

REGULAR MEETING
Chambers of the City Council
Thursday, November 14, 2019

CITY COUNCIL
Municipal Building
7:00 p.m.

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

LATE: Councillor Markey 7:09 p.m. and Councillor Rebeiro 7:27 p.m.

ABSENT: No One

Council President Linda M. Morad called the meeting to order and presided.

Prayer led by: Rabbi Raphael Kanter – Tifereth Israel Congregation

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

COMMUNICATION, Councillor Markey, to Members of the City Council, notifying that he will be delayed in arriving at the City Council Meeting of Thursday, November 14, 2019, due to a prior commitment.

Received and Placed on file. (#1768)

COMMUNICATION, Councillor Rebeiro, to Members of the City Council, informing that she will be late for the City Council Meeting on Thursday, November 14, 2019, due to a prior commitment.

Received and Placed on file. (#1769)

COMMUNICATION, Mayor Mitchell, to City Council, submitting a VETO of the City Council Order that Ordered all City Departments immediately suspend the issuance of any permits, licenses or other approvals issued by the City for any new facility that proposes to provide or prescribe any Opiate or products containing buprenorphine in the treatment of Opioid addiction within 10,000 feet of any residential structure.

VETO Received and Ordered Spread on the Records. (#1770)

CITY COUNCIL ORDER, Councillors Abreu, Carney, Gomes, Lopes and Council President Morad, that all City Departments immediately suspend the issuance of any permits, licenses or other approvals issued by the City of New Bedford for the new location of any facility that proposes to provide or prescribe any Opiate or product containing buprenorphine in the treatment of Opioid addiction where said location is to be within 10,000 feet of any residential structure until such time as the City Council has determined the proper conditions and requirements that, through local legislation or regulation, need to be imposed on such facilities to assure that such locations are not contrary to the health, safety and welfare of the children and citizens of the City of New Bedford.

Adopted – Yeas 11, Nays 0. – October 24, 2019.

Presented to the Mayor for approval October 28, 2019.

Vetoed by Mayor Mitchell on November 7, 2019.

VETO Received and Ordered Spread on The Records. (#1693)

COMMUNICATION, Mayor Mitchell, to City Council, submitting a VETO of the Ordinance, amending Chapter 24, Section 24-16 Relative to Vehicles for Hire, the proposed amendment would reduce the license fee for applicants that drive for the Greater Attleboro Taunton Regional Transit Authority (GATRA).

VETO Received and Ordered Spread on The Records. (#1771)

AN ORDINANCE, (Passed to be Ordained at the October 24, 2019 City Council Meeting and VETOED by Mayor Mitchell November 7, 2019.)

Referred to the Committee on Ordinances – March 28, 2019.

Passed to a Second Reading – September 26, 2019.

Passed to be Ordained – Yeas 10, Nays 0. (Councillor Lima not present for vote.) – October 24, 2019.

Presented to the Mayor for approval October 28, 2019.

Vetoed by Mayor Mitchel on November 7, 2019.

VETO Received and Ordered Spread on the Records. (#0578)

CITY OF NEW BEDFORD
IN CITY COUNCIL
NOVEMBER 14, 2019

ORDERED, that the City Solicitor be and hereby is requested to obtain appraisals of public and privately owned property, located in the City of New Bedford along Hathaway Road, Nauset Street and Mount Pleasant Street which is needed for the Hathaway Road Triangle Improvements Project, as shown on the attached plan entitled, "NEW BEDFORD HATHAWAY ROAD TRIANGLE IMPROVEMENTS", sheets 1 through 3, for the purposes of acquiring permanent and temporary construction easements, through eminent domain or other legal means.

The City Solicitor is also hereby requested to prepare an Order of Taking for the easements to be acquired through eminent domain. The easements are shown on the above referenced plans.

Adopted – Yeas 10, Nays 0. (Councillor Rebeiro not present for vote.)

Presented to the Mayor for approval November 18, 2019.

Approved November 18, 2019. (#1772)

CITY OF NEW BEDFORD
IN CITY COUNCIL
NOVEMBER 14, 2019

ORDERED, that pursuant to M.G.L. c. 79, § 7A, the City of New Bedford hereby waives the appraisal requirement and the right to any damages the City may be entitled to with respect to one permanent easement and one temporary easement, to be acquired for the Hathaway Road Triangle Improvements Project, and further authorizing the Mayor to execute, on behalf of the City of New Bedford, a Certificate of Donation form for easement E-1 and a Right of Entry – Without Prejudice form for temporary easement TE-4 (copies attached).

The proposed easements, on City owned property, are located triangular shaped parcel abutting Hathaway Road, Nauset Street and Mount Pleasant Street, upon which the Franco American Veterans' Memorial is located, shown on the City of New Bedford Assessor's Map 101 as Lot 7. The easement areas are as shown as Permanent Easement E-1 and Temporary Easement TE-4 on the attached plan entitled NEW BEDFORD HATHAWAY ROAD TRIANGLE IMPROVEMENTS", Sheets 1 through 3.

Adopted – Yeas 10, Nays 0. (Councillor Rebeiro not present for vote.)

Presented to the Mayor for approval November 18, 2019.

Approved November 18, 2019. (#1773)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER that the City Solicitor obtain appraisals of public and privately owned property located along Hathaway Road, Nauset Street and Mount Pleasant Street which is needed for the Hathaway Road Triangle Improvement Project for the purpose of acquiring permanent and temporary construction easements, through eminent domain or other legal means, and the City Solicitor is also requested to prepare an Order of Taking for the easements to be acquired through eminent domain.

Referred to the Committee on Appointments and Briefings. (#1774)

COMMUNICATION, Mayor Mitchell, to City Council submitting AN ORDER that the City waives the appraisal requirement and the right to any damages the City may be entitle to with respect to one permanent easement and one temporary easement to be acquired for the Hathaway Road Triangle Improvement Project and further authorizing the Mayor to execute on behalf of the City of New Bedford a Certificate of Donation Form for easement E-1 and Right of Way Entry – Without Prejudice Form for temporary easement TE-4.

Referred to the Committee on Appointments and Briefings. (#1775)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the appointment of MOLLY GILFEATHER, New Bedford, MA as PURCHASING AGENT for the City of New Bedford.

Rule 38 Waived, Appointment Confirmed and Rule 40 Waived – Yeas 10, Nays 0. (Councillor Rebeiro not present for vote.) (#1776)

COMMUNICATION, Mayor Mitchell, to City Council, submitting a one-year Waiver of Residency for MELISSA BATCHILDER who currently resides in Fairhaven, MA for the position of COMPLIANCE OFFICER with the Police Department.

One-Year Waiver of Residency Granted – Yeas 9, Nays 2. (Councillor Carney and Council President Morad OPPOSED.) (#1777)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of KIMBERLY RIOUX, New Bedford, MA to the CONSERVATION COMMISSION, replacing Chancery Perks who resigned effective October 15, 2019; this term will expire June 2022.

Referred to the Committee on Appointments and Briefings. (#1778)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of CELEINE SARAIVA, New Bedford, MA to the PROBLEM PROPERTIES APPEALS PANEL; this term will expire June 2021.

Rule 38 Waived and Reappointment Confirmed – Yeas 11, Nays 0. (#1779)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of ELAINE SAFIOLEAS, New Bedford, MA to the BOARD OF PARK COMMISSIONERS; this term will expire May 2024.

Rule 38 Waived, Reappointment Confirmed and Rule 40 Waived – Yeas 11, Nays 0. (#1780)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of JORDAN FELICIANO, Fairhaven, MA as a SPECIAL POLICE OFFICER.

Received and Placed on File. (#1781)

APPLICATION, JORDAN FELICIANO, Fairhaven, MA 02719, for APPOINTMENT as a SPECIAL POLICE OFFICER.

Appointment Made and Confirmed. (#1782)

REPORT, Committee on Public Safety & Neighborhoods, recommending to the City Council to request that the Administration immediately fund \$75,000 for the purchase of four (4) to (5) additional LUCAS devices for EMS.

Recommendation Followed. (#1783)

REPORT, Committee on Appointments & Briefings, recommending to the City Council APPROVAL of the APPOINTMENT of DEBRA TRAHAN, New Bedford, MA 02745 to the ZONING BOARD OF APPEALS as an Alternate Member; this term will expire December 2023.

Recommendation Followed. (#1784)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of DEBRA TRAHAN, New Bedford, MA 02745, to the ZONING BOARD OF APPEALS as an Alternate Member; this term will expire December 2023. (Referred to the Committee on Appointments and Briefings – September 12, 2019.)

Referred to the Committee on Appointments and Briefings – September 12, 2019.
Appointment Confirmed. (#1395)

REPORT, Committee on Appointments & Briefings, recommending to the City Council APPROVAL of the APPOINTMENT of WILLIAM ANDREWS, New Bedford, MA 02745 to the VETERAN’S ADVISORY BOARD; Mr. Andrews will be replacing Oliver E. Moreau, Sr., whose term has expired; this term will expire December 2019.

Recommendation Followed. (#1785)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of WILLIAM ANDREWS, New Bedford, MA, to the VETERAN’S ADVISORY BOARD; Mr. Andrews will be replacing Oliver E. Moreau, Sr., whose term has expired; this term will expire December 2019. (Referred to the Committee on Appointments and Briefings – September 12, 2019.)

Referred to the Committee on Appointments and Briefings – September 12, 2019.
Appointment Confirmed. (#1396)

Committee on Appointments & Briefings, recommending to the City Council APPROVAL on behalf of Flor D. Pineda, 7 Upton Street, New Bedford, MA 02746 d/b/a BETHEL TRANSPORTATION, 7 Upton Street, New Bedford, MA 02746, of the Application requesting a NEW PRIVATE LIVERY LICENSE to carry passengers for hire over the streets of New Bedford. (This license will expire June 30, 2020.)

Recommendation Followed. (#1786)

COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of **Flor D. Pineda, 7 Upton Street, New Bedford, MA 02746 d/b/a BETHEL TRANSPORTATION, 7 Upton Street, New Bedford, MA 02746**, hereby submit a copy of the Application requesting a **NEW PRIVATE LIVERY LICENSE** to carry passengers for hire over the streets of New Bedford. **(This license will expire June 30, 2020.)** (Referred to the Committee on Appointments and Briefings – September 26, 2019.)

Referred to the Committee on Appointment and Briefings – September 26, 2019.

NEW Livery License Granted.

Presented to the Mayor for approval November 18, 2019.

Approved November 18, 2019. (#1560)

REPORT, Committee on City Property, informing the City Council that the Committee on City Property has made the determination that the Port Authority shall be the entity to administer the RFP for the disposition of a long-term leasehold interest in property owned by the City of New Bedford, consisting of approximately 0.151 acres (6577.8) square feet of land currently occupied by an accessory structure to a commercial property located on MacArthur Drive, shown on the City of New Bedford Assessor's Map 53 as Lot 255 (51 Fisherman's Wharf).

Recommendation Followed. (#1787)

REPORT, Committee on Public Safety & Neighborhoods, recommending to the City Council to take **"NO FURTHER ACTION"** on the WRITTEN MOTION, Councillor Gomes, requesting the Eversource Gas conduct a complete inspection and study of the gas lines and regulators that run through the City; and further that this study be conducted by air and ground to assure the residents and business community that there are no breaches or ground leaks; further, that Eversource Gas pay close attention to the construction work that is being done in the City which is providing new gas lines to many of residents and that Eversource Gas provide the City with a report of the complete evaluation that has been done within a reasonable amount of time.

Recommendation Followed. (#1788)

WRITTEN MOTION, Councillor Gomes, requesting the Eversource Gas conduct a complete inspection and study of the gas lines and regulators that run through the City; and further that this study be conducted by air and ground to assure the residents and business community that there are no breaches or ground leaks; further, that Eversource Gas pay close attention to the construction work that is being done in the City which is providing new gas lines to many of residents and that Eversource Gas provide the City with a report of the complete evaluation that has been done within a reasonable amount of time. (Referred to the Committee on Public Safety and Neighborhoods – September 27, 2018.)

Adopted and Rule 40 Waived – Yeas 10, Nays 0 – September 27, 2018.

NO FURTHER ACTION. (#1637)

REPORT, Committee on Public Safety & Neighborhoods, recommending to the City Council to take **"NO FURTHER ACTION"** on the WRITTEN MOTION, Councillor Gomes, requesting that the Department of Public Infrastructure do an immediate inventory of all of the City's street lights and their ground bases, due to the number of deteriorating ground bases throughout the City; and further, that immediate action be taken to replace those streetlights and ground bases, this request is made on behalf of public safety and liability to the City if one of these light poles should come down due to their deteriorating conditions.

Recommendation Followed. (#1789)

WRITTEN MOTION, Councillor Gomes, requesting that the Department of Public Infrastructure do an immediate inventory of all of the City's street lights and their ground bases, due to the number of deteriorating ground bases throughout the City; and further, that immediate action be taken to replace those streetlights and ground bases, this request is made on behalf of public safety and liability to the City if one of these light poles should come down due to their deteriorating conditions. (Referred to the Committee on Public Safety and Neighborhoods – April 25, 2019.)

Referred to the Committee on Public Safety and Neighborhoods – April 25, 2019.

NO FURTHER ACTION. (#0767)

REPORT, Committee on Public Safety & Neighborhoods, recommending to the City Council to take **“NO FURTHER ACTION”** on the WRITTEN MOTION, Councillor Rebeiro, requesting that the Director of Parks, Recreation and Beaches, Mary Rapoza update the Committee on Public Safety and Neighborhoods on the summer lunch program in the parks and the impact it is having on the City.

Recommendation Followed. (#1790)

WRITTEN MOTION, Councillor Rebeiro, requesting that the Director of Parks, Recreation and Beaches, Mary Rapoza update the Committee on Public Safety and Neighborhoods on the summer lunch program in the parks and the impact it is having on the City. (Referred to the Committee on Public Safety and Neighborhoods – August 16, 2018.)

Referred to the Committee on Public Safety and Neighborhoods – August 16, 2018.

NO FURTHER ACTION. (#1378)

REPORT, Committee on Public Safety & Neighborhoods, recommending to the City Council to take **“NO FURTHER ACTION”** on the WRITTEN MOTION, Councillors Rebeiro, Giesta, Lima and Carney, requesting that the Committee on Public Safety & Neighborhoods review the “no grilling” rule currently enforced in all City parks; and further, that the Park Board and any organization or concerned Citizens be invited to attend said meeting.

Recommendation Followed. (#1791)

WRITTEN MOTION, Councillors Rebeiro, Giesta, Lima and Carney, requesting, that the Committee on Public Safety and Neighborhoods review the “no grilling” rule currently enforced in all City parks; and further, that the Park Board and any organization or concerned Citizens be invited to attend said meeting. (Referred to the Committee on Public Safety and Neighborhoods – August 16, 2018.)

Referred to the Committee on Public Safety and Neighborhoods – August 16, 2019.

NO FURTHER ACTION. (#1381)

REPORT, Committee on Public Safety & Neighborhoods, recommending to the City Council to take **“NO FURTHER ACTION”** on the WRITTEN MOTION, Councillors Rebeiro, Dunn, Abreu, Lopes and Giesta, asking that the Committee on Public Safety & Neighborhoods request that a representative from the Mayor’s Office, a representative from the City Solicitor’s Office and Attorney Jonathan M. Silverstein, of KP Law, be invited to a Committee meeting to discuss the possibility of the City of New Bedford joining the 100 other Cities across the Commonwealth in the lawsuit seeking civil damages from pharmaceutical companies responsible for the wrongful distribution of opiates.

Recommendation Followed. (#1792)

WRITTEN MOTION, Councillors Rebeiro, Dunn, Abreu and Lopes, asking, that the Committee on Public Safety and Neighborhoods request that a representative from the Mayor’s Office, a representative from the City Solicitor’s Office and Attorney Jonathan M. Silverstein, KP Law, be invited to a committee meeting to discuss the possibility of the City of New Bedford joining the 100 other Cities cross the Commonwealth in the lawsuit seeking civil damages from pharmaceutical companies responsible for the wrongful distribution of opiates. (Referred to the Committee on Public Safety and Neighborhoods – August 16, 2018.)

Referred to the Committee on Public Safety and Neighborhoods. (#1385)

REPORT, Committee on Finance, recommending to the City Council to take **“NO FURTHER ACTION”** on the WRITTEN MOTION, Councillor Lopes, requesting that CFO Sky, City Treasurer Fernandes and DPI Commissioner Ponte review the ongoing posting delays of the online water & sewer payments with the City’s current lockbox provider.

Recommendation Followed. (#1793)

WRITTEN MOTION, Councillor Lopes, requesting that the CFO Sky, City Treasurer Fernandes and DPI Commissioner Ponte review the ongoing posting delays of the online water & sewer payments with the City’s current lockbox provider. (Referred to the Committee on Finance – April 11, 2019.)

Referred to the Committee on Finance – April 11, 2019.

NO FURTHER ACTION. (#0659)

REPORT, Committee on City Property, recommending to the City Council to take **“NO FURTHER ACTION”** on the WRITTEN MOTION, Councillor Gomes and Council President Morad, requesting that a letter be sent to the Massachusetts Court System along with our State Legislative Delegation and Senator Mark C. W. Montigny, to take immediate action to address funding and repairs that are desperately needed to the exterior of New Bedford Superior Courthouse, this building is part of our landscape and has a historic history serving the community and court system; and further, requesting that landscaping and new Superior Court sign be included in any restoration revitalization of the exterior of this beautiful historic building.

Recommendation Followed. (#1794)

WRITTEN MOTION, Councillor Gomes and Council President Morad, requesting, that a letter be sent to the Massachusetts Court System along with our State Legislative Delegation and Senator Mark C.W. Montigny, to take immediate action to address funding and repairs that are desperately needed to the exterior of New Bedford Superior Courthouse, this building is part of our landscape and has a historic history serving the community and court system; and further, requesting, that landscaping and new Superior Court sign be included in any restoration revitalization of the exterior of this beautiful historic building. (Referred to the Committee on City Property – December 13, 2018.)

Adopted and Referred to the Committee on City Property.

Rule 40 Waived – Yeas 10, Nays 0 – December 13, 2018.

NO FURTHER ACTION. (#1980)

REPORT, Committee on City Property, recommending to the City Council to take **“NO FURTHER ACTION”** on the WRITTEN MOTION, Councillor Gomes, requesting once more, that the Library Director Melo, provide the Committee on City Property with a list and monetary value of all historic and valuable pieces of art that have been loaned out by the City and the location of said pieces, furthermore, that the list be provided to the Committee on City Property within 30 days.

Recommendation Followed. (#1795)

WRITTEN MOTION, Councillor Gomes, requesting, once more, that the Library Director Melo, provide the Committee on City Property with a list and monetary value of all historic and valuable pieces of art belonging to the City; and further that the list include the pieces of art that have been loaned out by the City and the location of said pieces, furthermore, that the list be provided to the Committee on City Property within 30 days. (Referred to the Committee on City Property – February 14, 2019.)

Referred to the Committee on City Property – Yeas 9, Nays 0. (Councillor Giesta not present for vote.) – February 14, 2019.

NO FURTHER ACTION. (#0239)

REPORT, Committee on City Property, recommending to the City Council to take **“NO FURTHER ACTION”** on the COMMUNICATION, Mayor Mitchell to City Council, submitting TWO ORDERS, the first Order declares the former Kempton School surplus property and transfer it from the School Committee to the Committee on City Property; and the second Order authorizes the Mayor to execute a deed transferring the Kempton School to the Alma del Mar Charter School, contingent upon the State Legislature passing the Home Rule Petition.

Recommendation Followed. (#1796)

COMMUNICATION, Mayor Mitchell, to City Council, submitting TWO ORDERS, the first Order declares the former Kempton School surplus property and transfer it from the School Committee to the Committee on City Property; and the second Order authorizes the Mayor to execute a deed transferring the Kempton School to the Alma del Mar Charter School, contingent upon the State Legislature passing the Home Rule Petition. (Referred to the Committee on City Property – May 23, 2019.)

Referred to the Committee on City Property - May 23, 2019.

NO FURTHER ACTION. (#0916)

AN ORDER, declaring the former Kempton School surplus property. (Referred to the Committee on City Property – May 23, 2019.)

Referred to the Committee on City Property – May 23, 2019.

NO FURTHER ACTION. (#0917)

AN ORDER, authorizing the Mayor to execute a deed transferring the Kempton School to the Alma del Mar Charter School. (Referred to the Committee on City Property – May 23, 2019.)

Referred to the Committee on City Property – May 23, 2019.

NO FURTHER ACTION. (#0918)

REPORT, Committee on City Property, recommending to the City Council to take “**NO FURTHER ACTION**” on the COMMUNICATION, Council President Morad, submitting a communication from Superintendent Anderson, Secretary to the School Committee, notifying that on May 13, 2019, the School Committee voted that the Horatio A. Kempton School is no longer needed by the New Bedford Public School.

Recommendation Followed. (#1797)

COMMUNICATION, Council President Morad, submitting a communication from Superintendent Anderson, Secretary to the School Committee, notifying that on May 13, 2019, the School Committee voted that the Horatio A. Kempton School is no longer needed by the New Bedford Public School. (Referred to the Committee on City Property – May 23, 2019.)

Referred to the Committee on City Property – May 23, 2019.

NO FURTHER ACTION. (#0919)

WRITTEN MOTION, Councillors Dunn, Gomes and Lopes, requesting, that the Mitchell Administration institute Senior and Veteran discount memberships, and discount fees for usage at the Woodcock Rifle Range.

Referred to the Administration.

Presented to the Mayor for approval November 18, 2019

RETURNED UNSIGNED December 2, 2019. (#1798)

WRITTEN MOTION, Councillor Lopes, requesting that the Committee on Ordinances, amend the Code of Ordinances, Chapter 9, Section 4130B, by deleting the words “Marijuana Establishment” from Section 4131B (ii) (a). (To be Referred to the Committee on Ordinances and Planning Board.)

Referred to the Committee on Ordinances and the Planning Board. (#1799)

COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of **Ali Bokhari & Sumaira Bokhari, 44 Liberty Street, New Bedford, MA 02740 d/b/a MAGIC WHEELS TRANSPORTATION LLC, 44 Liberty Street, New Bedford, MA 02740**, hereby submitting a copy of the Application requesting a **RENEWAL** of a **PRIVATE LIVERY LICENSE**, under the provisions of Massachusetts General Laws, Chapter 159A, Section 1, and amendments thereto, and M.G.L. Chapter 270, Section 22 (Smoke Free Workplace Law) and all other laws applicable to such operation to carry passengers for hire over the streets of New Bedford. (**License will expire June 30, 2020.**)

Livery License Renewal Granted.

Presented to the Mayor for approval November 18, 2019.

Approved on November 18, 2019. (#1800)

COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of **Gabriel DaRosa, 56 Westwood Drive, North Dartmouth, MA 02747 d/b/a BLUEBIRD TRANSPORTATION LLC, 458 Dartmouth 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. (**License will expire June 30, 2020.**)

Livery License Renewal Granted.

Presented to the Mayor for approval November 18, 2019.

Approved on November 18, 2019. (#1801)

COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of **Tanya DePina, 47 Lauren Drive, New Bedford, MA 02745 d/b/a COMFORT TRANSPORTATION, LLC, 47 Lauren Drive, New Bedford, MA 02745**, 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. (**License will expire June 30, 2020.**)

Livery License Renewal Granted.

Presented to the Mayor for approval November 18, 2019.

Approved on November 18, 2019. (#1802)

COMMUNICATION/DEMOLITION, Anne Louro, Preservation Planner, to City Council, re: BUILDING DEMOLITION REVIEW OF 1227-1229 PLEASANT STREET, (MAP 72, LOT 245) a Circa 1870, a two-story wood-framed residential structure – advising that “the structure is located in the Acushnet National Register Historic District; the structure has been altered and 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 residential structure at 1227 -1229 Pleasant Street is neither a Historically Significant nor a Preferably Preserved Structure.”

Demolition Granted.

Presented to the Mayor for approval November 18, 2019.

Approved on November 18, 2019. (#1803)

COMMUNICATION/DEMOLITION, Anne Louro, Preservation Planner, to City Council, re: BUILDING DEMOLITION REVIEW OF 197 SEYMOUR STREET, (MAP 5, LOT 105) a Circa 1934, one-story wood-framed residential structure and 1984 two-story addition – advising that “the structure is not located in a National Register Historic District; according to the Structural Engineer’s Report, the structure is in poor condition due to extensive deferred maintenance and restoration efforts would be impractical due to the existing condition of the structure; the structure is of no notable historic significance either recorded or found with the existing condition of the structure; in accordance with ***New Bedford City Code, Article XI, Section 2-157.3 (q) – Procedures for Review and Approval of Demolition Permits***, prior to the issuance of a demolition permit, all approvals necessary for the future use and development of the site, including without limitation, any necessary zoning variances or special permits, must be granted, and all appeals for the granting of such approvals must be concluded, “in light of these findings, the Preservation Planner has determined that the residential structure at 197 Seymour Street is neither a Historically Significant nor a Preferably Preserved Structure.”

Demolition Granted.

Presented to the Mayor for approval November 18, 2019.

Approved on November 18, 2019. (#1804)

COMMUNICATION/DEMOLITION, Anne Louro, Preservation Planner, to City Council, re: BUILDING DEMOLITION REVIEW OF 314 CHURCH STREET, (MAP 113, LOT 68) a Circa 1940 one-story concrete block, commercial type 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 accordance with ***New Bedford City Code, Article XI, Section 2-157.3 (q) – Procedures for Review and Approval of Demolition Permits***, prior to the issuance of a demolition permit, all approvals necessary for the future use and development of the site, including without limitation, any necessary zoning variances or special permits, must be granted, and all appeals for the granting of such approvals must be concluded, “in light of these findings, the Preservation Planner has determined that the residential structure at 314 Church Street is neither a Historically Significant nor a Preferably Preserved Structure.”

Demolition Granted.

Presented to the Mayor for approval November 18, 2019.

Approved on November 18, 2019. (#1805)

COMMUNICATION, Council President Morad submitting a copy of an email and petition against renaming the Hazelwood Senior Center after former Mayor Rosemary Tierney. (To be Received and Placed on File.)

Received and Placed on File. (#1806)

COMMUNICATION, City Clerk Farias, submitting a copy of a letter from the Cannabis Control Commission responding to a Written Motion submitted by Councillor Gomes regarding a review of the “Screening Form/Application for a Marijuana Establishment Host Community Agreement by the Cannabis Control Commission.

Received and Placed on File. (#1807)

COMMUNICATION, City Clerk Farias, submitting a copy of a letter from Christine Hopps, Assistant Director, Waterways Regulation Program, MassDEP, relative to Waterways License Application No. W15-4436-N, 1480 East Rodney French Boulevard, New Bedford, MA and its intent to approve the Waterways Application, subject to the attached conditions.

Received and Placed on File. (#1808)

CITATIONS, Councillor Gomes, honoring New Bedford Fire Department Graduates, NICHOLAS CORVI, NATHAN DANDURAND, ANDREW DUVAL, RYAN LEMIEUX, JUSTIN MEDEIROS, JONATHAN NENO-SOARES, JAMES PACHECO, ANTHONY RESENDES, MOISES RODRIGUEZ and TIMOTHY WILSON at a New Bedford Fire Department Ceremony.

Adopted, to be presented at a later date. (#1809)

CITATIONS, Councillor Gomes, honoring LT. RICARDO MEDEIROS, LT. STEVEN TORRES, FIREFIGHTERS SCOTT BOTELHO, LORA BRIGHTMAN, ALONSO MACHADO, LT. KEVIN CORMIER and FIREFIGHTER CHRISTOPHER MOUNT for receiving Commendations and FIREFIGHTER ANTHONY POENTE, JR., for receiving a Recommendation at a New Bedford Fire Department Ceremony.

Adopted, to be presented at a later date. (#1810)

CITATION, Councillor Markey and Council President Morad, honoring NFI CORP., in recognition of the celebration of their 1,000 days of safety and with many congratulations on achieving this milestone.

Adopted, to be presented at a later date. (#1811)

WRITTEN MOTION, Councillor Lopes, requesting, on behalf of City of New Bedford Community Services, that the following street(s) be CLOSED: RUTH STREET, from Salisbury Street to Ashley Street, ON FRIDAY, DECEMBER 06, 2019, FROM 4:00 P.M. TO 9:30 P.M., for the purpose of the Loretta Bourque Christmas Tree Lighting.

Permission Granted.

Presented to the Mayor for approval November 18, 2019.

Approved on November 18, 2019. (#1812)

WRITTEN MOTION, Councillor Rebeiro, requesting, on behalf of the Office of Tourism and Marketing and AHA!, that the following street(s) be CLOSED: ACUSHNET AVENUE, from Elm Street to Union Street; NORTH SECOND STREET, from Elm Street to Union Street; SECOND STREET, from Elm Street to Union Street; WILLIAM STREET, from Purchase Street to Johnny Cake Hill; PURCHASE STREET, from Spring Street to Union Street, AND LOWER UNION STREET, from Rt. 18 to Water Street (for fireworks viewing area), ON TUESDAY, DECEMBER 31, 2019, FROM 5:00 P. M. THROUGH 9:00 P.M., for the purpose of: A CITY CELEBRATES! NEW YEAR'S EVE.

Permission Granted.

Presented to the Mayor for approval November 18, 2019.

Approved on November 18, 2019. (#1813)

WRITTEN MOTION, Councillor Lopes, requesting, on behalf of Annette M. Verrier, that a Handicap Parking space be installed at 44 Independent Street, New Bedford. (Copy of letter from the owner of the property, Maria Verrier, giving permission for installation and a copy of the Handicap Placard of Annette M. Verrier enclosed.) To be Referred to the Traffic Commission.

Referred to the Traffic Commission. (#1814)

WRITTEN MOTION, Councillor Lopes, requesting, on behalf of Francisco Tavares, that the Traffic Commission consider installing "NO PARKING" Signage along the driveway entrance of 10 Valentine Street AND 623 Brock Avenue. (To be Referred to the Traffic Commission.)

Referred to the Traffic Commission. (#1815)

CONSTABLE BOND, NELSON N. OSTIGUY, New Bedford, MA 02745 with Western Surety in the amount of \$5,000.00.

Approved.

Presented to the Mayor for approval November 18, 2019.

Approved on November 18, 2019. (#1816)

CONSTABLE BOND, ROBERT A. LANGEVIN, New Bedford, MA 02740 with Western Surety in the amount of \$5,000.00.

Approved.

Presented to the Mayor for approval November 18, 2019.

Approved on November 18, 2019. (#1817)

COMMUNICATION, Council President Morad, submitting a copy of a letter dated August 10, 2019 from Chancery Perks, resigning from the Conservation Commission.

Received and Placed on File. (1818)

COMMUNICATION, Council President Morad, submitting a copy of a letter dated October 14, 2019 from Craig Dixon, resigning from the Conservation Commission.

Received and Placed on File. (1819)

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 Board of Assessors for meetings held on October 11 & 17, 2019, Cemetery Board for a meeting held on October 2, 2019, Community Preservation Committee for a meeting held on September 24, 2019, Licensing Board for meetings held on July 22 and August 26, 2019, Planning Board for meetings held on June 18, July 10, and August 7, 2019, and Regional refuse District for a meeting held on September 17, 2019.

Received and Placed on File. (1820)

APPLICATION, **Diversified Roofing**, for permission to maintain a STREET OBSTRUCTION at **227 Union Street**, provisionally granted by the City Clerk on October 30, 2019, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval November 18, 2019.

Approved on November 18, 2019. (1821)

APPLICATION, **Nathanyl Gomes Construction**, for permission to maintain a STREET OBSTRUCTION at **227 Union Street**, provisionally granted by the City Clerk on October 30, 2019, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval November 18, 2019.

Approved on November 18, 2019. (1822)

APPLICATION, **Dupre, Inc.**, for permission to maintain a STREET OBSTRUCTION at **152 Tarkiln Hill Road**, provisionally granted by the City Clerk on October 30, 2019, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval November 18, 2019.

Approved on November 18, 2019. (1823)

APPLICATION, **Farland Corp.**, for permission to maintain a STREET OBSTRUCTION at **Orchard Street Plot 23 Lot 298**, provisionally granted by the City Clerk on November 1, 2019, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval November 18, 2019.

Approved on November 18, 2019. (1824)

APPLICATION, **R.W. Bryant Contracting**, for permission to maintain a STREET OBSTRUCTION at **Kempton Street between Chancery and Emerson Streets**, provisionally granted by the City Clerk on November 4, 2019, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval November 18, 2019.

Approved on November 18, 2019. (1825)

APPLICATION, **Morgado Company**, for permission to maintain a STREET OBSTRUCTION at **12 Pontiac Street**, provisionally granted by the City Clerk on November 5, 2019, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval November 18, 2019.

Approved on November 18, 2019. (1826)

APPLICATION, **Cardoso Contracting**, for permission to maintain a STREET OBSTRUCTION at **66 Ohio Street Plot 127 Lot 215**, provisionally granted by the City Clerk on November 7, 2019, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval November 18, 2019.

Approved on November 18, 2019. (#1827)

APPLICATION, **JLC Construction**, for permission to maintain a STREET OBSTRUCTION at **63 David Street**, provisionally granted by the City Clerk on November 8, 2019, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval November 18, 2019.

Approved on November 18, 2019. (#1828)

APPLICATION, **Farland Corp, Inc.**, for permission to maintain a STREET OBSTRUCTION at **Phillips Road Plot 134 Lot 459**, provisionally granted by the City Clerk on November 8, 2019, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval November 18, 2019.

Approved on November 18, 2019. (#1829)

APPLICATION, **Farland Corp, Inc.**, for permission to maintain a STREET OBSTRUCTION at **Phillips Road Plot 134 Lot 463**, provisionally granted by the City Clerk on November 8, 2019, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval November 18, 2019.

Approved on November 18, 2019. (#1830)

APPLICATION, **Farland Corp, Inc.**, for permission to maintain a STREET OBSTRUCTION at **Phillips Road Plot 134 Lot 464**, provisionally granted by the City Clerk on November 8, 2019, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval November 18, 2019.

Approved on November 18, 2019. (#1831)

APPLICATION, **Farland Corp, Inc.**, for permission to maintain a STREET OBSTRUCTION at **Phillips Road Plot 134 Lot 465**, provisionally granted by the City Clerk on November 8, 2019, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval November 18, 2019.

Approved on November 18, 2019. (#1832)

APPLICATION, **Nathanyl Gomes**, to DISTURB THE SURFACE, of **Orchard Street Plot 19 Lot 1**, provisionally granted by the City Clerk on October 30, 2019, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval November 18, 2019.

Approved on November 18, 2019. (#1833)

APPLICATION, **Dupre, Inc.**, to DISTURB THE SURFACE, of **152 Tarkiln Hill Road**, provisionally granted by the City Clerk on October 30, 2019, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval November 18, 2019.

Approved on November 18, 2019. (#1834)

APPLICATION, **Farland Corp.**, to DISTURB THE SURFACE, of **Orchard Street Plot 23 Lot 298**, provisionally granted by the City Clerk on November 01, 2019, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval November 18, 2019.

Approved on November 18, 2019. (#1835)

APPLICATION, **R.W. Bryant Contracting**, to DISTURB THE SURFACE, of **Kempton Street between Chancery & Emerson Streets**, provisionally granted by the City Clerk on November 04, 2019, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval November 18, 2019.

Approved on November 18, 2019. (#1836)

APPLICATION, **Morgado Company**, to DISTURB THE SURFACE, of **12 Pontiac Street**, provisionally granted by the City Clerk on November 05, 2019, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval November 18, 2019.

Approved on November 18, 2019. (#1837)

APPLICATION, **Cardoso Contracting**, to DISTURB THE SURFACE, of **66 Ohio Street Plot 127 Lot 215**, provisionally granted by the City Clerk on November 07, 2019, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval November 18, 2019.

Approved on November 18, 2019. (#1838)

APPLICATION, **JLC Construction**, to DISTURB THE SURFACE, of **63 David Street**, provisionally granted by the City Clerk on November 08, 2019, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval November 18, 2019.

Approved on November 18, 2019. (#1839)

APPLICATION, **Farland Corp., Inc.**, to DISTURB THE SURFACE, of **Phillips Road Plot 134 Lot 459**, provisionally granted by the City Clerk on November 08, 2019, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval November 18, 2019.

Approved on November 18, 2019. (#1840)

APPLICATION, **Farland Corp., Inc.**, to DISTURB THE SURFACE, of **Phillips Road Plot 134 Lot 463**, provisionally granted by the City Clerk on November 08, 2019, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval November 18, 2019.

Approved on November 18, 2019. (#1841)

APPLICATION, **Farland Corp., Inc.**, to DISTURB THE SURFACE, of **Phillips Road Plot 134 Lot 464**, provisionally granted by the City Clerk on November 08, 2019, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval November 18, 2019.

Approved on November 18, 2019. (#1842)

APPLICATION, **Farland Corp., Inc.**, to DISTURB THE SURFACE, of **Phillips Road Plot 134 Lot 465**, provisionally granted by the City Clerk on November 08, 2019, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval November 18, 2019.

Approved on November 18, 2019. (#1843)

APPLICATIONS, **Eversource Gas**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on October 25, 2019, subject to ratification by the Mayor and City Council as follows:

17 Longview Road	(#1844)
254 County Street	(#1845)
192 Cottage Street	(#1846)
1076 Chaffee Street	(#1847)
56 & 60 Fern Street	(#1848)
127 & 129 Reynolds Street	(#1849)
2746 Acushnet Avenue	(#1850)
111 Acushnet Avenue	(#1851)
114 Butler Street	(#1852)
309 Cottage Street	(#1853)
128 Mill Street	(#1854)
34 Poplar Road	(#1855)
757 Church Street	(#1856)
63 Forest Street	(#1857)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval November 18, 2019.

Approved on November 18, 2019.

APPLICATIONS, **Eversource Gas**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on November 13, 2019, subject to ratification by the Mayor and City Council as follows:

Orchard Street working between #537 and #639	(#1858)
197 Seymour Street	(#1859)
Centre Street/North Water Street	(#1860)
Willis Street/Purchase Street	(#1861)
570 South First Street	(#1862)
566 South First Street	(#1863)
Homestead Street working from Acushnet Town Line to 976 Homestead Street	(#1864)
Pleasant Street/Willis Street	(#1865)
Intersection of County Street and Elm Street	(#1866)
356 County Street	(#1867)
948 Stratford Street	(#1868)
1253 Rockdale Avenue	(#1869)
368 County Street	(#1870)
27 Elm Street	(#1871)
North Street/County Street	(#1872)
90 Query Street	(#1873)
314 Church Street	(#1874)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval November 18, 2019.

Approved on November 18, 2019.

APPLICATION, **NSTAR Electric Company d/b/a Eversource Energy**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on November 04, 2019, subject to ratification by the Mayor and City Council as follows:

Jonathan Street, South of Union Street
Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval November 18, 2019.
Approved on November 18, 2019. (#1875)

APPLICATIONS, **ABC Disposal Service**, for permission to maintain a STREET OBSTRUCTION, provisionally granted by the City Clerk on October 30, 2019, subject to ratification by the Mayor and City Council as follows:

609 Acushnet Avenue (#1876)
394 Cedar Street (#1877)
105 Sycamore Street (#1878)
125 Hillman Street (#1879)
293 Brock Avenue (#1880)
438 West Rodney French Boulevard (#1881)
Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval November 18, 2019.
Approved on November 18, 2019.

On a motion, the Council then adjourned at 7:41 p.m.

ATTEST:

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