

REGULAR MEETING
Chambers of the City Council
Thursday, January 26, 2017

CITY COUNCIL
Municipal Building
7:00 p.m.

PRESENT: Council President Morad, Councillors Abreu, Bousquet, Carney, Coelho, Gomes, Lopes, Martins, Rebeiro, Oliveira, and Winterson.

LATE: No One

ABSENT: No One

Council President Lopes called the meeting to order and presided.

Prayer Led By: Reverend Kevin Harrington, St. Francis of Assisi Parish.

Councilor Bousquet led the Assembly in the Pledge of Allegiance to the flag.

The following Resolution was presented by Council President Lopes, Councillors Martins, Morad, Winterson, Abreu, Carney, Coelho, Gomes, Oliveira, and Rebeiro.

CITY OF NEW BEDFORD
IN CITY COUNCIL
JANUARY 26, 2017

**RESOLUTION HONORING WARD THREE COUNCILLOR HENRY G. BOUSQUET
ON THE OCCASION OF HIS RETIREMENT FROM THE NEW BEDFORD CITY COUNCIL**

WHEREAS, Henry G. Bousquet was born and raised in the City of New Bedford, graduating from St. Anthony's Elementary School and Greater New Bedford Regional Vocational Technical High School, later receiving an Associate's Degree in Communications from Bristol Community College, in addition, Henry holds a Culinary Educator Professional License from the Massachusetts Department of Education, is a Certified Executive Chef under the American Culinary Federation and is an occupational education Bachelor's Degree candidate at Fitchburg State University; and

WHEREAS, Henry G. Bousquet, who three months after meeting her, proposed to Theresa "Tee" Saucier, then married her on November 17, 2001, in a lavish medieval wedding ceremony, they are the proud parents of two daughters, Phoebe Pauline and Payton Promise; and

WHEREAS, Henry G. Bousquet became the owner/operator of the successful Four Corners Breakfast and Catering on the corner of Nauset and Mt. Pleasant Streets, later selling the business and with his wife purchased Cobblestone Restaurant in the Downtown Historic area, this business was also very successful, and named a "South Coast Favorite" two years in a row and was singled out by Cape Cod Life Magazine as Editor's Pick for Best Breakfast Place and earned Chef Henry the title of "The Cheese Roll Guy"; and

WHEREAS, The Bousquets contributed to various charities through their businesses, even hosting former Massachusetts Senator John F. Kerry and the entire South Coast Democratic Delegation for a special event; and

WHEREAS, During his business career as a restaurant owner, Henry G. Bousquet became aware of the importance of community service leading to his initial involvement in our City neighborhoods by his initiating a downtown marketing collaborative, followed in 2006, by his work with the Mount Pleasant Street Neighborhood Group, in which he currently serves as President, while also active in Neighborhoods United of New Bedford, working to improve the quality of life for those in his community; and

WHEREAS, When Henry G. Bousquet was first elected to public office in November 2011, as the Councillor representing the residents and business owners in the Ward 3 district of New Bedford, where he has been a strong voice committed to the welfare of his constituents and the betterment of his Ward; giving selflessly of his time, conducting himself honorably and often expressing his humble gratitude for the opportunity to serve the people of Ward Three; and

WHEREAS, Councillor Henry G. Bousquet, is a trusted and valued colleague who has made many important contributions during his years in office, holding leadership roles as the Chairperson of the Committees on Appointments and Briefings, Veterans Affairs Elderly, Health, Housing and Disability Issues, Internal Affairs, Special Committees on Environmental Affairs, Memorials and Dedications, the Energy Resource Commission and the Charter Review Commission; and

WHEREAS, Councillor Henry G. Bousquet, who is known for the wearing of his colorful bow ties, his crazy chef hats and his funky chef pants, has a quick wit and a great sense of humor and is still a kid at heart who often enjoys dressing up and role playing as King Henry VIII and assisting Santa Claus each year attending events to bring joy to good little boys and girls in New Bedford; and

WHEREAS, On February 01, 2017, with a heavy heart, Councillor Henry G. Bousquet will resign his elected position as the Ward Three City Councillor, a job he has humbly held and admirably served since 2011, and return to his full-time career as a Culinary Arts Instructor at Greater New Bedford Regional Vocational Technical High School:

NOW, THEREFORE, BE IT RESOLVED, That the New Bedford City Council is justly proud to honor their Friend and Colleague **HENRY G. BOUSQUET, COUNCILLOR WARD THREE**, in grateful appreciation for his dedication and hard work on behalf of his Constituents and the City of New Bedford and expresses their best wishes for a happy, healthy future with his wonderful family.

AND BE IT FURTHER RESOLVED, That the New Bedford City Council extends their thanks to **THE HONORABLE HENRY G. BOUSQUET, COUNCILLOR WARD THREE**, as this Resolution is presented to him on the occasion of his last City Council Meeting on Thursday, January 26, 2017, as an expression of his colleagues' respect and affection, wishing him continued success and pride in all that he has accomplished during his career in public service.

Adopted. (#0131)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENTS of SAMUEL ALGARIN-MOJICA and JEREMY A. DELLECESE as NEW BEDFORD POLICE OFFICERS.

Received and Placed on File. (#0132)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of MARY SULLIVAN, New Bedford, MA, to the COUNCIL ON AGING; this term will expire December 2019.

Rule 38 Waived and Reappointment Confirmed.
Rule 40 Waived – Yeas 10, Nays 0. (Council President Lopes not present for vote.) (#0133)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of JOAN SWAIN, New Bedford, MA, to the COUNCIL ON AGING; this term will expire December 2019.

Rule 38 Waived and Reappointment Confirmed.
Rule 40 Waived – Yeas 10, Nays 0. (Council President Lopes not present for vote.) (#0134)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of ESPERANZA ALEJANDRO-BERUBE, New Bedford, MA, to the COUNCIL ON AGING; this term will expire December 2019.

Rule 38 Waived and Reappointment Confirmed.
Rule 40 Waived – Yeas 10, Nays 0. (Council President Lopes not present for vote.) (#0135)

COMMUNICATION, Mayor Mitchell, to City Council, submitting a LOAN ORDER appropriating \$4,483,000.00 for the purpose of making critically-needed repairs to City-owned building including, but not limited to, projects for repairs and renovations of public safety facilities, recreational facilities, general office space, and roads and infrastructure and all costs incidental and related thereto.

Referred to the Committee on Finance - Yeas 11, Nays 0. (#0136)

LOAN ORDER,

Referred to the Committee on Finance – Yeas 11, Nays 0. (#0137)

COMMUNICATION, Mayor Mitchell, to City Council, submitting ORDERS for the TRANSFER from FREE CASH to OPEB TRUST FUND in the amount of \$270,000.00; SCHOOL DEPARTMENT, OTHER FINANCING USES in the amount \$900,000.00; POLICE DEPARTMENT, CAPITAL OUTLAY in the amount of \$200,000.00; PUBLIC INFRASTRUCTURE, CAPITAL OUTLAY in the amount of \$200,000.00; TOURISM, CHARGES & SERVICES in the amount of \$40,000.00 and STABILIZATION FUND in the amount of \$500,000.00.

Referred to the Committee on Finance. (#0138)

AN ORDER, Free Cash to OPEB Trust Fund.

Referred to the Committee on Finance. (#0139)

AN ORDER, Free Cash to School Department, Other Financing Uses.

Referred to the Committee on Finance. (#0140)

AN ORDER, Free Cash to Police Department, Capital Outlay; Public Infrastructure, Capital Outlay and Tourism, Charges & Services.

Referred to the Committee on Finance. (#0141)

AN ORDER, Free Cash to Stabilization Fund.
Referred to the Committee on Finance. (#0142)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$5,000.00 from HEALTH, CAPITAL OUTLAY, to HEALTH, SUPPLIES & MATERIALS.
Received and Placed on File. (#0143)

CITY OF NEW BEDFORD
IN CITY COUNCIL
JANUARY 26, 2017

ORDERED, that the sum of **FIVE THOUSAND DOLLARS (\$5,000.00)** now standing to the credit of the account from **HEALTH CAPITAL OUTLAY** be and the same is hereby transferred and appropriated to as follows:

HEALTH SUPPLIES AND MATERIALS.....\$5,000.00

To be certified and approved by the Department Head.
Presented to the Mayor for approval January 30, 2017.
Approved February 1, 2017. (#0144)

COMMUNICATION, Mayor Mitchell, to City Council, submitting a ONE YEAR WAIVER OF RESIDENCY for SHARA CROOK, Curator at the Buttonwood Park Zoo, who currently lives in South Dartmouth; Ms. Crook has been employed by the zoo since July 1994.

One – Year Waiver of Residency GRANTED Yeas 11, Nays 0. (#0145)

COMMUNICATION, Mayor Mitchell, to City Council, submitting a ONE YEAR WAIVER OF RESIDENCY for STEPHANIE (HARRINGTON) SLOAN, Grants Administrator in the Health Department, who resides in Fall River, MA.

Referred to the Committee on Appointments and Briefings. (#0146)

COMMUNICATION, Mayor Mitchell, to City Council, submitting a SEWER ABATEMENT for ANTONE A. FORTES, 789 County Street, New Bedford, MA; Account Number 1019132 in the amount of \$323.70.

Abatement Granted.
Presented to the Mayor for approval January 30, 2017.
Approved February 1, 2017. (#0147)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of PAUL GORDON, Acushnet, MA, as a SPECIAL POLICE OFFICER.

Received and Placed on File (#0148)

APPLICATION, PAUL GORDON, Acushnet, MA 02743, for APPOINTMENT as a SPECIAL POLICE OFFICER.

Appointment made and Confirmed. (#0149)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of WILLIAM T. CAMBRA, SR., North Dartmouth, MA, as a SPECIAL POLICE OFFICER.

Received and Placed on File. (#0150)

APPLICATION, WILLIAM T. CAMBRA SR., North Dartmouth, MA 02747, for APPOINTMENT as a SPECIAL POLICE OFFICER.

Appointment made and confirmed. (#0151)

AN ORDINANCE, amending Chapter 19, Section 19-7 PERSONNEL, Establishment of Unit C Salary Plan.

Passed to a Second Reading – Yeas 9, Nays 1. December 08, 2016. (Council President Morad OPPOSED; Councillor Rebeiro not present for vote.)

Referred to the Committee on Ordinances – FAILS – Yeas 2, Nays 9. (Councillors Morad and Martins IN FAVOR.)

Referred to the Committee on Finance – All Ayes. (#2209)

WRITTEN MOTION, Council President Lopes, requesting that the Committee on Ordinances amend Chapter 2, Section 2-56 of the City Code, relative to Committees, that the Special Committee on Budget Review be a Standing Committee of the City Council. (To be Referred to the Committee on Ordinances.)

Referred to the Committee on Ordinances. (#0152)

WRITTEN MOTION, Council President Lopes, requesting that the Special Committees on Soccer Fields, Charter Revision and Gaming/Casino be dissolved; and further requesting that the Special Committee on Employment Opportunities be dissolved and the duties and responsibilities be given to the Committee on Labor and Industries. (To be Referred to the Clerk of Committees Office.)

Referred to the Clerk of Committees Office. (#0153)

WRITTEN MOTION, Councillors Abreu, Gomes, Winterson, Council President Lopes and Councillor Bousquet, requesting that Jim Borghesani, Communications Director for the Campaign to Regulate Marijuana like Alcohol, come before the Special Committee on Licensing and Zoning for Cannabis to discuss the November 2016 passage of the Recreational Legalization of Commercial Cannabis, what this passage means for all Cities and Towns within the Commonwealth (especially gateway Cities such as New Bedford) and a current update on the State's regulatory process before its 2018 implementation. (To be Referred to the Special Committee on Licensing and Zoning for Cannabis.)

Referred to the Special Committee on Licensing and Zoning for Cannabis. (#0154)

WRITTEN MOTION, Councillor Abreu, Gomes, Winterson, Council President Lopes, Councillors Martins and Bousquet, requesting, that Police Chief Joseph Cordeiro and Health Director Dr. Brenda Weis, come before the Special Committee on Licensing and Zoning for Cannabis to discuss the November 2016 passage of the Recreational Legalization of Commercial Cannabis and discuss questions or concerns they may have from a law enforcement and overall community health standpoint, and how we can work as a community to insure public safety, health and wellness always remains paramount in light of this new impending piece of legislation (To be Referred to the Special Committee on Licensing and Zoning for Cannabis.)

Referred to the Special Committee on Licensing and Zoning for Cannabis. (#0155)

COMMUNICATION, City Clerk, requesting that the City Council ORDER the Election Commission to hold a PRELIMINARY ELECTION on **TUESDAY MARCH 28, 2017** and a SPECIAL ELECTION on **TUESDAY, APRIL 25, 2017**, to fill the vacancy for the **CITY COUNCILLOR of WARD THREE**.

Received and Placed on File. (#0156)

CITY OF NEW BEDFORD
IN CITY COUNCIL
JANUARY 26, 2017

CITY COUNCIL ORDER, ORDERED, that **TUESDAY, MARCH 28, 2017**, be approved as the date for the Election Commission to hold a PRELIMINARY ELECTION and **TUESDAY, APRIL 25, 2017**, be approved as the date for the Election Commission to hold a SPECIAL ELECTION, in the City of New Bedford, to fill the vacancy for the **CITY COUNCILLOR of WARD THREE**.

Adopted.

Presented to the Mayor for approval January 30, 2017.

Approved February 1, 2017. (#0157)

COMMUNICATION, Our Lady of Perpetual Help, to Massachusetts State Lottery Commission, Charitable Gaming Division, submitting their 2016 Beano Report. (To be Received and Placed on File.)

Received and Placed on File. (#0158)

CITATION, Council President Lopes, Councillors Abreu, Bousquet, Carney, Coelho, Gomes, Martins, Morad, Oliveira, Rebeiro and Winterson, honoring **ROBERT BRUNELLE**, Owner of Main Street Formals, in recognition of his continued generosity and commitment to the City of New Bedford and the donation of bow ties in honor of Councillor Ward Three Henry G. Bousquet.

Adopted, to be presented at a later date. (#0159)

WRITTEN MOTION, Councillor Rebeiro, requesting, on behalf of Geoffrey Smith, The Sightings, LLC, that the following street(s) be CLOSED: UNION STREET AND MACARTHUR DRIVE, proceeding along MacArthur Drive to Conway Street/right onto Hassey Street/right at Wright Street/left back to MacArthur Drive/proceed to Front Street, take a left onto Front Street, proceed along Front Street to Cove Street/right to the Traffic Light at the intersection of John F. Kennedy Highway, take a right turn on John F. Kennedy Highway/proceed along John F. Kennedy Highway to MacArthur Drive/take a right turn at the intersection of Potomska Street and another right turn onto MacArthur Drive, to finish at the Waterfront Park/Union Street area, ON SUNDAY, MARCH 05, 2017, FROM 7:00 A.M. TO 1:00 P.M., for the purpose of The Ireland, 5K Walk/Run.

Permission Granted.

Presented to the Mayor for January 30, 2017.

Approved February 1, 2017. (#0160)

COMMUNICATION, DANIEL MCCARTHY, RACE COORDINATOR - NEW BEDFORD HALF-MARATHON/FRIENDLY SONS OF SAINT PATRICK, to City Council/City Clerk, Requesting THE CLOSING/OBSTRUCTION OF: WILLIAM STREET, at Sixth Street, MIDDLE STREET, at Sixth Street, MARKET STREET, at Sixth Street, PLEASANT STREET, at Union Street, ELM STREET, at Acushnet Avenue and SOUTH SECOND STREET, from Union Street to School Street, FROM: 8:00 A. M. TO: 3:30 P. M. ON SUNDAY, MARCH 19, 2017 FOR THE PURPOSE OF: THE 2017 NEW BEDFORD HALF-MARATHON (COMMENCING AT 11:00 A.M.) ALSO REQUESTING:- that they be allowed to place cones on the centerline of HATHAWAY ROAD from Mt. Pleasant Street West to Rockdale Avenue, creating two-way traffic on the WESTBOUND LANE; - that the Police close ROCKDALE AVENUE, from Hathaway Road South to Potter Street, for approximately 30 MINUTES, or until the runners have passed; - that two-way traffic on ROCKDALE AVENUE, South from Grape Street to Cove Road, be stopped, and cones be placed in the middle of ROCKDALE AVENUE and COVE ROAD, to create a lane for runners on South Side; - that the WEST LANE of WEST RODNEY FRENCH BOULEVARD and the EAST LANE of EAST RODNEY FRENCH BOULEVARD, be blocked to traffic, except at intersections where autos must cross - horses or cones will be placed at WEST RODNEY FRENCH BOULEVARD and Portland, Hudson, Seymour, Bayview, Rodney French Boulevard and Brock Avenue and SOUTH-BOUND TRAFFIC at SEYMOUR STREET will be BLOCKED to prevent autos from entering the race course; - that WESTBOUND traffic on COVE ROAD be directed NORTH onto Orchard Street, then if they choose, be detoured WEST on SWIFT STREET, again detoured SOUTH onto BOLTON STREET, to eventually cross ROCKDALE AVENUE and continue SOUTH; - that COUNTY STREET be closed to two-way traffic from COVE STREET, NORTH to Kempton Street; - that KEMPTON STREET be closed to all EASTERLY traffic, from County Street EAST to Pleasant Street, and cones be placed in the South corridor of the Octopus intersection, preventing traffic entrance to SIXTH STREET, and guiding runners to Pleasant Street; - that SIXTH STREET be closed to traffic at Kempton Street; and- that DETOUR SIGNS be installed directing EASTERLY traffic on KEMPTON STREET to detour traffic NORTH on COUNTY STREET, then EAST on HILLMAN STREET, then SOUTH on PURCHASE STREET, thus allowing EASTERLY TRAFFIC access to the New Bedford/Fairhaven Bridge. (Submitted by Councillor Ward Four Dana Rebeiro.)

Permission Granted.

Presented to the Mayor for approval January 30, 2017.

Approved February 01, 2017. (#0161)

MINUTES, Planning Board submitting MINUTES of a meeting held on December 14, 2016.

Received and Placed on File. (#0162)

MINUTES, Board of Assessors submitting MINUTES of a meeting held on January 3, 2017.

Received and Placed on File (#0163)

MINUTES, Board of Assessors, submitting MINUTES of a meeting held on January 12, 2017.

Received and Placed on File. (#0164)

MINUTES, Licensing Board, submitting MINUTES of meetings held on October 24, November 21 and December 19, 2016.

Received and Placed on File. (#0165)

MINUTES, Zoning Board of Appeals, submitting MINUTES of meetings held on November 17, December 6, and December 15, 2016.

Received and Placed on File. (#0166)

APPLICATION, **Precision Valley Communications**, for permission to maintain a STREET OBSTRUCTION at 266 Herman Melville Boulevard, provisionally granted by the City Clerk on January 25, 2017, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval January 30, 2017.

Approved February 01, 2017. (#0167)

APPLICATION, **Precision Valley Communications**, to DISTURB THE SURFACE, of **266 Herman Melville Boulevard**, provisionally granted by the City Clerk on January 25, 2017, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval January 30, 2017.

Approved February 01, 2017. (#0168)

APPLICATIONS, **Eversource Gas**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on January 13, 2017, subject to ratification by the Mayor and City Council as follows:

177 Cove Street (#0169)

1765 & 1765R Acushnet Avenue (#0170)

886 May Street (#0171)

118 Washington Street (#0172)

147 Acushnet Avenue (#0173)

132 Deane Street (#0174)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval January 30, 2017.

Approved February 01, 2017.

APPLICATIONS, **Eversource Gas**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on January 17, 2017, subject to ratification by the Mayor and City Council as follows:

Moreland Terrace (from #47 Moreland Terrace to Ash Street) (#0175)

Meriam Street (from Moreland Terrace to Bedford Street) (#0176)

Stetson Street (from Moreland Terrace to Bedford Street) (#0177)

Bedford Street (start at 210 Bedford Street to Ash Street) (#0178)

310 Irvington Street (#0179)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval January 30, 2017.

Approved February 01, 2017.

APPLICATIONS, **Eversource Gas**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on January 18, 2017, subject to ratification by the Mayor and City Council as follows:

89 Merrimac Street (#0180)

31 Nash Road (#0181)

61 Palmer Street (#0182)

194 Summer Street (#0183)

165 – 167 Hatch Street (#0184)

62 Vine Street (#0185)

24 Chancery Street (#0186)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval January 30, 2017.

Approved February 01, 2017.

APPLICATIONS, **Eversource Gas**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on January 20, 2017, subject to ratification by the Mayor and City Council as follows:

159 – 161 Clara Street

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval January 30, 2017.

Approved February 01, 2017. (#0187)

APPLICATIONS, **Eversource Gas**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on January 24, 2017, subject to ratification by the Mayor and City Council as follows:

118 Washington Street (#0188)

278 - 280 Bates Street (#0189)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval January 30, 2017.

Approved February 01, 2017.

APPLICATIONS, **Eversource Gas**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on January 25, 2017, subject to ratification by the Mayor and City Council as follows:

Waverly Street (#0190)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval January 30, 2017.

Approved February 01, 2017.

APPLICATIONS, **NSTAR Electric Company d/b/a Eversource Energy**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on January 24, 2017, subject to ratification by the Mayor and City Council as follows:

Brownell Street, South of Union Street

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval January 30, 2017.

Approved February 01, 2017. (#0191)

IT WAS VOTED, on a motion made and duly seconded, Yeas 10, Nays 0, to waive Rule 42 in order to take up the late file items.

REPORT, Committee on Finance, recommending to the City Council APPROVAL of the STA application and Resolution AS AMENDED, and approved by the Tax Increment Financing Board for a five (5) year STA Agreement for **Quality Custom Packing, Inc.**, 25 Wright Street, New Bedford, MA 02740.

Rule 42 Waived – Yeas 10, Nays 0. (Councillor Gomes not present for vote.)

Recommendation Followed. (#0192)

CITY OF NEW BEDFORD

IN CITY COUNCIL

JANUARY 12, 2017

Resolution Approving Certified Project Application and Special Tax Assessment Agreement with Quality Custom Packing Inc., and DSMS LLC.

Whereas, Quality Custom Packing Inc., and DSMS LLC have applied for designation as a certified Project under the Massachusetts Economic Development Incentive Program created by Chapter 23A of Massachusetts General Laws; within an Economic Opportunity Area (“EOA”) within the New Bedford Economic Target Area (“ETA”) for a period of 5 years ending June 30, 2022 pursuant to the authority grandy by and meeting the requirements of 402 C.M.R. 2.10(3).

Whereas, Quality Custom Packing Inc., and DSMS LLC meet the minimum standards and is consistent with the Economic Development Incentive Program and the local economic development goals and criteria established as part of the documents creating the Greater New Bedford Economic Target Areas shall be expected to benefit significantly from inclusion in said ETA:

Whereas, the proposed Certified Project is located at Parcel 31 268 on 25 Wright Street New Bedford, MA and shown on the City of New Bedford's real property assessment database on July 1, 2016;

Whereas, the project, together with all other projects previously certified and located in the same expansion project EOA will not overburden the City's infrastructure and utilities servicing he EOA;

Whereas, the City of New Bedford has agreed to offer Quality Custom Packing Inc., and DSMS LLC a Special Tax Assessment Agreement, for the project described in the application proposal that will have a reasonable chance of increasing employment opportunities for residents of the expansion project area, ETA. Said Agreement is hereby approved by the City Council and the STA Plan is incorporated by reference herein;

Whereas, Quality Custom Packing Inc., and DSMS LLC is going to invest at least \$1,000,000 in the acquisition of the facility, renovations, and other capital expenditures, and will retain 5 permanent full time jobs and create 21 new permanent full time jobs over a period of five years;

Now Therefore be it Resolved that the City Council of the City of New Bedford approves the Certified Project application of Quality Custom Packing Inc., and DSMS LLC and forward said application for certification to the Massachusetts Economic Assistance Coordinating Council for its approval and endorsement.

Further, the City Council of the City of New Bedford authorizes the Mayor to enter into a Special Tax Assessment Agreement between the City of New Bedford and Quality Custom Packing Inc., and SDMS LLC. Said Agreement will provide for an exemption on property taxes on the full assessed a valuation of the property at 100% for year one, 75% for year two, 50% for year three, 25% for year four, 0% for year five of a five-year Agreement according to the requirements and regulations established which govern the implementation of such Special Tax Assessment Agreements. The Agreement will be in effect as of FY2018 through FY2023.

Referred to the Committee on Finance – January 12, 2017.

Rule 42 Waived – Yeas 10, Nays 0. (Councillor Gomes not present for vote.)

Adopted as Amended – All Ayes

Presented to the Mayor for approval January 30, 2017.

Approved February 01, 2017.

(#0041)

REPORT, Committee on Finance, recommend to the City Council APPROVAL of the STA application and Resolution approved by the Tax Increment Financing Board for a five (5) year STA Agreement for **Freedom Restoration and Cleaning**, 1440 Purchase Street, New Bedford, MA 02740.

Rule 42 Waived – Yeas 10, nays 0.(Gomes not Present for vote.)

Recommendation Followed.

(#0193)

CITY OF NEW BEDFORD

IN CITY COUNCIL

JANUARY 12, 2017

Resolution approving Certified Project Application and Special Tax Assessment Agreement with Freedom Restoration, LLC, and 1440 Purchase Street Realty Trust

Whereas, Freedom Restoration, LLC, and 1440 Purchase Street Realty Trust have applied for designation as a Certified Project under the Massachusetts Economic Development Incentive Program created by Chapter 23A of Massachusetts General Laws; within an Economic Opportunity Area ("EOA") within the New Bedford Economic Target Area ("ETA") for a period of 5 years ending June 30, 2022 pursuant to the authority grandy by and meeting the requirements of 402 C.M.R. 2.10(3).

Whereas, Freedom Restoration, LLC, and 1440 Purchase Street Realty Trust meet the minimum standards and is consistent with the Economic Development Incentive Program and the local economic development goals and criteria established as part of the documents creating the Greater New Bedford Economic Target Areas shall be expected to benefit significantly from inclusion in said ETA:

Whereas, the proposed Certified Project is located at Parcel 72 239 on 1440 Purchase Street New Bedford, MA and shown on the City of New Bedford's real property assessment database on June 1, 2016;

Whereas, the project, together with all other projects previously certified and located in the same expansion project EOA will not overburden the City's infrastructure and utilities servicing he EOA;

Whereas, the City of New Bedford has agreed to offer Freedom Restoration, LLC, and 1440 Purchase Street Realty Trust a Special Tax Assessment Agreement, for the project described in the application proposal that will have a reasonable chance of increasing employment opportunities for residents of the expansion project area, ETA. Said Agreement is hereby approved by the City Council and the STA Plan is incorporated by reference herein;

Whereas, Freedom Restoration, LLC, and 1440 Purchase Street Realty Trust is going to invest at least \$750,000 in the acquisition of the facility, renovations, and other capital expenditures, and will retain 6 permanent full time jobs and create 6 new permanent full time jobs over a period of three years;

Now Therefore be it Resolved that the City Council of the City of New Bedford approves the Certified Project application of Freedom Restoration, LLC, and 1440 Purchase Street Realty Trust and forward said application for certification to the Massachusetts Economic Assistance Coordinating Council for its approval and endorsement.

Further, the City Council of the City of New Bedford authorizes the Mayor to enter into a Special Tax Assessment Agreement between the City of New Bedford and Freedom Restoration LLC, and 1440 Purchase Street Realty Trust. Said Agreement will provide for an exemption on property taxes on the full assessed a valuation of the property at 100% for year one, 75% for year two, 50% for year three, 25% for year four, 0% for year five of a five-year Agreement according to the requirements and regulations established which govern the implementation of such Special Tax Assessment Agreements. The Agreement will be in effect as of FY2018 through FY2023.

Referred to the Committee on Finance – January 12, 2017.

Rule 42 Waived – Yeas 10, Nays 0. (Councillor Gomes not present for vote.)

Adopted – All Ayes.

Presented to the Mayor for approval January 30, 2017.

Approved February 01, 2017.

(#0043)

PETITION, NSTAR Electric Company d/b/a Eversource Energy, for location of two (2) 4" Conduits and one (1) 45" x 45" x 36" Handhole in COTTAGE STREET, North of Hawthorn Street.

RECEIVED AND HEARING ORDERED FOR FEBRUARY 09, 2017.

On a motion, the Council then adjourned at 8:55 p.m.

ATTEST:

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