
THIS MEETING IS BEING HELD REMOTELY IN ACCORDANCE WITH THE GOVERNOR OF MASSACHUSETTS' MARCH 12, 2020 ORDER SUSPENDING CERTAIN PROVISIONS OF THE OPEN MEETING LAW G. L. C. 30A, SECTION 20 AND THE CITY COUNCIL'S VOTE TO WAIVE RULE 21A ON APRIL 7, 2020.

Thursday, May 14, 2020

7:00 p.m.

PRESENT: Council President Lopes, Councillors Abreu, Baptiste, Carney, Coelho, Dunn, Giesta, Gomes, Lima, Markey and Morad.

LATE: No One

ABSENT: No On

Council President Joseph P. Lopes called the meeting to order and presided.

Councillor Gomes led the Assembly in the Pledge of Allegiance to the flag.

COMMUNICATION, Mayor Mitchell, to City Council, submitting a WAIVER OF RESIDENCY for DR. CRAIG LONGO, Member of the Board of Health, who currently resides in North Dartmouth, MA.

One -Year Waiver of residency Granted – Yeas 11, Nays 0.

Presented to the Mayor for approval May 18, 2020.

Approved May 21, 2020. (#0520)

COMMUNICATION, Mayor Mitchell, to City Council, submitting a WAIVER OF RESIDENCY for MARK D. CHAMPAGNE, Director of the Department of Facilities and Fleet Management, who will be temporarily residing in Rochester, MA.

One -Year Waiver of residency Granted – Yeas 10, Nays 1. (Councillor Morad OPPOSED.)

Presented to the Mayor for approval May 18, 2020.

Approved May 21, 2020. (#0521)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of REVEREND PAMELA COLE, New Bedford, MA to the COMMISSION FOR CITIZENS WITH DISABILITIES; this term will expire May 2023.

Rule 38 Waived and Reappointment Confirmed – Yeas 11, Nays 0. (#0522)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of MARSHA F. FERNANDES, New Bedford, MA to the COMMISSION FOR CITIZENS WITH DISABILITIES; this term will expire May 2023.

Rule 38 Waived and Reappointment Confirmed – Yeas 11, Nays 0. (#0523)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of GEORGE SMITH, New Bedford, MA to the COMMISSION FOR CITIZENS WITH DISABILITIES; this term will expire May 2023.

Rule 38 Waived and Reappointment Confirmed – Yeas 11, Nays 0. (#0524)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of TRACY TARVERS, New Bedford, MA to the COMMISSION FOR CITIZENS WITH DISABILITIES, replacing Linda Carreiro; this term will expire May 2021.

Referred to the Committee on Appointments and Briefings. (#0525)

WRITTEN MOTION, Councillor Dunn, requesting that the New Bedford City Council hold a hearing to explore implementing a vote-by-mail system for the upcoming 2020 elections due to the COVID-19 pandemic, to ensure safety and accessibility in the voting process, and further, that Representatives of the Secretary of State's Office, the New Bedford Elections Office and Commission, community organizations, and relevant City departments shall be invited to testify. (To be Referred to the Committee on Appointments and Briefings.)

Referred to the Committee on Appointments and Briefings. (#0526)

WRITTEN MOTION, Council President Lopes, Councillors Abreu, Markey, Lima, Dunn, Giesta and Baptiste, requesting that the City Council establish a Special COVID-19 Business Committee tasked with the reopening procedures and timelines for business to operate within the City of New Bedford.

Referred to the Special COVID 19 Business Committee. (#0527)

COMMUNICATION, Council President Lopes, submitting a list of phases to reopening the City. (To be Referred to the Special COVID19 Business Committee.)

Referred to the Special COVID 19 Business Committee. (#0528)

WRITTEN MOTION, Council President Lopes, requesting that the Board of Health draft new health regulations which would establish a permitting process, with sound and safety measures, and a fine structure for businesses that store, operate or maintain commercial outdoor open storage.

Referred to the Board of Health.

Presented to the Mayor for approval May 18, 2020.

RETURNED UNSIGNED June 2, 2020. (#0529)

COMMUNICATION, Council President Lopes, submitting a copy of a letter from Mayor Mitchell, relative to the FY 2020 Capital Bond and proposed City projects.

Received and Placed on File. (#0530)

COMMUNICATION, Council President Lopes submitting a copy of an email from Assistant City Solicitor Jaikes, regarding the background information on the two closed nursing homes in New Bedford to deal with Covid19 patients. (To be Received and Placed on File.)

Referred to the Committee on Finance. (#0531)

CONSTABLE BOND, HERVE W. VANDAL, New Bedford, MA 02740, with Massachusetts Bay Insurance Company in the amount of \$5,000.00.

Approved.

Presented to the Mayor for approval May 18, 2020.

Approved May 21, 2020. (#0532)

COMMUNICATION, City Clerk/Clerk of the City Council, to the City Council, notifying that the Office of the City Clerk has received Meeting Minutes from the Board of Assessors for a meeting held on March 6, 2020; Planning Board for meetings held on December 2, 2019, January 8, 2020 and January 29, 2020 and the Zoning Board of Appeals for a meeting held on January 16, 2020.

Received and Placed on File. (#0533)

APPLICATION, **Morgado Company**, for permission to maintain a STREET OBSTRUCTION at **916 Hillcrest Road**, provisionally granted by the City Clerk on April 24, 2020, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 18, 2020.

Approved May 21, 2020. (#0534)

APPLICATION, **Morgado Company**, for permission to maintain a STREET OBSTRUCTION at **19 Tisbury Street**, provisionally granted by the City Clerk on April 24, 2020, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 18, 2020.

Approved May 21, 2020. (#0535)

APPLICATION, **RJ Canessa Excavating**, for permission to maintain a STREET OBSTRUCTION at **67 Atlantic Street**, provisionally granted by the City Clerk on April 24, 2020, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 18, 2020.

Approved May 21, 2020. (#0536)

APPLICATION, **Able Asphalt, Inc.**, for permission to maintain a STREET OBSTRUCTION at **22 Aquidneck Street (Plot 80/Lot 177)**, provisionally granted by the City Clerk on August 22, 2019, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 18, 2020.

Approved May 21, 2020. (#0537)

APPLICATION, **Able Asphalt, Inc.**, for permission to maintain a STREET OBSTRUCTION at **6 White Street (Plot 134/Lot 39)**, provisionally granted by the City Clerk on September 26, 2019, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 18, 2020.

Approved May 21, 2020. (#0538)

APPLICATION, **Roto-Rooter**, for permission to maintain a STREET OBSTRUCTION at **229 Sawyer Street**, provisionally granted by the City Clerk on May 1, 2020, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 18, 2020.

Approved May 21, 2020. (#0539)

APPLICATION, **JLC Construction**, for permission to maintain a STREET OBSTRUCTION at **49 Fredrick Street**, provisionally granted by the City Clerk on May 1, 2020, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 18, 2020.

Approved May 21, 2020. (#0540)

APPLICATION, **JLC Construction**, for permission to maintain a STREET OBSTRUCTION at **198 Austin Street**, provisionally granted by the City Clerk on May 1, 2020, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 18, 2020.

Approved May 21, 2020. (#0541)

APPLICATION, **D.W. White Construction, Inc.**, for permission to maintain a STREET OBSTRUCTION at **387 Church Street**, provisionally granted by the City Clerk on May 6, 2020, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 18, 2020.

Approved May 21, 2020. (#0542)

APPLICATION, **W.C. Smith & Son**, for permission to maintain a STREET OBSTRUCTION at **Belleville Avenue, 260' South of Harwich Street (new Coastline Elderly Building)**, provisionally granted by the City Clerk on May 6, 2020, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 18, 2020.

Approved May 21, 2020. (#0543)

APPLICATION, **W.C. Smith & Son**, for permission to maintain a STREET OBSTRUCTION at **Belleville Avenue, 260' South of Harwich Street (new Coastline Elderly Building)**, provisionally granted by the City Clerk on May 6, 2020, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 18, 2020.

Approved May 21, 2020. (#0544)

APPLICATION, **Morgado Company, Inc.**, to DISTURB THE SURFACE, of **916 Hillcrest Road**, provisionally granted by the City Clerk on April 24, 2020, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 18, 2020.

Approved May 21, 2020. (#0545)

APPLICATION, **Morgado Company, Inc.**, to DISTURB THE SURFACE, of **19 Tisbury Street**, provisionally granted by the City Clerk on April 24, 2020, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 18, 2020.

Approved May 21, 2020. (#0546)

APPLICATION, **RJ Canessa Excavating**, to DISTURB THE SURFACE, of **67 Atlantic Street**, provisionally granted by the City Clerk on April 24, 2020, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 18, 2020.

Approved May 21, 2020. (#0547)

APPLICATION, **Able Asphalt, Inc.** to DISTURB THE SURFACE, of **22 Aquidneck Street (Plot 80/Lot 177)**, provisionally granted by the City Clerk on August 22, 2019, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 18, 2020.

Approved May 21, 2020. (#0548)

APPLICATION, **Able Asphalt, Inc.** to DISTURB THE SURFACE, of **6 White Street (Plot 134/Lot 39)**, provisionally granted by the City Clerk on September 26, 2019, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 18, 2020.

Approved May 21, 2020. (#0549)

APPLICATION, **Roto-Rooter** to DISTURB THE SURFACE, of **229 Sawyer Street**, provisionally granted by the City Clerk on May 1, 2020, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 18, 2020.

Approved May 21, 2020. (#0550)

APPLICATION, **JLC Construction**, to DISTURB THE SURFACE, of **49 Fredrick Street**, provisionally granted by the City Clerk on May 1, 2020, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 18, 2020.

Approved May 21, 2020. (#0551)

APPLICATION, **JLC Construction**, to DISTURB THE SURFACE, of **198 Austin Street**, provisionally granted by the City Clerk on May 1, 2020, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 18, 2020.

Approved May 21, 2020. (#0552)

APPLICATION, **D.W. White Construction, Inc.**, to DISTURB THE SURFACE, of **387 Church Street**, provisionally granted by the City Clerk on May 6, 2020, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 18, 2020.

Approved May 21, 2020. (#0553)

APPLICATION, **W.C. Smith & Son**, to DISTURB THE SURFACE, of **Belleville Avenue, 260 South of Harwich Street (New Coastline Elderly Building)**, provisionally granted by the City Clerk on May 6, 2020, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 18, 2020.

Approved May 21, 2020. (#0554)

APPLICATION, **W.C. Smith & Son**, to DISTURB THE SURFACE, of **Belleville Avenue, 260 South of Harwich Street (New Coastline Elderly Building)**, provisionally granted by the City Clerk on May 6, 2020, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 18, 2020.

Approved May 21, 2020. (#0555)

APPLICATION, **Eversource Gas**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on April 29, 2020, subject to ratification by the Mayor and City Council as follows:

Tarkiln Hill Road and Park Avenue

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 18, 2020.

Approved May 21, 2020. (#0556)

APPLICATIONS, **Eversource Gas**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on May 08, 2020, subject to ratification by the Mayor and City Council as follows:

Jason Court from Crapo Street to 3 Jason Court (#0557)

South Street from Crapo Street to 90-92 South Street (#0558)

Crapo Street from Grinnell Street to Rockland Street (#0559)

Fair Street from County Street to Orchard Street (#0560)

64 Sunset Street (#0561)

387 Church Street (#0562)

890 Brock Avenue (#0563)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 18, 2020.

Approved May 21, 2020.

APPLICATION, **Frade's Disposal Inc.**, for permission to maintain a STREET OBSTRUCTION, provisionally granted by the City Clerk on April 24, 2020, subject to ratification by the Mayor and City Council as follows:

67 Burns Street

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 18, 2020.

Approved May 21, 2020. (#0564)

APPLICATIONS, **ABC Disposal Service, Inc.**, for permission to maintain a STREET OBSTRUCTION, provisionally granted by the City Clerk on April 10, 2020, subject to ratification by the Mayor and City Council as follows:

25 Foxborough Street (#0565)

53 Bedford Street (#0566)

15 Briarwood Drive (#0567)

435 John Street (#0568)

624 Maxfield Street (#0569)

20 Warren Street (#0570)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 18, 2020.

Approved May 21, 2020.

APPLICATION, **Frade's Disposal Inc.**, for permission to maintain a STREET OBSTRUCTION, provisionally granted by the City Clerk on May 6, 2020, subject to ratification by the Mayor and City Council as follows:

97 Austin Street

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval May 18, 2020.

Approved May 21, 2020. (#0571)

On a motion, the Council then adjourned at 7:25 p.m.

ATTEST:

DENNIS W. FARIAS, CITY CLERK/
CLERK OF THE CITY COUNCIL

DUMPSTERS

C40. 97 Austin Street

C41. PETITION, NSTAR Electric Company d/b/a Eversource Energy for location of two (2) 4" Conduits in DESAUTELS COURT, North of Whitman Street.

RECEIVED AND HEARING ORDERED FOR THURSDAY, MAY 28, 2020.