
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 28, 2020

7:02 p.m.

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

LATE: No One

ABSENT: Councillor Dunn

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.

HEARING, on a petition of NSTAR Electric Company d/b/a Eversource Energy for location of two (2) 4" Conduits in DESAUTELS STREET, North of Whitman Street. (If there are have any questions or concerns, regarding this hearing, please contact the City Council Office, no later than 3:00 p.m. on May 28, 2020.)

Hearing Held.

Petition placed on file (#0572)

AN ORDER,

Adopted and ordered recorded in Book of Location Order Records.

Presented to the Mayor for approval on June 1, 2020.

Approved June 5, 2020 (#0573)

COMMUNICATION, Mayor Mitchell, to City Council, submitting a WAIVER OF RESIDENCY for FERNANDO GOMES, Water Registrar for the Department of Public Infrastructure, who is planning to reside in Acushnet, MA.

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

Presented to the Mayor for approval on June 1, 2020.

Approved June 5, 2020 (#0543)

COMMUNICATION, Mayor Mitchell, to City Council, submitting a WAIVER OF RESIDENCY for REBECCA GOMES, Executive Finance and Operations Specialist for the Department of Public Infrastructure, who is planning to reside in Acushnet, MA.

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

Presented to the Mayor for approval June 01, 2020.

RETURNED UNSIGNED June 18, 2020. (#0576)

COMMUNICATION, Mayor Mitchell, to City Council, submitting a WAIVER OF RESIDENCY for ROBERT TETREAULT, for the position of Waterfront Supervisor for the Department of Parks, Recreation and Beaches, who currently resides in Mattapoisett, MA.

Six – Month Waiver of Residency Granted – Yeas 10, Nays 1. (Councillor Baptiste OPPOSED.)

Presented to the Mayor for approval June 01, 2020.

Approved June 5, 2020. (#0577)

COMMUNICATION, Mayor Mitchell, to City Council, submitting a WAIVER OF RESIDENCY for CONNOR ROY, as a Head Lifeguard for the Department of Parks, Recreation and Beaches, who currently resides in Acushnet, MA.

Six-Month Waiver of Residency Granted – Yeas 10, Nays 1. (Councillor Baptiste OPPOSED.)

Presented to the Mayor for approval June 01, 2020.

Approved June 5, 2020. (#0578)

COMMUNICATION, Mayor Mitchell, to City Council, submitting a WAIVER OF RESIDENCY for CAMDEN LAWTON, as a Lifeguard for the Department of Parks, Recreation and Beaches, who currently resides in Dartmouth, MA.

Six-Month Waiver of Residency Granted – Yeas 10, Nays 1. (Councillor Baptiste OPPOSED.)

Presented to the Mayor for approval June 01, 2020.

Approved June 5, 2020. (#0579)

COMMUNICATION, Mayor Mitchell, to City Council, submitting a WAIVER OF RESIDENCY for HANNAH NIEMI, as a Lifeguard for the Department of Parks, Recreation and Beaches, who currently resides in Fairhaven, MA.

Six-Month Waiver of Residency Granted – Yeas 10, Nays 1. (Councillor Baptiste OPPOSED.)

Presented to the Mayor for approval June 01, 2020.

Approved June 5, 2020. (#0580)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of LEE BENTLEY, New Bedford, MA, to the PARK BOARD, this term will expire May 2025.

Rule 38 Waived and Reappointment Confirmed – Yeas 11, Nays 0. (#0581)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of PETER BOSWELL, New Bedford, MA, to the PARK BOARD, this term will expire May 2025.

Referred to the Committee of Appointments and Briefings. (#0582)

REPORT, Committee on Appointments and Briefings, recommending to the City Council APPROVAL of the APPLICATION, Joel D. Brown d/b/a AROUND THE CLOCK AUTO SALES & REPAIR, for a SPECIAL PERMIT for Motor Vehicle Sales and Repair, General Repair and Light Service at 706 Acushnet Avenue, New Bedford, MA 02740.

Recommendation Followed. (#0583)

SPECIAL PERMIT, Joel D. Brown d/b/a AROUND THE CLOCK AUTO SALES & REPAIR, for a SPECIAL PERMIT for Motor Vehicle Sales and Repair, General Repair and Light Service at 706 Acushnet Avenue, New Bedford, MA 02740.

Special Permit Granted.

Presented to the Mayor for approval June 01, 2020.

Approved June 5, 2020. (#0584)

REPORT, Committee on Ordinances, recommending to the City Council ADOPTION of the ORDINANCE, amending Chapter 9, Section 1200 Zoning by clarifying the definition of seafood processing and light manufacturing and adding a definition for seafood products.

Recommendation Followed. (#0585)

AN ORDINANCE, (To be Passed to a Second Reading.)

Referred to the Committee on Ordinances and the Planning Board – March 12, 2020.

Passed to a Second Reading. (#0357)

REPORT, Committee on Ordinances, recommending to the City Council that the City Council affirmatively vote to participate in the Commercial Sustainable Energy Program as a participating municipality pursuant to the provisions of Chapter 188 of the Acts of 2016.

Referred to the Administration.

Presented to the Mayor for approval June 01, 2020.

RETURNED UNSIGNED June 18, 2020. (#0586)

REPORT, Committee on Finance, recommending to the City Council ADOPTION and pass to a Second Reading the ORDINANCE, amending Chapter 10, Section 10-47 Departmental Revolving Fund by amending the current “Supportive Recreation Revolving Fund” under the Department of Parks, Recreation and Beaches.

Recommendation Followed. (#0587)

AN ORDINANCE, (To be Passed to a Second Reading.)

Referred to the Committee on Finance – March 12, 2020.

Passed to a Second Reading. (#0359)

REPORT, Committee on Finance, recommending to the City Council APPROVAL of the Contract between Ronald Oliveira and the New Bedford Harbor Development Commission d/b/a New Bedford Port Authority for the purchase of the property located at 123 MacArthur Drive, New Bedford, MA 02740.

Recommendation Followed. (#0588)

PURCHASE & SALES AGREEMENT, between the “Seller” Ronald Oliveira and the “Buyer” New Bedford Harbor Development Commission d/b/a New Bedford Port Authority for a piece of property located at 123 MacArthur Drive, New Bedford, MA.

Referred to the Committee on Finance – March 12, 2020.

Purchase and Sales Agreement Approved – Yeas 9, Nays 1. (Councillor Lima not present for vote; Councillor Morad OPPOSED.)

Presented to the Mayor for approval June 01, 2020.

Approved June 5, 2020. (#0382)

RELATED MOTION, Councillor Morad, requesting that a representative of the New Bedford Harbor Commission d/b/a New Bedford Port Authority appear before the Committee on Finance in December 2020 to detail any additional expenses that were required above the \$800,000 purchase price for the Commission to be able to occupy the property at 123 MacArthur Drive. (To be Referred to the New Bedford Harbor Commission d/b/a New Bedford Port Authority and the Committee on Finance.)

Referred to the New Bedford Harbor Commission d/b/a New Bedford Port Authority and the Committee on Finance. (#0589)

REPORT, Committee on Finance, recommending to the City Council APPROVAL AS AMENDED, a LOAN ORDER, appropriating \$3,965,000.00 for the purpose making critically needed repairs to City-owned buildings including but not limited to, projects for the repair and renovation of public safety facilities, recreational facilities, general office space and road and infrastructure.

Recommendation Followed. (#0590)

LOAN ORDER, as amended to \$3,965,000.00 (To be Passed to a Second Reading.)

Referred to the Committee on Finance – February 13, 2020.

Passed to a Second Reading – Yeas 9, Nays 2. (Councillors Carney & Morad OPPOSED.)

(#0174)

WRITTEN MOTION, Councillors Abreu, Baptiste, Council President Lopes, Councillors Giesta, Lima, Dunn and Markey, requesting, that the Board of Health, Licensing Department and Department of Inspectional Services draft regulations to help safely and legally expand the outdoor dining capacity for all interested New Bedford establishments while the COVID-19 “state of emergency” and social distancing measures are still in effect. (To be Referred to the Board of Health, Licensing Department and Department of Inspectional Services and the Special COVID-19 Business Committee.)

Adopted. (#0591)

COMMUNICATION, Councillor Abreu, submitting Phase 1 guidelines for Restaurants and an illustration for Outdoor dining in the State of Rhode Island. (To be Referred to the Special COVID-19 Business Committee.)

Referred to the Special COVID-19 Business Committee. (#0592)

COMMUNICATION/DEMOLITION, Anne Louro, Preservation Planner, to City Council, re: BUILDING DEMOLITION REVIEW OF 424 WEST RODNEY FRENCH BOULEVARD, (MAP 7, LOT 2) a Circa 1926, concrete block garage structure – advising that “the structure is not located in a National Register Historic District; the structure is of no notable historic significance either recorded or found with the existing condition of the structure, “in light of these findings, the Preservation Planner has determined that the garage structure at West Rodney French Boulevard is neither a Historically Significant nor a Preferably Preserved Structure.”

Demolition Granted.

Presented to the Mayor for approval June 01, 2020.

Approved June 5, 2020. (#0593)

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 Community Preservation Committee for a meeting held on February 20, 2020; GNB Regional Refuse Management District for a meeting held on March 20, 2020 and the Park Board for meetings held on February 26, 2020, March 7, 2020 and April 22, 2020.

Received and Placed on File. (#0594)

APPLICATION, **UPACK (ABF Freight Systems, Inc.)**, for permission to maintain a STREET OBSTRUCTION at **327 South Second Street**, provisionally granted by the City Clerk on May 22, 2020, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 01, 2020.

Approved June 4, 2020. (#0595)

APPLICATION, **Able Asphalt, Inc.**, for permission to maintain a STREET OBSTRUCTION at **958 Sharon Street**, provisionally granted by the City Clerk on May 13, 2020, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 01, 2020.

Approved June 4, 2020. (#0596)

APPLICATION, **Geologic Earth Exploration**, for permission to maintain a STREET OBSTRUCTION at **Acushnet Avenue/Belair Street**, provisionally granted by the City Clerk on May 13, 2020, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 01, 2020.

Approved June 4, 2020. (#0597)

APPLICATION, **W.C. Smith & Son**, for permission to maintain a STREET OBSTRUCTION at **49 State Street**, provisionally granted by the City Clerk on May 18, 2020, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 01, 2020.

Approved June 4, 2020. (#0598)

APPLICATION, **Early Contractors, Inc.**, for permission to maintain a STREET OBSTRUCTION at **249 MacArthur Drive**, provisionally granted by the City Clerk on May 18, 2020, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 01, 2020.

Approved June 4, 2020. (#0599)

APPLICATION, **Able Asphalt, Inc.**, to DISTURB THE SURFACE, of **958 Sharon Street**, provisionally granted by the City Clerk on May 13, 2020, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 01, 2020.

Approved June 4, 2020. (#0600)

APPLICATION, **Geologic Earth Exploration, Inc.**, to DISTURB THE SURFACE, of **Acushnet Avenue/Belair Street**, provisionally granted by the City Clerk on May 13, 2020, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 01, 2020.

Approved June 4, 2020. (#0601)

APPLICATION, **W.C. Smith & Son**, to DISTURB THE SURFACE, of **49 State Street**, provisionally granted by the City Clerk on May 18, 2020, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 01, 2020.

Approved June 4, 2020. (#0602)

APPLICATION, **Early Contractors Inc.**, to DISTURB THE SURFACE, of **249 MacArthur Drive**, provisionally granted by the City Clerk on May 18, 2020, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 01, 2020.

Approved June 4, 2020. (#0603)

APPLICATIONS, **Eversource Gas**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on July 22, 2018, subject to ratification by the Mayor and City Council as follows:

Hill Street, from Hillman Street to Mill Street (#0604)

Lot 47- Old Plainville Road (#0605)

Hillman Street, from County Street to Foster Street (#0606)

Hillman Street from Foster Street to Pleasant Street (#0607)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval June 01, 2020.

Approved June 4, 2020.

On a motion, the Council then adjourned at 7:44 p.m.

ATTEST:

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