
THIS MEETING IS BEING HELD REMOTELY IN ACCORDANCE WITH THE GOVERNOR OF MASSACHUSETTS' MARCH 12, 2020 ORDER SUSPENDING CERTAIN PROVISIONS OF THE OPEN MEETING LAW G. L.C. 30A, SECTION 20 AND THE CITY COUNCIL'S VOTE TO WAIVE RULE 21A ON APRIL 7, 2020 AMENDED ON AUGUST 20, 2020 AND SEPTEMBER 24, 2020.

Thursday, November 24, 2020

7:00p.m.

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

LATE: No One

ABSENT: No One

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

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

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$3,893,036 from **FREE CASH** to **FISCAL YEAR 2021 GENERAL FUND BUDGET**, and that the portion raised by Ordinary Revenue and Municipal Receipts is hereby reduced by the same amount.

Referred to the Committee on Finance -Yeas 11, Nays 0. (#1583)

AN ORDER,

Referred to the Committee on Finance – Yeas 11, Nays 0. (#1584)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$1,686,699 from **WATER FREE CASH**, to the **FISCAL YEAR 2021 WATER ENTERPRISE FUND BUDGET**, and that the portion raised by Water Receipts is hereby reduced by the same amount.

Referred to the Committee on Finance – Yeas 11, Nays 0. (#1585)

AN ORDER,

Referred to the Committee on Finance – Yeas 11, Nays 0. (#1586)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$1,300,000 from the **SPECIAL PROJECTS FUND**, to the **FISCAL YEAR 2021 WASTEWATER ENTERPRISE FUND BUDGET**, and that the portion raised by Wastewater Receipts is hereby reduced by the same amount.

Referred to the Committee on Finance – Yeas 11, Nays 0. (#1587)

AN ORDER,

Referred to the Committee on Finance – Yeas 11, Nays 0. (#1588)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$489,174 from **DOWNTOWN FREE CASH**, to the **FISCAL YEAR 2021 DOWNTOWN ENTERPRISE FUND BUDGET**, and that the portion raised by Enterprise Fund Receipts is hereby reduced by the same amount.

Referred to the Committee on Finance – Yeas 11, Nays 0. (#1589)

AN ORDER,

Referred to the Committee on Finance – Yeas 11, Nays 0. (#1590)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the **APPOINTMENT of JUSTIN OHLSON**, City Arborist, New Bedford, MA, as the Department of Public Infrastructure's designee to the **BOARD OF PARK COMMISSIONERS**, replacing Lee Bentley who has resigned; this term will expire May 2025.

Rule 38 Waived and Appointment Confirmed – Yeas 11, Nays 0. (#1591)

REPORT, Committee on Appointments & Briefings, recommending to the City Council APPROVAL of the APPLICATION, José Encarnacion and Jonathan Pittman, d/b/a J&J's Small Auto Repairs & Sales, for a SPECIAL PERMIT for Motor Vehicle Sales and Rentals, General Repair and Light Service at 1519 Purchase Street, New Bedford, MA 02740.

Recommendation Followed. (#1592)

SPECIAL PERMIT APPLICATION, José Encarnacion and Jonathan Pittman, d/b/a J&J's Small Auto Repairs & Sales, for a SPECIAL PERMIT for Motor Vehicle Sales and Rentals, General Repair and Light Service at 1519 Purchase Street, New Bedford, MA 02740.

Special Permit Granted – Yeas 11, Nays 0. (#1593)

REPORT, Committee on Appointments & Briefings, recommending to the City Council APPROVAL of the APPOINTMENT of JEFFREY PELLETIER, New Bedford, MA, to the AIRPORT COMMISSION; replacing Moira Tierney, this term will expire in December 2021.

Recommendation Followed. (#1594)

COMMUNICATION, Mayor Mitchell, to the City Council, submitting the APPOINTMENT of JEFFREY PELLETIER, New Bedford, MA, to the AIRPORT COMMISSION; replacing Moira Tierney, this term will expire in December 2021. (Referred to the Committee on Appointments and Briefings – October 22, 2020.)

Referred to the Committee on Appointments and Briefings – October 22, 2020.

Appointment Confirmed – Yeas 11, Nays 0. (#1378)

REPORT, Committee on Appointments & Briefings, recommending to the City Council APPROVAL of the APPOINTMENT of VIORICA IVONE SILVA, New Bedford, MA, to the COMMISSION FOR CITIZENS WITH DISABILITIES; replacing Linda Carreiro who has resigned, this term will expire in May 2021.

Recommendation Followed. (#1595)

COMMUNICATION, Mayor Mitchell, to the City Council, submitting the APPOINTMENT of VIORICA IVONE SILVA, New Bedford, MA, to the COMMISSION FOR CITIZENS WITH DISABILITIES; replacing Linda Carreiro who has resigned, this term will expire in May 2021. (Referred to the Committee on Appointments and Briefings – October 22, 2020.)

Referred to the Committee on Appointments and Briefings – October 22, 2020.

Appointment Confirmed – Yeas 11, Nays 0. (#1379)

REPORT, Committee on Finance, recommending to the City Council ADOPTION of the ORDER, appropriating \$6,503,133.00 from ORDINARY REVENUE AND MUNICIPAL RECEIPTS, to SCHOOL DEPARTMENT.

Recommendation Followed. (#1596)

CITY OF NEW BEDFORD

IN CITY COUNCIL

NOVEMBER 12, 2020

ORDERED, that the sum of **SIX MILLION, FIVE HUNDRED THREE THOUSAND, ONE HUNDRED THIRTY-THREE DOLLARS (\$6,503,133)** now standing to the credit of the account from **ORDINARY REVENUE AND MINUCIPAL RECEIPTS** be and the same is hereby transferred and appropriated to as follows:

SCHOOL DEPARTMENT\$6,503,133

To be certified and approved by the Department Head.

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

Adopted – Yeas 11, Nays 0.

Presented to the mayor for approval November 30, 2020.

Approved December 02, 2020. (#1457)

REPORT, Committee on Finance, recommending to the City Council ADOPTION of the ORDER, that the City Solicitor is requested to obtain appraisals of privately owned property along Rockdale Avenue and Allen Street which is needed for infrastructure improvements at the intersection of Rockdale Avenue and Allen Street and prepare an Order of Taking for the easements to be acquired through eminent domain.

Recommendation followed.

(#1597)

CITY OF NEW BEDFORD
IN CITY COUNCIL
NOVEMBER 12, 2020

ORDERED, that the City Solicitors be and hereby is requested to obtain appraisals of privately owned property, located in the City of New Bedford along Rockdale Avenue and Allen Street, which is needed for Infrastructure Improvements at the Intersection of Rockdale Avenue and Allen Street, as shown on the attached plan entitled. "MASSACHUSETTS DEPARTMENT OF TRANSPORTATION PLAN AND PPROFILE OF ROCKDALE AVENUE AND ALLEN STREET IN THE CITY OF NEW BEDFORD BRISTOL COUNTY RIGHT OF WAY PLANS (75% PROGRESS PRINT) FEDERAL AID PROJECT NO." – Sheets 1 through 6, for the purpose eminent domain or 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.

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

Adopted – Yeas 11, Nays 0.

Presented to the mayor for approval November 30, 2020.

Approved December 02, 2020.

(#1457)

REPORT, Committee on Appointments & Briefings, recommending to the City Council to take "**NO FURTHER ACTION**" on the WRITTEN MOTION, Councillor Dunn, requesting, that Director of Tourism and Marketing, Dagny Ashley provide an update to the City Council on efforts to leverage the upcoming Plymouth 400 to attract tourism to the City of New Bedford.

Recommendation Followed.

(#1598)

WRITTEN MOTION, Councillor Dunn, requesting, that Director of Tourism and Marketing, Dagny Ashley provide an update to the City Council on efforts to leverage the upcoming Plymouth 400 to attract tourism to the City of New Bedford. (Referred to the Committee on Appointments and Briefings – April 25, 2019.)

Referred to the Department of Tourism and Marketing.

Councillor Dunn made a Motion to RECONSIDER the matter – All Ayes.

Referred to the Committee on Appointments and Briefings – April 25, 2019.

NO FURTHER ACTION – Yeas 11, Nays 0.

(#0764)

REPORT, Committee on Appointments & Briefings, recommending to the City Council to take "**NO FURTHER ACTION**" on the WRITTEN MOTION, Councillor Lopes, requesting, that a representative from the Department of Public Infrastructure meet with the Committee on Appointments and Briefings to discuss the street closures associated with the Rt. 18 Phase II project.

Recommendation Followed.

(#1599)

WRITTEN MOTION, Councillor Lopes, requesting, that that a representative from the Department of Public Infrastructure meet with the Committee on Appointments and Briefings, to discuss the street closures associated with the Rt. 18 Phase II project. (Referred to the Committee on Appointments and Briefings – September 12, 2019.)

Referred to committee on Appointments and Briefings – September 12, 2019.

NO FURTHER ACTION – Yeas 11, Nays 0.

(#1402)

REPORT, Committee on Appointments & Briefings, recommending to the City Council to take “**NO FURTHER ACTION**” on the WRITTEN MOTION, Councillor Dunn, requesting that the New Bedford City Council hold a hearing to explore implementing a vote-by-mail system for the upcoming 2020 elections due to the COVID-19 pandemic, to ensure safety and accessibility in the voting process; and further, that Representatives of the Secretary of State’s Office, the New Bedford Elections Office and Commission, community organizations, and relevant City departments shall be invited to testify.

Recommendation Followed. (#1600)

WRITTEN MOTION, Councillor Dunn, requesting that the New Bedford City Council hold a hearing to explore implementing a vote-by-mail system for the upcoming 2020 elections due to the COVID-19 pandemic, to ensure safety and accessibility in the voting process, and further, that Representatives of the Secretary of State's Office, the New Bedford Elections Office and Commission, community organizations, and relevant City departments shall be invited to testify.

Referred to the Committee on Appointments and Briefings – May 14, 2020.
NO FURTHER ACTION – Yeas 11, Nays 0. (#0526)

REPORT, Committee on Appointments & Briefings, recommending to the City Council to take “**NO FURTHER ACTION**” on the RELATED MOTION, Councillor Morad, requesting that the Airport Manager Scot Servis appear before the Committee on Appointments and Briefings prior to the Committee taking up these three renewals of Board Members’ terms to discuss with the Committee on Appointments and Briefings the jobs and responsibilities of Airport Commissioners and the characteristics that would be preferred in candidates being recommended to the Board for approval.

Recommendation Followed. (#1601)

RELATED MOTION, Councillor Morad, requesting that the Airport Manager Scot Servis appear before the Committee on Appointments and Briefings prior to the Committee taking up these three renewals of Board Members’ terms to discuss with the Committee on Appointments and Briefings the jobs and responsibilities of Airport Commissioners and the characteristics that would be preferred in candidates being recommended to the Board for approval. (Referred to the Committee on Appointments and Briefings – August 20, 2020.)

Adopted – August 20, 2020.
NO FURTHER ACTION – Yeas 11, Nays 0. (#1045)

WRITTEN MOTION, Council President Lopes, requesting, that our State Legislative Delegation send a letter to the Foundation Budget Review Commission, in support of amending the Net School Spending Formula to include transportation costs as an eligible expenditure, and that the Massachusetts Municipal Association work with Cities and Towns across the Commonwealth to address this educational funding discrepancy.

Referred to our state Legislative Delegation. (#1602)

COMMUNICATION, City Clerk/Clerk of the City Council, to the City Council, notifying that the Office of the City Clerk has received Meeting Minutes from the Park Board for a meeting held on September 16, 2020; Greater N.B. Regional Refuse Management District for a meeting held on August 12, 2020 and Human Relations Commission for meetings held on September 16, 2020 and October 29, 2020.

Received and Placed on File – Yeas 11, Nays 0. (#1603)

APPLICATION, **East Coast Property Management**, for permission to maintain a STREET OBSTRUCTION at **745 Kempton Street**, provisionally granted by the City Clerk on November 16, 2020, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.
Yeas 11, Nays 0.
Presented to the Mayor for approval November 30, 2020.
Approved December 02, 2020. (#1604)

APPLICATION, **East Coast Property Management**, for permission to maintain a STREET OBSTRUCTION at **172 William Street**, provisionally granted by the City Clerk on November 16, 2020, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Yeas 11, Nays 0.

Presented to the Mayor for approval November 30, 2020.

Approved December 02, 2020. (#1605)

APPLICATION, **JLC Construction**, for permission to maintain a STREET OBSTRUCTION at **29 Seventh Street**, provisionally granted by the City Clerk on November 16, 2020, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Yeas 11, Nays 0.

Presented to the Mayor for approval November 30, 2020.

Approved December 02, 2020. (#1606)

APPLICATION, **Rosciti Communications**, for permission to maintain a STREET OBSTRUCTION at **Elm Street and North Sixth Street**, provisionally granted by the City Clerk on November 16, 2020, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Yeas 11, Nays 0.

Presented to the Mayor for approval November 30, 2020.

Approved December 02, 2020. (#1607)

APPLICATION, **Early Contractors**, for permission to maintain a STREET OBSTRUCTION at **635 – 653 County Street at 15 Smith Street**, provisionally granted by the City Clerk on November 16, 2020, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Yeas 11, Nays 0.

Presented to the Mayor for approval November 30, 2020.

Approved December 02, 2020. (#1608)

APPLICATION, **RJ Canessa Excavating**, for permission to maintain a STREET OBSTRUCTION at **69 Russell Street**, provisionally granted by the City Clerk on November 16, 2020, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Yeas 11, Nays 0.

Presented to the Mayor for approval November 30, 2020.

Approved December 02, 2020. (#1609)

APPLICATION, **JLC Construction**, to DISTURB THE SURFACE, of **29 Seventh Street**, provisionally granted by the City Clerk on November 16, 2020, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Yeas 11, Nays 0.

Presented to the Mayor for approval November 30, 2020.

Approved December 02, 2020. (#1610)

APPLICATION, **Rosciti Communications**, to DISTURB THE SURFACE, of **Elm Street and North Sixth Street**, provisionally granted by the City Clerk on November 16, 2020, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Yeas 11, Nays 0.

Presented to the Mayor for approval November 30, 2020.

Approved December 02, 2020. (#1611)

APPLICATION, **Early Contractors**, to DISTURB THE SURFACE, of **635 – 653 County Street at 15 Smith Street**, provisionally granted by the City Clerk on November 16, 2020, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Yeas 11, Nays 0.

Presented to the Mayor for approval November 30, 2020.

Approved December 02, 2020. (#1612)

APPLICATION, **RJ Canessa Excavating**, to DISTURB THE SURFACE, of **69 Russell Street**, provisionally granted by the City Clerk on November 16, 2020, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Yeas 11, Nays 0.

Presented to the Mayor for approval November 30, 2020.

Approved December 02, 2020. (#1613)

APPLICATION, **Eversource Gas**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on November 18, 2020, subject to ratification by the Mayor and City Council as follows:

54 Russell Street, Pleasant Street – Purchase Street

Received and Action of the City Clerk Ratified.

Yeas 11, Nays 0.

Presented to the Mayor for approval November 30, 2020.

Approved December 02, 2020. (#1614)

APPLICATIONS, **ABC Disposal Service**, for permission to maintain a STREET OBSTRUCTION, provisionally granted by the City Clerk on November 16, 2020, subject to ratification by the Mayor and City Council as follows:

170 Shawmut Street (#1615)

1421 Morton Street (#1616)

207 Dawson Street (#1617)

126 Shawmut Avenue (#1618)

73 Rockdale Avenue (#1619)

45 Jones Street (#1620)

19 Lang Street (#1621)

1039 Marion Street (#1622)

41 Bedford Street (#1623)

Received and Action of the City Clerk Ratified.

Yeas 11, Nays 0.

Presented to the Mayor for approval November 30, 2020.

Approved December 02, 2020.

PETITION, Verizon New England, Inc. & NSTAR Electric Company d/b/a Eversource Energy for joint relocation of one (1) Pole in NAUSET STREET (the work is required to accommodate the Hathaway Triangle MassDOT Improvement project.)

Received and Placed on File – Yaes 11, Nays 0. (#1624)

AN ORDER,

Adopted and ordered recorded in Book of Location Order Records – Yeas 11, Nays 0.

Presented to the Mayor for approval November 30, 2020.

Approved December 02, 2020. (#1625)

On a motion, the Council then adjourned at 7:25 p.m.

ATTEST:

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

On a motion, the Council then adjourned at 7:15 p.m.

ATTEST:

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

