

**NEW BEDFORD, MASSACHUSETTS**

**MEETING: COMMITTEE ON APPOINTMENTS & BRIEFINGS**  
**DATE: APRIL 20, 2021**  
**TIME: 7:01 P.M.**  
**PLACE: 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**

**PRESENT: COUNCILLORS NAOMI CARNEY, CHAIRPERSON (REMOTELY); WILLIAM BRAD MARKEY, VICE CHAIRMAN (REMOTELY); IAN ABREU (REMOTELY); DEREK BAPTISTE (REMOTELY); DEBORA COELHO (REMOTELY); HUGH DUNN (REMOTELY); MARIA GIESTA (REMOTELY); BRIAN GOMES (7:59) (REMOTELY); JOSEPH LOPES (REMOTELY); LINDA MORAD (7:23) (REMOTELY)**

**ABSENT: COUNCILLOR SCOTT LIMA**

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Councillor Carney called the Appointments & Briefings Committee Meeting to order and took attendance. The Clerk read Communications from Councillors Gomes & Morad stating they will be late and Councillor Lima explaining his absence from this meeting. These Communications were received and placed on file by Councillor Lopes and seconded by Councillor Coelho. This motion passed on a Roll Call Vote of Yeas 8, Nays 0, with Councillors Abreu, yes; Baptiste, yes; Carney, yes; Coelho, yes; Dunn, yes; Giesta, yes; Lopes, yes; Markey, yes.

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Notice, City Clerk of reference of a PUBLIC HEARING on an APPLICATION, Alton Bakhshaliyev, d/b/a 039 Auto Sales, Inc., for a SPECIAL PERMIT for Motor Vehicle Sales and Rentals, General Repair and Light Service at 832 Rockdale Avenue, New Bedford, MA 02740 (Application Rec'd 03/02/2021) (Duly advertised in The Standard-Times on Tuesday, April 6, 2021 and Tuesday, April 13, 2021.) was received and placed on file and the hearing opened by Councillor Lopes and seconded by Councillor Giesta. This motion passed on a Roll Call Vote of Yeas 8, Nays 0, with Councillors Abreu, yes; Baptiste, yes; Carney, yes; Coelho, yes; Dunn, yes; Giesta, yes; Lopes, yes; Markey, yes; Councillors Gomes & Morad not present for vote. (1)

Mr. Alton Bakhshaliyev, the applicant and his Attorney Robert Pellegrini were present to answer questions from the Committee. Attorney Pellegrini, 63 Main Street, Bridgewater, MA, spoke on behalf of his client and explained that the applicant currently has a similar business in Bridgewater. His new business at 832 Rockdale Avenue, New Bedford, will operate from 9f am to 6 pm daily. There will be two to four employees on site. All type of vehicles would sell on site and financing would be available.

The applicant was asked how many vehicles he intended to have on site, and he told the Committee twenty-five (25) and the work done on them would be things like oil

changes and brake repairs. The repairs would be done only to the vehicles he would be selling.

Councillor Lopes asked DPI Commissioner Danny Romanowicz how many vehicles were permitted to the previous owner of the lot and he was told eighteen (18).

Councillor Carney asked if there was anyone present who wished to speak or be recorded in favor of the petition; there were none. She then asked if there was anyone present who wished to speak or be recorded in opposition of the petition; there were none. The hearing was closed.

On motion by Councillor Lopes and seconded by Councillor Giesta, the Committee VOTED: To recommend to the City Council APPROVAL of the APPLICATION, Alton Bakhshaliyev, d/b/a 039 Auto Sales, Inc., for a SPECIAL PERMIT for Motor Vehicle Sales and Rentals, General Repair and Light Service at 832 Rockdale Avenue, New Bedford, MA 02740 and limiting the number of cars to be sold to a maximum of eighteen (18). This motion passed on a Roll Call Vote of Yeas 8, Nays 0, with Councillors Abreu, yes; Baptiste, yes; Carney, yes; Coelho, yes; Dunn, yes; Giesta, yes; Lopes, yes; Markey, yes; Councillors Gomes & Morad not present for vote.

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Notice, City Clerk of reference of a WRITTEN MOTION, Councillor Carney, requesting that the Committee on Appointments and Briefings meet with Board of Park Commissioners Chairman Peter Boswell, Director of Parks, Recreation and Beaches, Mary Rapoza, Chairman of the Conservation Commission, Craig Dixon, Representative of New Bedford Port Authority, Representative of the Mayor's Office and a Representative of the City Solicitor's Office, to discuss the procedure and permitting process that allowed the Trampoline Water Park to be placed in the water off East Beach, to ensure that all the proper permitting was acquired before the company was granted permission to open and also explain the insurance policy held by the vendor to ensure that the City of New Bedford is not liable, in accordance with Massachusetts Law for any legal action and all suits that may be brought against the water park vendor in the event to include but not limited to injury, death and etc.; and further requesting, that the Chairperson of the Committee on Appointments and Briefings schedule this matter to be heard at the next meeting (Ref'd 07/18/19) (02/10/2020 – tabled 60 days) was removed from the table by Councillor Lopes and seconded by Councillor Abreu. This motion passed on a Roll Call Vote of Yeas 8, Nays 0, with Councillors Abreu, yes; Baptiste, yes; Carney, yes; Coelho, yes; Dunn, yes; Giesta, yes; Lopes, yes; Markey, yes; Councillors Gomes & Morad not present for vote. (2)

Mary Rapoza, Director of Parks, Recreation & Beaches gave an overview of the Trampoline Water Park in the water off East Beach. Ms. Rapoza explained that Empire Recreation Management was looking to put a Trampoline Water Park in the greater New Bedford area back in 2019, they eventually situated at East Beach in the City. This was a new process to the Park Board, and it was discovered that a lot more permitting needed to be pursued than what was issued to allow the business to operate. The company is looking to come back to the city in 2021 and all the proper permitting will be in place. The business is to appear before the Park Board on 4/22/21.

Solicitor McDermott was asked if all the correct insurance policies would be in place and a Hold Harmless Agreement between the City and the applicant. The Committee was told that it was and would be in place prior to the permits being issued. The City would be indemnified by the applicant.

The Clerk read a Communication from Barry Sylvia an area resident objecting to placing the Water Park in the proposed location. This Communication was received and placed on file by Councillor Lopes and seconded by Councillor Abreu. This motion Passed on a Roll Call Vote of Yeas 7, Nays 2, with Councillors Lopes & Morad opposed and Councillors Abreu, yes; Baptiste, yes; Carney, yes; Coelho, yes; Dunn, yes; Giesta, yes and Markey, yes; Councillor Gomes not present for vote.

On motion by Councillor Abreu and seconded by Councillor Giesta, the Committee VOTED: To table this matter at this time. This motion passed on a Roll Call Vote of Yeas 7, Nays 2, with Councillors Lopes & Morad opposed and Councillors Abreu, yes; Baptiste, yes; Carney, yes; Coelho, yes; Dunn, yes; Giesta, yes and Markey, yes; Councillor Gomes not present for vote.

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Notice, City Clerk of reference of a WRITTEN MOTION, Council President Lopes, requesting the Board of Health Director Damon Chaplin provide the Committee on Appointments and Briefings with a briefing on the City's ability to distribute a coronavirus vaccine to its residents, once one has been developed and approved by the FDA (To be Referred to the Committee on Appointments and Briefings.) (Ref'd 11/12/2020) (03/16/2021 – tabled) was removed from the table and received and placed on file by Councillor Lopes and seconded by Councillor Abreu. This motion passed on a Roll Call Vote of Yeas 9, Nays 0, with Councillors Abreu, yes; Baptiste, yes; Carney, yes; Coelho, yes; Dunn, yes; Giesta, yes; Lopes, yes; Markey, yes and Morad, yes; Councillor Gomes not present for vote. (3)

Damon Chaplin, Board of Health Director gave an update on the Covid-19 Vaccination process in the City.

As of 4/15/21 the City has recorded 357 COVID related deaths. 14,116 positive cases and is in the Red Zone. Reported incidents average increase of 34.9%. Average positivity rate 5.87%. Number of tests given 9,727.

The City (along with FEMA) is currently operating three (3) vaccine sites, located at Hillman Street, The McCoy Field building and at Herve Tichon Avenue. The City now has a high capacity to distribute vaccinations. 600 per week at McCoy and Hillman Street locations and 1,100 vaccinations at the Tichon Ave site. The City is well below the percentage of vaccinations distributed that they would like to see. Approximately 28% of New Bedford residents have been vaccinated.

Mr. Chaplin provided the following numbers for the public to call and schedule vaccinations. 508-984-2661 x62661 and 508-996-8113 for Non-English-speaking individuals. He explained the City is trying to get the word out that they are available and are using several organizations throughout the City to help with this.

Mr. Chaplin did acknowledge that the city needed to do a better job at getting the word out.

Many Committee members voiced their support in the need to get the word out and made a number of suggestions, which include, a bi-lingual mailer, the ability to register on line or call and register and securing transportation for those individuals who do not have the ability to drive to a location on their own. It was also suggested that mobile vaccination sites be set up at larger businesses in locations like the Business Park and reach larger numbers that way. All these suggestions were taken by Mr. Chaplin, who indicated they were good suggestions and he would look to implement what he is able to.

The question was asked if accommodations were being made for those who had to work during the day and not able to go to a daytime site. Mr. Chaplin explained it is for that very reason that the EPA (Tichon Ave) site is open on Saturdays and Sundays. It was also suggested that when the weather breaks that local middle schools be used. It was explained that the City is looking into this, using such locations as the Gomes School, Voc-Tech, and the McCoy Field building. They are still looking for a Far North End location.

Mr. Chaplin was asked if City Employees were getting vaccinated. Mr. Chaplin said it was lower than they would like, but that the Fire Department, Police Department and Zoo Employees were at 50%.

On motion by Councillor Lopes and seconded by Councillor Abreu, the Committee VOTED: To recommend to the City Council to take "No Further Action" on a WRITTEN MOTION, Council President Lopes, requesting the Board of Health Director Damon Chaplin provide the Committee on Appointments and Briefings with a briefing on the City's ability to distribute a coronavirus vaccine to its residents, once one has been developed and approved by the FDA. This motion passed on a Roll Call Vote of Yeas 9, Nays 0, with Councillors Abreu, yes; Baptiste, yes; Carney, yes; Coelho, yes; Giesta, yes; Gomes, yes; Lopes, yes; Markey, yes and Morad, yes; with Councillor Dunn not present for the vote.

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Notice, City Clerk of reference of a WRITTEN MOTION, Councillor Gomes, requesting, that the Committee on Appointments and Briefings meet with the owner and operator of Nice N' Clean Car Wash located at Bolton Street and Bliss Street, this property has an ongoing problem with trash and maintenance affecting the entire neighborhood and businesses surrounding the property, it also affects the Veterans monument located just across the street south of said business; and further, that the Health Department and the Department of Inspectional Services take a look at this location and issue notices for trash and maintenance violations and that the owner be notified of any violations (Ref'd 12/14/17) (01/03/18-returned unsigned by the Mayor) (07/31/18-Remain in Committee) (02/10/2020 - Remain in Committee) (03/16/2021 - tabled; secure address for owner to invite to meeting when heard) was removed from the table by Councillor Lopes and seconded by Councillor Abreu. This motion passed on a Roll Call Vote of Yeas 9, Nays 0, with Councillors Abreu, yes; Baptiste, yes; Carney, yes; Coelho, yes; Giesta, yes; Gomes, yes; Lopes, yes; Markey, yes and Morad, yes; with Councillor Dunn not present for the vote. (4)

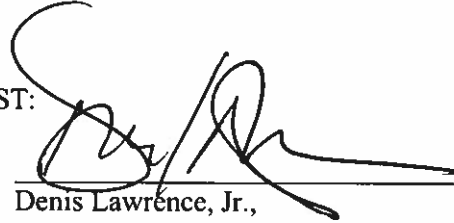
Councillor Gomes explained that he has been in contact with the owner of the car wash and explained his concerns to him. The owner said he would address the issues of cleanliness, etc. Councillor Gomes asked that the issue be tabled.

On motion by Councillor Abreu and seconded by Councillor Lopes, the Committee VOTED: To table this matter at this time. This motion passed on a Roll Call Vote of Yeas 8, Nays 0, with Councillors Abreu, yes; Baptiste, yes; Carney, yes; Giesta, yes; Gomes, yes; Lopes, yes; Markey, yes and Morad, yes; with Councillors Coelho and Dunn not present for the vote.

Councillor Abreu made a motion to adjourn, which was seconded by Councillor Giesta. This motion passed on a Roll Call Vote of Yeas 8, Nays 0, with Councillors Abreu, yes; Baptiste, yes; Carney, yes; Giesta, yes; Gomes, yes; Lopes, yes; Markey, yes and Morad, yes; with Councillors Coelho and Dunn not present for the vote.

This meeting adjourned @ 8:31 p.m.

ATTEST:

A handwritten signature in black ink, appearing to read "Denis Lawrence, Jr.", written over a horizontal line.

Denis Lawrence, Jr.,  
Clerk of Committees