members of the City Council,

We write in support of the appointment of New Bedford Police Chief Joseph Cordeiro as Harbormaster of the Port of New Bedford.

We believe strongly that the Chief's appointment is in the best interest of the Port, would meet all the provisions of state law, and would be identical to the practice of many other ports across the Commonwealth in which the local police chief is assigned a dual role as Harbormaster.

As the state's second largest port and the largest commercial fishing port on the U.S. East Coast, our harbor is a complex marine environment. The Port has many different constituencies, each with different needs and cultures—from commercial fishing, to cargo and recreational boating, to renewable energy operations. For the harbor to function smoothly, it is important that those assigned responsibility for handling a particular type of issue on the water, be well-matched to the particular issue at hand.

The Port of New Bedford has historically addressed this challenge by maintaining an informal, yet very close cooperative relationship between the HDC and the NBPD Marine Unit. For example, it has been the long-standing practice of the HDC to have all members of the NBPD Marine Unit concurrently appointed as Assistant Harbormasters. The combination of the Marine Unit's law enforcement powers as police officers, when combined with certain other powers of Assistant Harbormasters, has allowed the HDC to essentially defer enforcement activities to the Marine Unit. This has then freed up HDC staff to handle the myriad other marine duties outside of enforcement.

In short, the approach has allowed our Marine Unit to focus on what it does best--law enforcement--and allowed the HDC staff to instead take the lead on general operations, interactions with fishing vessels, private boaters, and other harbor traffic. The statutory designation of the Police Chief as Harbormaster, rather than having an HDC employee serve in the role, simply affirms and formalizes a division of responsibility between the HDC and the Police Department that already exists, and has worked extremely effectively for some time.

Finally, be assured that the Chief will not in any way be diverted from his many other duties as Chief, and his dual role would have no impact whatsoever on his compensation or the Police Department budget. While the Chief would hold this appointment in fulfillment of provisions of state law, we envision the NBPD Marine Unit's Assistant Harbormasters (led by their Ranking Officer who reports up the NBPD chain of command) continuing to perform all daily law enforcement-related functions on the Chief's behalf—just as they have done previously. On a daily basis nothing would change.

We hope this information is useful to you in considering Chief Cordeiro's appointment. Please do not hesitate to contact us, or Port Director Ed Anthes-Washburn, if you have any questions.

Sincerely,



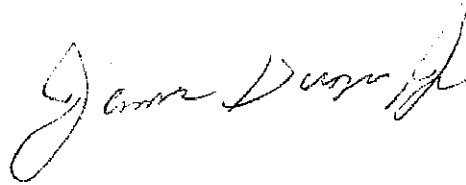
Mayor Jon Mitchell, Chair



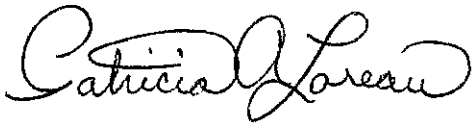
Davis Sullivan, Clerk



Richie Canastra



James Dwyer



Patricia Lareau



Dr. Brian Rothschild

CC: Edward Anthes-Washburn, Port Director
Pamela Lafreniere, HDC Legal Counsel