

REGULAR MEETING

CITY COUNCIL

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 07, 2020, AMENDED ON AUGUST 20, 2020, SEPTEMBER 24, 2020 AND JANUARY 14, 2021

THIS MEETING WILL BE LIVE STREAMED ON NB CABLE ACCESS FACEBOOK PAGE

Thursday, February 25, 2021

7:01 p.m.

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

LATE: Councillor Baptiste (remotely) 7:20 p.m.

ABSENT: No One

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

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

COMMUNICATION, Mayor Mitchell to City Council, submitting AN ORDER authorizing the City of New Bedford to accept an Easement from Petrel Properties, LLC, the easement is necessary for the layout and acceptance of Cardinal Street and Ava's Way, it grants the City the perpetual right and easement to use the subject premises as a public way for all purposes for which public ways are used in the City of New Bedford.

Received and Placed on File – Yeas 10, Nays 0.

YEAS: Councillors, Abreu, Carney, Coelho, Dunn, Giesta, Gomes, Lima, Lopes, Markey, and Morad.

Councillor Baptiste not present for vote. (#0215)

CITY OF NEW BEDFORD

IN CITY COUNCIL

FEBRUARY 25, 2021

ORDERED, that the City of New Bedford accept an Easement from Petrel Properties, LLC, in substantially the same form as attached hereto, on two parcels of land located on Cardinal Street and Ava's Way in New Bedford, MA., Parcel I (Cardinal Street) is shown on a plan entitled " PLAN AND PROFILE OF THE LAYOUT OF CARDINAL STREET" prepared by Prime Engineering, Inc., stamped and dated by the P.L.S on February 08, 2021 and being on file with the City of New Bedford Department of Public Infrastructure , 1105 Shawmut Avenue, New Bedford, Massachusetts; a copy of which will be recorded with the Bristol County S.D. Registry of Deeds. Parcel II – Ava's Way is shown on a plan entitled, "PLAN AND PROFILE OF THE LAYOUT OF AVA'S WAY", prepared by Prime Engineering, Inc., stamped and dated by the P.L.S on February 08, 2021 and being on file with the City of New Bedford Department of Public Infrastructure, 1105 Shawmut Avenue, New Bedford, Massachusetts; a copy of which will be filed in the Bristol County S.D. Registry of Deeds. The easement, which is necessary for the layout and acceptance of Cardinal Street and Ava's Way, grants the City of New Bedford the perpetual right and easement to use the subject premises as a public way for all purposes for which public ways are used in said City of New Bedford.

Adopted – Yeas 10, Nays 0.

YEAS: Councillors, Abreu, Carney, Coelho, Dunn, Giesta, Gomes, Lima, Lopes, Markey, and Morad.

Councillor Baptiste not present for vote.

Presented to the Mayor for approval March 01, 2021.

Approved March 4, 2021. (#0216)

COMMUNICATION, Mayor Mitchell to City Council, submitting AN ORDER to accept a Deed from the New Bedford Redevelopment Authority for two parcels of vacant property located on Elm Street; this acquisition of this property is related to the Elm Street Sewer Project, which makes it necessary to relocated a portion of Elm Street; the purchase price of said acquisition shall be \$1.00.

Received and Placed on File – Yeas 10, Nays 0.

YEAS: Councillors, Abreu, Carney, Coelho, Dunn, Giesta, Gomes, Lima, Lopes, Markey, and Morad.

Councillor Baptiste not present for vote. (#0217)

CITY OF NEW BEDFORD
IN CITY COUNCIL
FEBRUARY 25, 2021

ORDERED, that the City of New Bedford accept a deed from The New Bedford Redevelopment Authority, in substantially the same form as attached hereto, for 2 parcels of vacant land located on Elm Street., New Bedford, MA., Parcel One is a discontinued portion of J.F.K. Highway and Parcel Two is shown as Lot 261 on City of New Bedford Assessor’s Map 53. Said property is being acquired to combine the within parcels with other land of the City of New Bedford to create Parcel 4 on a Plan entitled, “ Approval Not Required Plan of Land, John F. Kennedy Memorial Highway, New Bedford, MA”, Date: March 3, 2020, Scale: 1”=20’, Prepared by SMC Surveying and Mapping Consultants to be recorded in the Bristol County (S.D.) Registry of Deeds. The purchase price for said acquisition shall be \$1.00.

Adopted – Yeas 10, Nays 0.

YEAS: Councillors, Abreu, Carney, Coelho, Dunn, Giesta, Gomes, Lima, Lopes, Markey, and Morad.

Councillor Baptiste not present for vote.

Presented to the Mayor for approval March 01, 2021.

Approved March 4, 2021. (#0218)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$2,000.00 from FIRE CODE ENFORCEMENT, RESERVE FOR APPROPRIATION to FIRE, SUPPLIES & MATERIALS.

Received and Placed on File – Yeas 10, Nays 0.

YEAS: Councillors, Abreu, Carney, Coelho, Dunn, Giesta, Gomes, Lima, Lopes, Markey, and Morad.

Councillor Baptiste not present for vote. (#0219)

CITY OF NEW BEDFORD
IN CITY COUNCIL
FEBRUARY 25, 2021

ORDERED, that the sum of **TWO THOUSAND DOLLARS (\$2,000.00)** now standing to the credit of the account from **FIRE CODE ENFORCEMENT RESERVE FOR APPROPRIATION** be and the same is hereby transferred and appropriated to as follows:

FIRE SUPPLIES AND MATERIALS.....\$2,000.00

To be certified and approved by the Department Head.

Adopted – Yeas 10, Nays 0.

YEAS: Councillors, Abreu, Carney, Coelho, Dunn, Giesta, Gomes, Lima, Lopes, Markey, and Morad.

Councillor Baptiste not present for vote.

Presented to the Mayor for approval March 01, 2021.

Approved March 4, 2021. (#0220)

COMMUNICATION, Mayor Mitchell, to City Council, submitting a SIX-MONTH WAIVER OF RESIDENCY for DAVID BEAUSOLEIL, as an Electrical for the Department of Public Infrastructure who currently resides in Fall River, MA.

Six-Month Waiver of Residency Granted – Yeas 10, Nays 0.

YEAS: Councillors, Abreu, Carney, Coelho, Dunn, Giesta, Gomes, Lima, Lopes, Markey, and Morad.

Councillor Baptiste not present for vote.

Presented to the Mayor for approval March 1, 2021.

Approved March 4, 2021. (#0221)

REPORT, Committee on Appointments and Briefings, recommending to the City Council APPROVAL of the APPLICATION, Claudia Faia, d/b/a Salco Auto Sales LLC, for a SPECIAL PERMIT for Motor Vehicle Sales and Rentals at 1615 Cove Road, New Bedford, MA 02740.

Recommendation Followed – Yeas 9, Nays 0.

YEAS: Councillors Abreu, Carney, Coelho, Dunn, Gomes, Lima, Lopes, Markey and Morad.

Councillors Baptiste and Giesta not present for vote. (#0222)

APPLICATION, Claudia Faia, d/b/a Salco Auto Sales LLC, for a SPECIAL PERMIT for Motor Vehicle Sales and Rentals at 1615 Cove Road, New Bedford, MA 02740.

Special Permit Granted – Yeas 9, Nays 0.

YEAS: Councillors Abreu, Carney, Coelho, Dunn, Gomes, Lima, Lopes, Markey and Morad.

Councillors Baptiste and Giesta not present for vote.

Presented to the Mayor for approval March 01, 2021.

Approved March 4, 2021. (#0223)

REPORT, Committee on Appointments and Briefings, recommending to the City Council APPROVAL of the PETITION, EDWARD W. BOLDUC, WESTPORT, MA 02790 d/b/a Cojo's Toy World, 763 Purchase Street, requesting that he be granted a Waiver of Residency in accordance with Section 15-38 of the City Code, to obtain a LICENSE TO DEAL IN JUNK, OLD METALS OR ANY OTHER SECOND HAND ARTICLES.

Recommendation Followed – Yeas 9, Nays 0.

YEAS: Councillors Abreu, Carney, Coelho, Dunn, Gomes, Lima, Lopes, Markey and Morad.

Councillors Baptiste and Giesta not present for vote. (#0224)

PETITION, **EDWARD W. BOLDUC, WESTPORT, MA 02790 d/b/a Cojo's Toy World, 763 Purchase Street**, requesting that he be granted a Waiver of Residency in accordance with Section 15-18 of the City Code, to obtain a **LICENSE TO DEAL IN JUNK, OLD METALS OR ANY OTHER SECOND HAND ARTICLES**. (Referred to the Committee on Appointments and Briefings – January 28, 2021.)

Referred to the Committee on Appointments and Briefings – Yeas 10, Nays 0.

YEAS: Councillors Abreu, Baptiste, Carney, Coelho, Dunn, Giesta, Lima, Lopes, Markey and Morad.

Councillor Gomes not Present for vote – January 28, 2021.

Waiver of Residency Granted – Yeas 9, Nays 0.

YEAS: Councillors Abreu, Carney, Coelho, Dunn, Gomes, Lima, Lopes, Markey and Morad.

Councillors Baptiste and Giesta not present for vote.

Presented to the Mayor for approval March 01, 2021.

Approved March 04, 2021. (#0145)

REPORT, Committee on Appointments and Briefings, recommending to the City Council APPROVAL of the PETITION, JASON J. AGUIAR, SWANSEA, MA 02777-4947 d/b/a Cojo's Toy World, 763 Purchase Street, requesting that he be granted a Waiver of Residency in accordance with Section 15-38 of the City Code, to obtain a LICENSE TO DEAL IN JUNK, OLD METALS OR ANY OTHER SECOND HAND ARTICLES.

Recommendation Followed – Yeas 10, Nays 0.

YEAS: Councillors Abreu, Carney, Coelho, Dunn, Gomes, Lima, Lopes, Markey and Morad.

Councillors Baptiste and Giesta not present for vote. (#0225)

PETITION, **JASON J. AGUIAR, SWANSEA, MA 02777-4947 d/b/a Cojo's Toy World, 763 Purchase Street**, requesting that he be granted a Waiver of Residency in accordance with Section 15-18 of the City Code, to obtain a **LICENSE TO DEAL IN JUNK, OLD METALS OR ANY OTHER SECOND HAND ARTICLES**. Referred to the Committee on Appointments and Briefings – Yeas 10, Nays 0.

YEAS: Yeas: Councillors Abreu, Baptiste, Carney, Coelho, Dunn, Giesta, Lima, Lopes, Markey and Morad.

Councillor Gomes not Present for vote – January 28, 2021.

Waiver of Residency Granted – Yeas 10, Nays 0.

YEAS: Councillors Abreu, Carney, Coelho, Dunn, Giesta, Gomes, Lima, Lopes, Markey and Morad.

Councillors Baptiste not present for vote.

Presented to the Mayor for approval March 01, 2021.

Approved March 04, 2021. (#0146)

REPORT, Committee on Appointments and Briefings, recommending that the City Council take “NO FURTHER ACTION” on the WRITTEN MOTION, Councillor Coelho, requesting, that Will Gardner, Executive Director, Alma Del Mar Charter School be invited to attend a Committee on Appointments and Briefings meeting to update the members on his intent to expand classroom sizes and accept more students.

Recommendation Follows – Yeas 10, Nays 0.

YEAS: Councillors Abreu, Carney, Coelho, Dunn, Giesta, Gomes, Lima, Lopes, Markey and Morad.

Councillors Baptiste not present for vote. (#0226)

WRITTEN MOTION, Councillor Coelho, requesting, that Will Gardner, Executive Director, Alma Del Mar Charter School be invited to attend a Committee on Appointments and Briefings meeting to update the members on his intent to expand classroom sizes and accept more students. (Referred to the Committee on Appointments and Briefings – August 16, 2018.)

Referred to the Committee on Appointments and Briefings – August 16, 2018.

NO FURTHER ACTION – Yeas 10, Nays 0.

YEAS: Councillors Abreu, Carney, Coelho, Dunn, Giesta, Gomes, Lima, Lopes, Markey and Morad.

Councillors Baptiste not present for vote. (#1387)

REPORT, Committee on Appointments and Briefings, recommending that the City Council take “NO FURTHER ACTION” on the on the RESOLUTION, Councillors Dunn, Lopes, Giesta, Abreu, and Markey, AGAINST EXPANDING CHARTER SCHOOL ENROLLMENT IN THE CITY OF NEW BEDFORD.

Recommendation Followed – Yeas 10, Nays 0.

YEAS: Councillors Abreu, Carney, Coelho, Dunn, Giesta, Gomes, Lima, Lopes, Markey and Morad.

Councillors Baptiste not present for vote. (#0227)

RESOLUTION, Councillors Dunn, Lopes, Giesta, Markey, AGAINST EXPANDING CHARTER SCHOOL ENROLLMENT IN THE CITY OF NEW BEDFORD. (Referred to the Committee on Appointments and Briefings – September 13, 2018.)

Referred to the Committee on Appointments and Briefings – Yeas 6, Nays 4.

YEAS: Councillors Carney, Giesta, Lopes, Markey, Morad and Rebeiro.

NAYS: Councillors Coelho, Dunn, Gomes and Lima.

Councillor Abreu not present for vote.

NO FURTHER ACTION – Yeas 10, Nays 0.

YEAS: Councillors Abreu, Carney, Coelho, Dunn, Giesta, Gomes, Lima, Lopes, Markey and Morad.

Councillors Baptiste not present for vote. (#1478)

REPORT, Committee on Appointments and Briefings, recommending that the City Council take “NO FURTHER ACTION” on the WRITTEN MOTION, Council President Morad, requesting, that Park Board Chairperson Peter Boswell and Suzanne Sullivan, Chairperson of the nonprofit Save The Bells, Inc., be invited to the Committee on Appointments and Briefings to provide an update regarding the bell tower project and the proposed placement of said bell tower at Clasky Common Park.

Recommendation Followed – Yeas 10, Nays 0.

YEAS: Councillors Abreu, Carney, Coelho, Dunn, Giesta, Gomes, Lima, Lopes, Markey and Morad.

Councillors Baptiste not present for vote. (#0228)

WRITTEN MOTION, Council President Morad, requesting, that Park Board Chairperson Peter Boswell and Suzanne Sullivan, Chairperson of the non-profit Save The Bells, Inc., be invited to the Committee on Appointments and Briefings to provide an update regarding the bell tower project and the proposed placement of said bell tower at Clasky Common Park. (Referred to the Committee on Appointments and Briefings – March 28, 2019.)

Referred to the Committee on Appointments and Briefings – March 28, 2019.

NO FURTHER ACTION – Yeas 10, Nays 0.

YEAS: Councillors Abreu, Carney, Coelho, Dunn, Giesta, Gomes, Lima, Lopes, Markey and Morad.

Councillors Baptiste not present for vote. (#0573)

REPORT, Committee on Appointments and Briefings, recommending that the City Council take “NO FURTHER ACTION” on the WRITTEN MOTION, Councillors Coelho, Lima, Lopes, Council President Morad and Councillor Giesta requesting that the Executive Director of the New Bedford Business Park, Derek Santos, come before the Committee on Appointment and Briefings for purpose of briefing the Committee Members, on the overview of the business park’s workings and any future plans for park growth and to bring more hi-tech businesses to the area.

Recommendation Followed – Yeas 10, Nays 0.

YEAS: Councillors Abreu, Carney, Coelho, Dunn, Giesta, Gomes, Lima, Lopes, Markey and Morad.

Councillors Baptiste not present for vote. (#0229)

WRITTEN MOTION, Councillors Coelho, Lima, Lopes, Council President Morad, and Councillor Giesta, requesting that the Executive Director of the New Bedford Business Park, Derek Santos, come before the Committee on Appointment and Briefings for purpose of briefing the Committee Members, on the overview of the business park’s workings and any future plans for park growth and to bring more hi-tech businesses to the area. (Referred to the Committee on Appointments and Briefings – May 23, 2019.)

Referred to the Committee on Appointments and Briefings – May 23, 2019.

NO FURTHER ACTION – Yeas 10, Nays 0.

YEAS: Councillors Abreu, Carney, Coelho, Dunn, Giesta, Gomes, Lima, Lopes, Markey and Morad.

Councillors Baptiste not present for vote. (#0969)

REPORT, Committee on Appointments and Briefings, recommending that the City Council take “NO FURTHER ACTION” on the WRITTEN MOTION, Councillor Abreu, Council President Lopes, Councillors Giesta, Lima, Baptiste and Carney, requesting, that the City of New Bedford look into establishing a Government Academy, similar to the program in Framingham, a six-week program where Citizens learn about the functions of City government; and further, these classes would be taught by City leaders at no cost, also requesting, that a representative from the Administration be invited to attend a Committee on Appointments and Briefings meeting to collaborate on how to move this process forward.

Recommendation Followed - Yeas 10, Nays 0.

YEAS: Councillors Abreu, Carney, Coelho, Dunn, Giesta, Gomes, Lima, Lopes, Markey and Morad.

Councillors Baptiste not present for vote. (#0230)

WRITTEN MOTION, Councillor Abreu, Council President Lopes, Councillors Giesta, Lima, Baptiste and Carney, requesting, that the City of New Bedford look into establishing a Government Academy, similar to the program in Framingham, a six-week program where Citizens learn about the functions of City government; and further, these classes would be taught by City leaders at no cost, also requesting, that a representative from the Administration be invited to attend a Committee on Appointments and Briefings meeting to collaborate on how to move this process forward.

Referred to the Committee on Appointments and Briefings – January 9, 2020.

NO FURTHER ACTION – Yeas 10, Nays 0.

YEAS: Councillors Abreu, Carney, Coelho, Dunn, Giesta, Gomes, Lima, Lopes, Markey and Morad.

Councillors Baptiste not present for vote. (#0025)

REPORT, Committee on Finance, recommending that the City Council take “NO FURTHER ACTION” on the WRITTEN MOTION, Councillors Morad, Abreu, Giesta, Council President Lopes, Councillors Carney, Lima and Markey, requesting that Chief Financial Officer Ari Sky appear before the Committee on Finance to discuss the Administration’s intentions concerning another Tax Title sale for properties currently in arrears with regard to property taxes.

Recommendation Followed - Yeas 10, Nays 0.

YEAS: Councillors Abreu, Carney, Coelho, Dunn, Giesta, Gomes, Lima, Lopes, Markey and Morad.

Councillors Baptiste not present for vote. (#0231)

WRITTEN MOTION, Councillors Morad, Abreu, Giesta, Council President Lopes, Councillors Carney, Lima and Markey, requesting that Chief Financial Officer Ari Sky appear before the Committee on Finance to discuss the Administration's intentions concerning another Tax Title sale for properties currently in arrears with regard to property taxes. (Referred to the Committee on Finance – December 9, 2020.)

Referred to the Committee on Finance – Yeas 11, Nays 0 – December 9, 2020.

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

NO FURTHER ACTION – Yeas 10, Nays 0.

YEAS: Councillors Abreu, Carney, Coelho, Dunn, Giesta, Gomes, Lima, Lopes, Markey and Morad.

Councillor Baptiste not present for vote.

(#1636)

WRITTEN MOTION, Councillors Giesta, Abreu, Council President Lopes, Councillors Lima and Carney and Coelho, requesting that City Solicitor Mikaela McDermott, DPI Commissioner Jamie Ponte, Director of Parks, Recreation and Beaches Mary Rapoza, and the Director of Purchasing Molly Gilfeather, be invited to a Committee on City Property meeting to discuss the possibility of the City selling the two pocket parks in the North End, the Nye Street Pocket Park and the Phillips Avenue Pocket Park, these parks were first created as an idea that the neighborhood would take advantage of the green space that these parks provided; unfortunately, these pocket parks have had the opposite effect, they are being used by drug dealers and users and for prostitution, the residents and business owners in the surrounding areas deserve better and should not have to live with the ongoing crime that is being perpetrated in these pocket parks; further requesting that the City please sell these pocket parks to interested buyers who will utilize their use for the betterment of the neighborhood, i.e., possible business or residential parking. (To be Referred to the Committee on City Property.)

Referred to the Committee on City Property – Yeas 11, Nays 0.

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

(#0232)

WRITTEN MOTION, Councillors Dunn, Abreu, Giesta, Council President Lopes, Councillors Lima, Carney, Markey, Gomes and Baptiste, requesting, that Police Chief Cordeiro, Public Information Officer Scott Carola and Police Union President Turgeon be invited to a meeting of the Committee on Public Safety and Neighborhoods to discuss providing the Council and public with a weekly crime report with up to date statistics on violent crime, property crime, and other crime, the crime data should be compiled both in a Citywide and Ward specific format; and further, the report should show trends based on previous weeks. (To be Referred to the Committee on Public Safety and Neighborhoods.)

Referred to the Committee on Public Safety and Neighborhoods – Yeas 11, Nays 0.

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

(#0233)

WRITTEN MOTION, Councillors Dunn, Abreu, Giesta, Council President Lopes, Councillors Morad, Lima, Carney, Markey and Gomes, requesting that New Bedford Police Department conduct an evaluation of the Shot Spotter program, the efficacy of the program, analyze the data the system gathers, and assess how to ensure that this tool is properly functioning, assuming the Police Department finds the program to be an effective tool, the evaluation should be conducted on an annual basis going forward. (To be Referred to Committee on Public Safety and Neighborhoods, Police Chief Cordeiro and Police Union President Hank Turgeon.)

Referred to the Committee on Public Safety and Neighborhoods, Police Chief Cordeiro and Police Union President Hank Turgeon – Yeas 11, Nays 0.

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

(#0234)

WRITTEN MOTION, Councillors Dunn, Abreu, Giesta, Council President Lopes, Lima, Carney, Markey and Gomes, requesting, that New Bedford Police Chief Cordeiro brief the City Council on the recent shootings at the Brickenwood Housing Development and on Tallman Street. (To be Referred to Committee on Public Safety and Neighborhoods, Police Chief Cordeiro and Police Union President Hank Turgeon.)

Referred to the Committee on Public safety and Neighborhoods, Police Chief Cordeiro and Police Union President Hank Turgeon – Yeas 11, Nays 0.

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

(#0235)

WRITTEN MOTION, Council President Lopes, Councillors Abreu and Lima, requesting that the Mitchell Administration work with the City's public safety units (Fire Department, Emergency Medical Services and Emergency Management) in regard to implementing a City-wide after hours and weekend COVID-19 testing program for City residents; the lead public safety unit would be the Fire Department and they would work in conjunction with EMS and Emergency Management to implement said COVID-19 testing program for City residents. (To be Referred to the Committee on Public Safety and Neighborhoods.)

Referred to the Committee on Public Safety and Neighborhoods – Yeas 11, Nays 0.

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

(#0236)

WRITTEN MOTION Councillors Gomes, Abreu, Baptiste, Carney, Coelho, Dunn, Giesta, Lima, Council President Lopes, Councillors Markey and Morad, requesting that the City Council once more go on record and a letter be sent to the Administration of our opposition to the Mayor's decision to close and decommission the fire apparatus, Engine 8 on Acushnet Avenue; and further requesting that the Council take the same course of action on the closing of the Downtown Police Station on Pleasant Street, furthermore that these decisions be delayed so the Administration and the City Council work together to find the funding to continue the operation and service that is so vital to the north end of the City and the Downtown area business district. (Requesting that Rule 40 be waived on this motion.)

Referred to the Administration, Committee on Public Safety and Neighborhoods and Rule 40 Waived as Amended – Yeas 11, Nays 0.

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

(#0237)

RELATED MOTION, Councillor Gomes requesting that the Committee on Finance be provided with a Y-T-D expenditure of all salaries and overtime associated with the Fire Department.

Adopted – Yeas 11, Nays 0.

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

(#0238)

WRITTEN MOTION, Councillors Abreu, Dunn, Carney, Lima, Markey, Giesta and Council President Lopes, requesting that a Representative from Eversource come before the Special Committee on Infrastructure and Redevelopment to provide a status report of the condition and quality of all underground gas pipelines throughout the City, especially in the wake of the 3.6 magnitude earthquake which took place in New Bedford and throughout the region on Sunday, November 8, 2020. (To be Referred to the Special Committee on Infrastructure and Redevelopment and DPI Commissioner Jamie Ponte.)

Referred to the Special Committee on Infrastructure and Redevelopment and DPI Commissioner Jamie Ponte – Yeas 10, Nays 0.

YEAS: Councillors Abreu, Baptiste, Carney, Coelho, Giesta, Gomes, Lima, Lopes, Markey and Morad.

Councillor Dunn not present for the vote.

(#0239)

WRITTEN MOTION, Councillor Gomes, requesting that the Special Committee on Infrastructure and Redevelopment meet with the Commissioner of Inspectional Services for the purposes of discussing the permitting process for new roof work on old buildings which is requiring owners address rain water run off before permits are issued; this present process requires owners to make significant repairs on building drainage before permit is issued for major structural roof work.

Referred to the Special Committee on Infrastructure and Redevelopment – Yeas 10, Nays 0.

YEAS: Councillors Abreu, Baptiste, Carney, Coelho, Giesta, Gomes, Lima, Lopes, Markey and Morad.

Councillor Dunn not present for the vote.

(#0240)

COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of **Karen Maciulewicz, 128 Chipaway Road, East Freetown, MA 02717 d/b/a PROJECT INDEPENDENCE SERVICES, INC., 250 Elm Street, New Bedford, MA 02740**, hereby submitting a copy of the Application requesting a **RENEWAL of a PRIVATE LIVERY LICENSE** to carry passengers for hire over the streets of New Bedford. **(Term of License July 1, 2021 – June 30, 2022.)**

Livery License Renewal Granted – Yeas 10, Nays 0.

YEAS: Councillors Abreu, Baptiste, Carney, Coelho, Giesta, Gomes, Lima, Lopes, Markey and Morad.

Councillor Dunn not present for the vote.

Presented to the Mayor for approval March 01, 2021.

Approved March 4, 2020.

(#0241)

COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of **Khalil Arsanios, 1220 Pleasant Street, New Bedford, MA 02740 d/b/a INTERNATIONAL TRANSPORTATION LLC, 1220 Pleasant Street, New Bedford, MA 02740**, hereby submitting a copy of the Application requesting a **RENEWAL OF A PRIVATE LIVERY LICENSE** to carry passengers for hire over the streets of New Bedford. **(Term of License July 1, 2021 – June 30, 2022.)**

Livery License Renewal Granted – Yeas 10, Nays 0.

YEAS: Councillors Abreu, Baptiste, Carney, Coelho, Giesta, Gomes, Lima, Lopes, Markey and Morad.

Councillor Dunn not present for the vote.

Presented to the Mayor for approval March 01, 2021.

Approved March 4, 2020.

(#0242)

COMMUNICATION, DPI Commissioner Jamie Ponte, to City Council, submitting, RECOMMENDATION OF ACCEPTANCE, for the **LAYOUT AND ACCEPTANCE of AVA’S WAY, 40 feet wide, from Sta. 0+40 at Cardinal Street, 163.41 feet southerly to terminus at Sta. 2+03.41**, reporting that the owner Hugh E. Rowlett, Jr., of Petrel Properties, LLC, has conformed to all rules and regulations as required by the City Code, Section 22-35, relative to the acceptance of new streets.

Receive and Placed on File – Yeas 10, Nays 0.

YEAS: Councillors Abreu, Baptiste, Carney, Coelho, Giesta, Gomes, Lima, Lopes, Markey and Morad.

Councillor Dunn not present for the vote.

(#0243)

COMMUNICATION, DPI Commissioner Jamie Ponte, to City Council, submitting, REQUEST TO TAKE LAND, for **LAYOUT AND ACCEPTANCE of AVA’S WAY, 40 FEET WIDE, from Sta. 0+40 at Cardinal Street, 163.41 feet southerly to terminus at Sta. 2+03.41**, it becomes necessary to take an easement or fee for highway purposes in land belonging to Hugh E. Rowlett, Jr., of Petrel Properties LLC, in accordance with City Code, Section 22-35.

Receive and Placed on File – Yeas 10, Nays 0.

YEAS: Councillors Abreu, Baptiste, Carney, Coelho, Giesta, Gomes, Lima, Lopes, Markey and Morad.

Councillor Dunn not present for the vote.

(#0244)

COMMUNICATION, DPI Commissioner Jamie Ponte, to City Council, submitting AWARD OF DAMAGES, for the **LAYOUT AND ACCEPTANCE of AVA’S WAY, 40 FEET WIDE, from Sta. 0+40 at Cardinal Street, 163.41 feet southerly to terminus at Sta. 2+03.41**, to the owner Hugh E. Rowlett, Jr., of Petrel Properties LLC, because the remainder has appreciated in value as a result of the layout to an amount which exceeds the value of the land dedicated and taken.

Receive and Placed on File – Yeas 10, Nays 0.

YEAS: Councillors Abreu, Baptiste, Carney, Coelho, Giesta, Gomes, Lima, Lopes, Markey and Morad.

Councillor Dunn not present for the vote.

(#0245)

COMMUNICATION, DPI Commissioner Jamie Ponte, to City Council, submitting, METES AND BOUNDS, for the **LAYOUT AND ACCEPTANCE of AVA’S WAY, 40 feet wide, from Sta. 0+40 at Cardinal Street, 163.41 feet southerly to terminus at Sta. 2+03.41**. (Map included.)

Receive and Placed on File – Yeas 10, Nays 0.

YEAS: Councillors Abreu, Baptiste, Carney, Coelho, Giesta, Gomes, Lima, Lopes, Markey and Morad.

Councillor Dunn not present for the vote.

(#0246)

CITY OF NEW BEDFORD
IN CITY COUNCIL
FEBRUARY 25, 2021

WHEREAS, this City Council has received a request from Hugh R. Rowlett, Jr., Petrel Properties, LLC, for the taking of required land for the Layout and Acceptance of contemplated **AVA’S WAY, 40 feet wide, from Sta. 0+40 at Cardinal Street, 163.41 feet southerly to terminus at Sta. 2+03.41.**

ORDERED, that due notice be given to HUGH E. ROWLETT JR., PETREL PROPERTIES, LLC, owner of land included in the taking, and to NELSON J. & TRACEY A. NOGUEIRA, MARCO P. & SARAH A. ALMEIDA, WENDY M. DEMELO, CHACE V. HOWLAND & KRISTINA ORTIZ, STACEY SOUSA & RENATO J. LOPES, YOSARIS RODRIGUEZ, ALEX MONIZ & ALEXA H. LOURENCO and CHRISTOPHER & ASLEY PRIEN, and owners of abutting property, and to all other persons who may be interested, that the City Council will hold a **Public Hearing** on said Layout and Acceptance via ZOOM, on **THURSDAY, MARCH 25, 2021 AT 7:00P.M.**

Adopted – Yeas 10, Nays 0.

YEAS: Councillors Abreu, Baptiste, Carney, Coelho, Giesta, Gomes, Lima, Lopes, Markey and Morad.

Councillor Dunn not present for the vote. (#0247)

CITY OF NEW BEDFORD
IN CITY COUNCIL
FEBRUARY 25, 2021

ORDERED, that the City Solicitor be and is hereby requested to prepare an ORDER for the layout and acceptance of contemplated **AVA’S WAY, 40 ft. wide, from Sta. 0+40 at Cardinal Street, 163.41 feet southerly to terminus at Sta. 2+03.41.**

Hearing on said matter has been ordered for **THURSDAY, MARCH 25, 2021, at 7:00 p.m., via Zoom.**

Adopted – Yeas 10, Nays 0.

YEAS: Councillors Abreu, Baptiste, Carney, Coelho, Giesta, Gomes, Lima, Lopes, Markey and Morad.

Councillor Dunn not present for the vote. (#0248)

COMMUNICATION, DPI Commissioner Jamie Ponte, to City Council, submitting RECOMMENDATION OF ACCEPTANCE, for the **LAYOUT AND ACCEPTANCE of CARDINAL STREET, 40 ft. wide, from Sta. 0+00.00 to Terminus at Sta. 1+98.28**; reporting that owner Hugh E. Rowlett Jr. of Petrel Properties, LLC, have conformed to all Rules & Regulations as required by City Code, Section 22-35, relative to the acceptance of new streets.

Receive and Placed on File – Yeas 10, Nays 0.

YEAS: Councillors Abreu, Baptiste, Carney, Coelho, Giesta, Gomes, Lima, Lopes, Markey and Morad.

Councillor Dunn not present for the vote. (#0249)

COMMUNICATION, DPI Commissioner Jamie Ponte, to City Council, submitting REQUEST TO TAKE LAND, for the **LAYOUT AND ACCEPTANCE of CARDINAL STREET, 40 ft. wide, from Sta. 0+00.00 to terminus at Sta. 1+98.28**, it becomes necessary to take an easement or fee for highway purposes in land belonging to Hugh E. Rowlett, Jr, of Petrel Properties LLC, in accordance with City Code, Section 22-35.

Receive and Placed on File – Yeas 10, Nays 0.

YEAS: Councillors Abreu, Baptiste, Carney, Coelho, Giesta, Gomes, Lima, Lopes, Markey and Morad.

Councillor Dunn not present for the vote. (#0250)

COMMUNICATION, DPI Commissioner Jamie Ponte, to City Council, submitting AWARD OF DAMAGES, for the **LAYOUT AND ACCEPTANCE of CARDINAL STREET, 40 ft. wide, from Sta. 0+00.00 to Terminus at Sta. 1+98.28**; there is **NO DAMAGES PAYABLE** to the owner (Hugh E. Rowlett Jr. of Petrel Properties, LLC) because the remainder has appreciated in value as a result of the layout to an amount which exceeds the value of the land dedicated and taken.

Receive and Placed on File – Yeas 10, Nays 0.

YEAS: Councillors Abreu, Baptiste, Carney, Coelho, Giesta, Gomes, Lima, Lopes, Markey and Morad.

Councillor Dunn not present for the vote. (#0251)

COMMUNICATION, DPI Commissioner Jamie Ponte, to City Council, submitting **METES AND BOUNDS** for the **LAYOUT AND ACCEPTANCE of CARDINAL STREET, 40 ft. wide, from Sta. 0+00.00 to terminus at Sta. 1+98.28**, (Map Included.)

Receive and Placed on File – Yeas 10, Nays 0.

YEAS: Councillors Abreu, Baptiste, Carney, Coelho, Giesta, Gomes, Lima, Lopes, Markey and Morad.

Councillor Dunn not present for the vote. (#0252)

CITY OF NEW BEDFORD
IN CITY COUNCIL
FEBRUARY 25, 2021

WHEREAS, This City Council has received a request from Hugh E. Rowlett, Jr, of Petrel Properties LLC, for the taking of required land for the layout and acceptance of contemplated **CARDINAL STREET, 40 ft. wide, from Sta. 0+00.00 to terminus at Sta. 1+98.28**.

ORDERED, That due notice be given to Hugh E. Rowlett, Jr, of Petrel Properties LLC, owner of land included in the taking, and to ALEX MONIZ & ALEXA H. LOURENCO, YOSARIS RODRIGUEZ, NELSON J. NOGUEIRA & TRACY A. NOGUEIRA, MARCO P. ALMEIDA & SARAH A. ALMEIDA, WENDY M. DEMELO, CHACE V. HOWLAND & KRISTINA ORTIZ, STACEY SOUSA & RENATO J. LOPES, CHRISTOPHER PRIEN & ASHLEY PRIEN, and owners of abutting property, and to all other persons who may be interested, that the City Council will hold a public hearing on said layout and acceptance **via Zoom, on THURSDAY, MARCH 25, 2021 AT 7:00 P.M.**

Adopted – Yeas 10, Nays 0.

YEAS: Councillors Abreu, Baptiste, Carney, Coelho, Giesta, Gomes, Lima, Lopes, Markey and Morad.

Councillor Dunn not present for the vote. (#0253)

CITY OF NEW BEDFORD
IN CITY COUNCIL
FEBRUARY 25, 2021

ORDERED, that the City Solicitor be and is hereby requested to prepare an ORDER for the layout and acceptance of contemplated **CARDINAL STREET, 40 ft. wide, from Sta. 0+00.00 to terminus at Sta. 1+98.28**.

Hearing on said matter has been ordered for **THURSDAY, MARCH 25, 2021, at 7:00 p.m., via Zoom.**

Adopted – Yeas 10, Nays 0.

YEAS: Councillors Abreu, Baptiste, Carney, Coelho, Giesta, Gomes, Lima, Lopes, Markey and Morad.

Councillor Dunn not present for the vote. (#0254)

COMMUNICATION, Councillor Abreu and Council President Lopes, submitting information from Joseph Pacheco, Fort Rodman Marine Educational Association, Inc, regarding placing a memorial plaque or information board at the location of the former “Beetle Boat Yard.” (To be Referred to the Special Committee on Memorials and Dedications.)

Referred to the Special Committee on Memorials and Dedication – Yeas 10, Nays 0.

YEAS: Councillors Abreu, Baptiste, Carney, Coelho, Giesta, Gomes, Lima, Lopes, Markey and Morad.

Councillor Dunn not present for vote. (#0255)

COMMUNICATION, Our Lady of Perpetual Help Church, 235 North Street, New Bedford, MA 02746 submitting their Annual Beano Report for 2020. (To be Received and Placed on File.)

Received and Placed on File – Yeas 10, Nays 0.

YEAS: Councillors Abreu, Baptiste, Carney, Coelho, Giesta, Gomes, Lima, Lopes, Markey and Morad.

Councillor Dunn not present for vote. (#0256)

The City Council took a Roll Call to take up the Consent Agenda and take the appropriate action – Yeas 10, Nays 0.

YEAS: Councillors, Abreu, Baptiste, Carney, Coelho, Giesta, Gomes, Lima, Lopes, Markey and Morad.

Councillor Dunn not present for vote.

CONSTABLE BOND, RONALD RUSSO III, New Bedford, MA 02740 with Western Surety Company in the amount of \$5,000.00.

Approved.

Presented to the Mayor for approval March 01, 2021.

Approved March 04, 2021. (#0256a.)

APPLICATION, **W.C. Smith & Son**, for permission to maintain a STREET OBSTRUCTION at **126 Clara Street/ Cleveland Street**, provisionally granted by the City Clerk on February 10, 2021, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval March 01, 2021.

Approved March 04, 2021. (#0257)

APPLICATION, **W.C. Smith & Son**, to DISTURB THE SURFACE, of **126 Clara Street/Cleveland Street**, provisionally granted by the City Clerk on February 14, 2021, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval March 01, 2021.

Approved March 04, 2021. (#0258)

APPLICATIONS, **Eversource Gas**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on February 10, 2021, subject to ratification by the Mayor and City Council as follows:

Oaklawn Street working from Brock Avenue to West Rodney French Boulevard (#0259)

267-269 Ashley Boulevard (#0260)

110 Hawthorne Street (#0261)

2265 Acushnet Avenue (#0262)

1900 Acushnet Avenue (#0263)

479 Mount Pleasant Street (#0264)

1010 Pleasant Street (#0265)

L434 Acushnet Avenue (#0266)

310 North Front Street (#0267)

33 Hathaway Street (#0268)

1317 Cove Street (#0269)

489 Ashley Street (#0270)

Chestnut Street working from Sycamore Street - Robeson Street (#0271)

Calumet Street working from Brock Avenue – West Rodney French Boulevard and 25 ft. at Intersections (#0272)

Chestnut Street working at Intersection with Sycamore Street and 50 ft. in all directions at intersections (#0273)

Pleasant Street working from Walnut Street to Bedford Street (#0274)

Cove Road working from County Street – Crapo Street including intersections (#0275)

Cove Road working from County Street – Margin Street including intersections (#0276)

County Street working from Cove Road to Cove Street including intersections (#0277)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval March 01, 2021.

Approved March 04, 2021.

APPLICATIONS, **Eversource Gas**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on February 19, 2021, subject to ratification by the Mayor and City Council as follows:

Nelson Street, working from 94 Nelson Street to South Second Street including intersections (#0278)

Scott Street working from Crapo Street to County Street including intersections (#0279)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval March 01, 2021.

Approved March 04, 2021.

APPLICATIONS, **Frade's Disposal, Inc.**, for permission to maintain a STREET OBSTRUCTION, provisionally granted by the City Clerk on February 10, 2021, subject to ratification by the Mayor and City Council as follows:

19 Lang Street

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval March 01, 2021.

Approved March 04, 2021. (#0280)

NO PAPER (#0281)

On a motion, the Council then adjourned at 8:47 p.m. – Yeas 10, Nays 0.

YEAS: Councillors Abreu, Baptiste, Carney, Coelho, Giesta, Gomes, Lima, Lopes, Markey and Morad.

Councillor Dunn not present for vote.

ATTEST:

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