

REGULAR MEETING

CITY COUNCIL

Tuesday, April 12, 2022

7:00 p.m.

PRESENT: Council President Abreu, Councillors Baptiste, Burgo, Carney, Giesta, Gomes, Lima, Markey, Morad and Pereira.

LATE: Councillor Dunn (7:05).

ABSENT: No One.

Council President Abreu called the meeting to order and presided.

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

HEARING, Early Contractors, Inc, for location of one (1) 4” PVC Conduit and one (1) Handhole on AUSTIN STREET, across to Purchase Street, in front of 1470 Purchase Street.

Hearing Held.

Petition placed on file. (#0523)

AN ORDER,

Adopted and ordered recorded in Book of Location Order Records.

Presented to the Mayor for approval April 14, 2022.

Approved April 22, 2022. (#0524)

HEARING, NSTAR Electric Company d/b/a Eversource Energy for location of approximately 37’ Conduit and Cable and one (1) Handhole in SEVENTH STREET.

Hearing Held.

Petition placed on file. (#0525)

AN ORDER,

Adopted and ordered recorded in Book of Location Order Records.

Presented to the Mayor for approval April 14, 2022.

Approved April 22, 2022. (#0526)

COMMUNICATION, Mayor Mitchell, to City Council, submitting a LOAN ORDER, in the amount of \$119,000,000.00 to finance the costs of projects outlined in the City’s Long Term CSO Control and Integrated Capital Improvements Plan including capital planning, wastewater treatment plan improvements, wastewater collection system improvements, pumping station improvements, wastewater collection systems investigations, CSO abatements, and general system improvements.

Referred to the Committee on Finance. (#0527)

LOAN ORDER,

Referred to the Committee on Finance. (#0528)

COMMUNICATION, Mayor Mitchell, to City Council, submitting an ORDER detain a series of proposed sewer rate increases, with the first one taking effect on July 01, 2022, the first day of Fiscal Year 2023, subsequent rate increases would take effect on the first day of the four subsequent Fiscal Years – 2024, 2025, 2026 and 2027.

Referred to the Committee on Finance as amended. (#0529)

AN ORDER,

Referred to the Committee on Finance as amended. (#0530)

COMMUNICATION, Mayor Mitchell, to City Council, submitting an ORDER, for the Transfer of \$3,651,689.00, from STABILIZATION FUND to POLICE DEPARTMENT, RETROACTIVE SALARIES & WAGES for Fiscal Years 2018, 2019, 2020, 2021 and 2022.

Received and Placed on File. (#0531)

ORDERED, that the sum of Three Million Six Hundred Fifty-One Thousand Six Hundred Eighty-Nine Dollars (\$3,651,689), now standing to the credit of the General Fund Stabilization Fund be, and the same is, hereby transferred and appropriated as follows: Fiscal Year 2018, 2019, 2020, 2021, and 2022 Retroactive Salaries, Wages, Police Department. Retroactive Pay amounts to be certified and approved by the Department Head.

Adopted – Yeas 11, Nays 0. (#0532)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the RE-APPOINTMENT of MELISSA CHESTER-LETENDRE, New Bedford, MA to the COMMUNITY PRESERVATION COMMITTEE; this term will expire April 2025.

Rule 38 Waived and Reappointment Confirmed – Yeas 11, Nays 0. (#0533)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the RE-APPOINTMENT of LEE BLAKE, New Bedford, MA to the LIBRARY BOARD OF TRUSTEES; this term will expire April 2025.

Rule 38 Waived and Reappointment Confirmed – Yeas 11, Nays 0. (#0534)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the RE-APPOINTMENT of DIANA HENRY, New Bedford, MA to the LIBRARY BOARD OF TRUSTEES; this term will expire April 2025.

Rule 38 Waived and Reappointment Confirmed – Yeas 11, Nays 0. (#0535)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the RE-APPOINTMENT of MARIA GLORIA DE SA, New Bedford, MA to the LIBRARY BOARD OF TRUSTEES; this term will expire April 2025.

Rule 38 Waived and Reappointment Confirmed – Yeas 11, Nays 0. (#0536)

COMMUNICATION, Mayor Mitchell, submitting the APPOINTMENT of JOSEPH GOULART, New Bedford, MA as a SPECIAL POLICE OFFICER.

Referred to the Committee on Appointments and Briefings. (#0537)

AN APPLICATION,

Referred to the Committee on Appointments and Briefings. (#0538)

REPORT, Committee on Finance, recommending to the City Council APPROVAL of the TIF Application and Resolution for a five (5) year TIF Agreement for NFI, LLC and 22 Logan Street LLC, New Bedford, MA 02740.

Recommendation Followed.

(#0539)

CITY OF NEW BEDFORD
IN CITY COUNCIL
DECEMBER 09, 2021

RESOLUTION, Approving Certified Project Application and Special Tax Agreement with NFI LLC and 22 Logan Street LLC.

Whereas, NFI LLC and 22 Logan Street LLC 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 **FIVE (5)** years ending **June 30, 2026** pursuant to the authority granted by and meeting the requirements of 402 C.M.R. 2.10(3);

Whereas, NFI LLC and 22 Logan Street 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 **22 Logan Street**, New Bedford, MA and shown on the City of New Bedford’s real property assessment database as Parcel ID **78 218** on **June 30, 2021**;

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 the EOA;

Whereas, the City of New Bedford has agreed to offer **NFI LLC and 22 Logan Street LLC** a Special Tax 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 reference herein;

Whereas, NFI LLC and 22 Logan Street LLC are going to invest at least **\$1.4 Million** in the **renovation, equipment, and other expenses associated with the project**, and will retain **40 create/relocate 60** permanent full time jobs over a period of **five (5)** years;

Now Therefore be it Resolved that the City Council of the City of New Bedford approves the Certified Project application of **NFI LLC and 22 Logan Street 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 Tax Increment Financing agreement between the City of New Bedford and **NFI LLC and 22 Logan Street LLC**. Said Agreement will provide for an exemption on property taxes on the assessed valuation of improvements to the property at **95%** for year one, **85%** for year two, **75%** for year three, **65%** for year four, **55%** for year five, **45%** for year six, **35%** for year seven, **25%** for year eight, **15%** for year nine, **5%** for year ten, of the Agreement according to the requirements and regulations established which govern the implementation of such Tax Increment Financing Agreements. The Agreement will be in effect as of **FY2022** through **FY2026**.

Referred to the Committee on Finance – December 09, 2021.

Adopted.

Presented to the Mayor for approval April 14, 2022.

Approved April 22, 2022.

(#1876)

REPORT, Committee on Finance, recommending to the City Council ADOPTION of the ORDER, authorizing the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form for the Charles S. Ashley Elementary School, located at 122 Rochambeau Street, New Bedford.

Recommendation Followed.

(#0540)

CITY OF NEW BEDFORD
IN CITY COUNCIL
MARCH 10, 2022

RESOLVED, Having convened in an open meeting on Thursday, March 10, 2022, prior to the closing date, the City Council of New Bedford, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated February 16, 2022, for the Charles S. Ashley Elementary School located at 122 Rochambeau St., New Bedford, which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future for Priority 7: (Replacement of or addition to obsolete buildings in order to provide for a full range of programs consistent with state and approved local requirements). This SOI is specifically for replacement of an obsolete building; and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the City of New Bedford to filing an application for funding with the Massachusetts School Building Authority.

Referred to the Committee on Finance – Yeas 9, Nays 0 – March 10, 2022.

YEAS: Councillors Abreu, Baptiste, Burgo, Carney, Dunn, Giesta, Lima, Markey and Pereira.

Adopted.

Rule 40 Waived – Yeas 11, Nays 0.

Presented to the Mayor for approval April 13, 2022.

Approved April 22, 2022.

(#0391)

REPORT, Committee on Finance, recommending to the City Council ADOPTION of the ORDER, authorizing the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated February 16, 2022, for the Jireh Swift Elementary School, located at 2203 Acushnet Avenue.

Recommendation Followed.

(#0541)

CITY OF NEW BEDFORD
IN CITY COUNCIL
MARCH 10, 2022

RESOLVED, Having convened in an open meeting on March 10, 2022, prior to the closing date, the City Council of New Bedford in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated February 16, 2022, for the Jireh Swift Elementary School located at 2203 Acushnet Ave., New Bedford, which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future for Priority 7: (Replacement of or addition to obsolete buildings in order to provide for a full range of programs consistent with state and approved local requirements). This SOI is specifically for replacement of an obsolete building; and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the City of New Bedford to filing an application for funding with the Massachusetts School Building Authority.

Referred to the Committee on Finance – Yeas 9, Nays 0 – March 10, 2022.

YEAS: Councillors Abreu, Baptiste, Burgo, Carney, Dunn, Giesta, Lima, Markey and Pereira.

Adopted.

Rule 40 Waived – Yeas 11, Nays 0.

Presented to the Mayor for approval April 13, 2022.

Approved April 22, 2022.

(#0393)

REPORT, Committee on Finance, recommending to the City Council ADOPTION of the ORDER, for the Community Preservation Act FY22 Funding Recommendations for fifteen (15) Projects totaling \$1,412,500.00.

Referred to the Committee on Finance.

(#0542)

AN ORDER,

Referred to the Committee on Finance.

(#0543)

REPORT, Committee on Appointments & Briefings, recommending to the City Council APPROVAL of the APPLICATION, Andy Reyes Acosta, d/b/a King Christ Auto Sales Corp. for a SPECIAL PERMIT for Motor Vehicle Sales & Rentals at 271 County Street, New Bedford, MA 02740, starting with twenty-seven (27) cars, contingent upon a plan being submitted to the DIS Commissioner for thirty (30) cars being approved.

Recommendation Followed.

(#0544)

SPECIAL PERMIT, Andy Reyes Acosta, d/b/a King Christ Auto Sales Corp. for a SPECIAL PERMIT for Motor Vehicle Sales & Rentals at 271 County Street, New Bedford, MA 02740, starting with twenty-seven (27) cars, contingent upon a plan being submitted to the DIS Commissioner for thirty (30) cars being approved.

Special Permit Granted.

Presented to the Mayor for approval April 14, 2022.

Approved April 22, 2022.

(#0545)

REPORT, Committee on Appointments & Briefings, recommending to the City Council APPROVAL of the APPOINTMENT of JOSEPH P. LOPES, New Bedford, MA, to the AIRPORT COMMISSION; Mr. Lopes will be replacing Jeffrey Pelletier, who has resigned; this term will expire in December 2024.

Recommendation Followed. (#0546)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of JOSEPH P. LOPES, New Bedford, MA, to the AIRPORT COMMISSION; Mr. Lopes will be replacing Jeffrey Pelletier, who has resigned; this term will expire in December 2024. (Referred to the Committee on Appointments and Briefings – January 27, 2022.)

Referred to the Committee on Appointments and Briefings – January 27, 2022 – Yeas 11, Nays 0.

YEAS: Councillors Abreu, Baptiste, Burgo, Carney, Dunn, Giesta, Gomes, Lima, Markey, Morad and Pereira.

Appointment Confirmed and Rule 40 Waived – Yeas 11, Nays 0. (#0222)

REPORT, Committee on Appointments & Briefings, recommending to the City Council APPROVAL of the REAPPOINTMENT of DAVID KENNEDY, New Bedford, MA to the REDEVELOPMENT AUTHORITY; this term will expire July 2026.

Recommendation Followed. (#0547)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of DAVID KENNEDY, New Bedford, MA to the REDEVELOPMENT AUTHORITY; this term will expire July 2026. (Referred to the Committee on Appointments and Briefings – February 24, 2022.)

Tabled – July 15, 2021.

Removed from the Table – Yeas 10, Nays 0 – February 24, 2022.

YEAS: Councillors Abreu, Burgo, Carney, Dunn, Giesta, Gomes, Lima, Markey, Morad and Pereira.

Referred to the Committee on Appointments and Briefings – Yeas 9, Nays 1 – February 24, 2022.

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

NAYS: Councillor Burgo.

Appointment Confirmed and Rule 40 Waived – Yeas 11, Nays 0. (#0965)

REPORT, Committee on Appointments & Briefings, recommending to the City Council APPROVAL of the APPOINTMENT of PAUL J. SOUZA, a United States Army Operation Desert Storm Veteran, New Bedford, MA, to the VETERANS ADVISORY BOARD; Mr. Souza is replacing Randall G. Motta whose term expired in December 2020; this term will expire in December 2023.

Recommendation Followed. (#0548)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of PAUL J. SOUZA, a United States Army Operation Desert Storm Veteran, New Bedford, MA, to the VETERANS ADVISORY BOARD; Mr. Souza is replacing Randall G. Motta whose term expired in December 2020; this term will expire in December 2023. (Referred to the Committee on Appointments and Briefings – February 24, 2022.)

Referred to the Committee on Appointments and Briefings – Yeas 10, Nays 0 – February 24, 2022.

YEAS: Councillors Abreu, Burgo, Carney, Dunn, Giesta, Gomes, Lima, Markey, Morad and Pereira.

Appointment Confirmed and Rule 40 Waived – Yeas 11, Nays 0. (#0332)

REPORT, Committee on Appointments & Briefings, recommending to the City Council APPROVAL of the REAPPOINTMENT of PAUL CHASSE, New Bedford, MA to the REDEVELOPMENT AUTHORITY; this term will expire July 2026.

Recommendation Followed. (#0549)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of PAUL CHASSE, New Bedford, MA to the REDEVELOPMENT AUTHORITY; this term will expire July 2026. (Referred to the Committee on Appointments and Briefings – February 24, 2022.)

Tabled – July 15, 2021.

Removed from the Table – Yeas 10, Nays 0 – February 24, 2022.

YEAS: Councillors Abreu, Burgo, Carney, Dunn, Giesta, Gomes, Lima, Markey, Morad and Pereira.

Referred to the Committee on Appointments and Briefings – Yeas 9, Nays 1 – February 24, 2022.

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

NAYS: Councillor Burgo.

Appointment Confirmed and Rule 40 Waived – Yeas 11, Nays 0. (#0966)

REPORT, Committee on Appointments & Briefings, recommending to the City Council APPROVAL of the APPOINTMENT of SIDNEY A. MURRAY, II, New Bedford, MA, to the HUMAN RELATIONS COMMISSION; Mr. Murray is replacing Bethany Fauteux whose term has expired; this term will expire in April 2022.

Recommendation Followed. (#0550)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of SIDNEY A. MURRAY, II, New Bedford, MA, to the HUMAN RELATIONS COMMISSION; Mr. Murray is replacing Bethany Fauteux whose term has expired; this term will expire in April 2022. (Referred to the Committee on Appointments and Briefings – February 24, 2022.)

Referred to the Committee on Appointments and Briefings – Yeas 10, Nays 0 – February 24, 2022.

YEAS: Councillors Abreu, Burgo, Carney, Dunn, Giesta, Gomes, Lima, Markey, Morad and Pereira.

Appointment Confirmed and Rule 40 Waived – Yeas 11, Nays 0. (#0333)

REPORT, Committee on Appointments & Briefings, recommending to the City Council APPROVAL of the REAPPOINTMENT of SIDNEY A. MURRAY, II, New Bedford, MA, to the HUMAN RELATIONS COMMISSION; this term will expire in April 2025.

Recommendation Followed. (#0551)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of SIDNEY A. MURRAY, II, New Bedford, MA, to the HUMAN RELATIONS COMMISSION; this term will expire in April 2025. (Referred to the Committee on Appointments and Briefings – February 24, 2022.)

Referred to the Committee on Appointments and Briefings – Yeas 10, Nays 0 – February 24, 2022.

YEAS: Councillors Abreu, Burgo, Carney, Dunn, Giesta, Gomes, Lima, Markey, Morad and Pereira.

Reappointment Confirmed and Rule 40 Waived – Yeas 11, Nays 0. (#0334)

REPORT, Committee on Appointments & Briefings, recommending to the City Council APPROVAL of the PETITION, Erik Dyson, 14 Marion Road, Mattapoisett, MA 02739, d/b/a HAND UP US LLC, 127 West Rodney French Boulevard, New Bedford, MA 02744, requesting that he be granted a Waiver of Residency in accordance with Section 15-38 of the City Code, to obtain a LICENSE TO DEAL IN JUNK, OLD METALS OR ANY OTHER SECONDHAND ARTICLES & PAWNBROKER.

Recommendation Followed. (#0552)

PETITION, Erik Dyson, 14 Marion Road, Mattapoisett, MA 02739, d/b/a HAND UP US LLC, 127 West Rodney French Boulevard, New Bedford, MA 02744, requesting that he be granted a Waiver of Residency in accordance with Section 15-38 of the City Code, to obtain a **LICENSE TO DEAL IN JUNK, OLD METALS OR ANY OTHER SECONDHAND ARTICLES & PAWNBROKER**. (Referred to the Committee on Appointments and Briefings – December 9, 2021.)

Referred to the Committee on Appointments and Briefings – December 09, 2021.

Waiver Granted and Rule 40 Waived – Yeas 11, Nays 0.

Presented to the Mayor for approval April 13, 2022.

Approved April 22, 2022. (#1874)

REPORT, Committee on Appointments & Briefings, recommending to the City Council APPROVAL of the PETITION, John D. Farley, Manchester, New Hampshire 03103 d/b/a OFF THE SHELF THRIFT, 92-127 West Rodney French Boulevard, New Bedford, MA 02744, requesting that he be granted a Waiver of Residency in accordance with Section 15-38 of the City Code, to obtain a LICENSE TO DEAL IN JUNK, OLD METALS OR ANY OTHER SECONDHAND ARTICLES.

Recommendation Followed. (#0553)

PETITION, John D. Farley, Manchester, New Hampshire 03103 d/b/a OFF THE SHELF THRIFT, 92-127 West Rodney French Boulevard, New Bedford, MA 02744, requesting that he be granted a Waiver of Residency in accordance with Section 15-38 of the City Code, to obtain a **LICENSE TO DEAL IN JUNK, OLD METALS OR ANY OTHER SECONDHAND ARTICLES**. (Referred to the Committee on Appointments and Briefings – January 27, 2022.)

Referred to the Committee on Appointments and Briefings – Yeas 11, Nays 0 – January 27, 2022.

YEAS: Councillors Abreu, Baptiste, Burgo, Carney, Dunn, Giesta, Gomes, Lima, Markey, Morad and Pereira.

Waiver Granted and Rule 40 Waived – Yeas 11, Nays 0.

Presented to the Mayor for approval April 13, 2022.

Approved April 22, 2022. (#0231)

REPORT, Committee on Appointments & Briefings, recommending to the City Council APPROVAL, AS AMENDED, of the request on behalf of D.F. Pray, General Contractors, requesting that the following street(s) be PARTIALLY CLOSED: A PORTION of COMMERCIAL STREET, starting 161' from the NORTH most point and 172' from the SOUTH most point of the intersection with SOUTH WATER STREET to its terminus, and including portions of the sidewalks immediately adjacent to the three buildings on their SOUTH AND EAST elevations. Starting on MAY 1, 2022 – TUESDAY, NOVEMBER 1, 2022, for the purpose of the construction project happening at 21-35 Commercial Street, 13-19 Commercial Street, and 24 Union Street. (Original Street Closing was Referred to the Committee on Appointments and Briefings – February 10, 2022.)

Recommendation Followed and Permission Granted.

Presented to the Mayor for approval April 14, 2022.

Approved April 22, 2022. (#0554)

REPORT, Committee on City Property, recommending that the City Council ADOPTION of the ORDER authorizing the Mayor to execute the Purchase and Sale Agreement between the City and the Commonwealth of Massachusetts for the sale of the New Bedford Armory building at 989 Pleasant Street.

Recommendation Followed. (#0555)

CITY OF NEW BEDFORD
IN CITY COUNCIL
FEBRUARY 24, 2022

ORDERED, that the Mayor is authorized on behalf of the City of New Bedford to execute 1) the Purchase and Sale Agreement, a copy of which is attached hereto; and 2) accept a deed on behalf of the City of New Bedford in a form acceptable to the City Solicitor for \$10.00 for the parcel known and numbered 989 Pleasant Street, New Bedford, Bristol County, Massachusetts, as shown on the plan entitled "Plan of Land, 989 Pleasant Street, New Bedford, Massachusetts" and dated July 21, 2009 (a copy of which is attached hereto as **Exhibit A**).

Referred to the Committee on City Property – Yeas 10, Nays 0 – February 24, 2022.

YEAS: Councillors Abreu, Burgo, Carney, Dunn, Giesta, Gomes, Lima, Markey, Morad and Pereira.

Adopted – Yeas 10, Nays 1. (Councillor Morad OPPOSED.)

Presented to the Mayor for approval April 14, 2022.

Approved April 22, 2022. (#0323)

REPORT, Committee on City Property, recommending to the City Council to take "**NO FURTHER ACTION**" on the WRITTEN MOTION, Councillor Rebeiro, requesting, that the Committee on City Property meet with representatives of the Zeiterion Theatre, Inc. and the City Administration to discuss the potential for a long-term lease, possibly up to 99 years, of the building at Purchase Street currently being used as the Zeiterion Theatre Performing Arts Center.

Recommendation Followed. (#0556)

WRITTEN MOTION, Councillor Rebeiro, requesting, that the Committee on City Property meet with representatives of the Zeiterion Theatre, Inc. and the City Administration to discuss the potential for a long-term lease, possibly up to 99 years, of the building at Purchase Street currently being used as the Zeiterion Theatre Performing Arts Center. (Referred to the Committee on City Property – May 9, 2019.)

Referred to the Committee on City Property – Yeas 11, Nays 0 – May 09, 2019.

NO FURTHER ACTION. (#0800)

REPORT, Committee on City Property, recommending to the City Council to take "**NO FURTHER ACTION**" on the WRITTEN MOTION, Councillor Gomes, requesting, that the Administration explain the large increase in costs for membership at the Woodcock Rifle Range that has been implemented on members; and further, that this increase be reconsidered unless the Administration can express why the increase has been implemented and what benefits does it provide to the membership.

Recommendation Followed. (#0557)

WRITTEN MOTION, Councillor Gomes, requesting, that the Administration explain the large increase in costs for membership at the Woodcock shooting range that has been implemented on members; and further, that this increase be reconsidered unless the Administration can express why the increase has been implemented and what benefits does it provide to the membership. (Referred to the Committee on City Property – June 27, 2019.)

Referred to the Committee on City Property – June 27, 2019.

NO FURTHER ACTION. (#1151)

REPORT, Committee on City Property, recommending to the City Council to take **“NO FURTHER ACTION”** on the WRITTEN MOTION, Councillor Abreu, requesting, that the Park Board explore possible uses of land in and around the Pulaski Park and School area for parking and/or alternative access roads and determine whether the land is Article 97 land, and if so, develop some viable options for developing said road or parking; and further, that the Park Board report its findings to the Chair of the Committee on City Property, Councillor Naomi R. A. Carney. (Referred *from* the Committee on City Property – July 16, 2019.)

Recommendation Followed. (#0558)

AN ORDINANCE, amending Chapter 9, Section 1200 - RELATIVE TO ZONING OF GARDEN STYLE APARTMENTS. (Passed to a Second Reading - March 10, 2022.)

Passed to a Second Reading – Yeas 9, Nays 0 – March 10, 2022.

YEAS: Councillors Abreu, Baptiste, Burgo, Carney, Dunn, Giesta, Lima, Markey and Pereira.

Tabled – Yeas 8, Nays 3. (Council President Abreu, Councillors Dunn and Pereira OPPOSED; Councillor Gomes not present for vote.)

WRITTEN MOTION, Councillor Giesta, requesting that Ms. Soraia Fonseca come before the Committee on Appointments and Briefings to further discuss her ideas on Children’s Advocacy/Mental Health. (To be Referred to the Committee on Appointments and Briefings.)

Referred to the Committee on Appointments and Briefings. (#0559)

WRITTEN MOTION, Councillor Morad, requesting, that City Clerk Dennis Farias, Assistant City Council Clerk Susan Henriques, Clerk of Committees Denis Lawrence, Jr., and Legislative Counsel David Gerwatowski, be invited to join a meeting of the Ad Hoc Committee on the Revision of City Council’s Rules of Order for the purpose of discussing revisions to the City Council Rules of Order, (last updated in November 2015); and further, that said revisions be submitted to the full City Council for adoption. (To be Referred to the Ad Hoc Committee on the Revision of City Council’s Rules of Order.)

Referred to the Ad Hoc Committee on the Revision of City Council’s Rules of Order. (#0560)

WRITTEN MOTION, Councillor Dunn, requesting that the City of New Bedford cease facilitating home equity theft through the contracting of predatory tax debt collectors, like Tallage, that impose a 16% interest rate and take the entire value of the property at foreclosure sale, even when the sale value exceeds the debt.

Referred to the Committee on Ordinances. (#0561)

WRITTEN MOTION, Councillor Burgo, requesting that the New Bedford City Council go on record in support of the proposed Fair Share Amendment that would create an additional tax of four percentage points on annual income above one million dollars and dedicate the funds raised by this tax to quality public education, affordable public colleges and universities, and for the repair and maintenance of roads, bridges, and public transportation.

Rule 17 Waived – Yeas 9, Nays 1. (Councillor Morad OPPOSED; Councillor Gomes not present for vote.)

Adopted – Yeas 7, Nays 3. (Councillors Carney, Markey and Morad OPPOSED; Councillor Gomes not present for vote.) (#0562)

COMMUNICATION/DEMOLITION, New Bedford Historical Commission to City Council RE: BUILDING DEMOLITION REVIEW 13-19 COMMERCIAL STREET (Map 47/Lot 189) Circa 1790 timber-frame building and 1851 wood-frame south addition, the buildings are architecturally and historically significant, representative of the City's rich whaling and fishing industry, linked to the marine industry for 176 years, and associated with the long-term ownership by the Beckman family; the property's rehabilitation has been carefully reviewed and permitted by the Planning Board, Zoning Board of Appeals and the Historical Commission; the project is utilizing Federal and State Historic Tax Credits and has been approved for over \$1.7M in rehabilitative tax credits for this project and as such, has been reviewed by the National Park Service and the Massachusetts Historical Commission; the property is located within the Bedford-Landing Local Historic District and at its March 14, 2022, meeting was issued a Certificate of Appropriateness for the demolition of the ca. 1790 timber-frame building and ca. 1851-wood-frame south addition; the demolition does not adversely affect the 3-1/2 story wood-frame gable roof structure facing Route 18, or the adjacent "stone" buildings to the west, therefore, **"in light of these findings, the New Bedford Historical Commission has determined that the buildings at 13-19 Commercial Street are Historically Significant but not Preferably Preserved historic buildings"**.

Referred to the Committee on Appointments and Briefings. (#0563)

COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of **David Bizarro d/b/a BIZARRO'S TRANSPORTATION, 50 Larch Street, New Bedford, MA 02740**, hereby submitting a copy of the Application requesting a **RENEWAL of a PRIVATE LIVERY LICENSE**, to carry passengers for hire over the streets of New Bedford. **(Term of License July 1, 2022 – June 30, 2023.)**

Livery License Renewal Granted.

Presented to the Mayor for approval April 14, 2022.

Approved April 22, 2022. (#0564)

COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of **Christopher Okafor, 27 Maddie Drive, New Bedford, MA 02745 d/b/a KIK TRANSPORTATION, 27 Maddie 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. **(Term of License July 1, 2022 – June 30, 2023.)**

Livery License Renewal Granted.

Presented to the Mayor for approval April 14, 2022.

Approved April 22, 2022. (#0565)

COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of **Edward M. Pacheco, 188 Hixville Road, Dartmouth, MA 02747 d/b/a PLACES TO GO, LLC, 1 Wamsutta Street, New Bedford, MA 02740**, hereby submitting a copy of the Application requesting a **RENEWAL of a PRIVATE LIVERY LICENSE** to carry passengers for hire over the streets of New Bedford. **(Term of License July 1, 2022 – June 30, 2023.)**

Livery License Renewal Granted.

Presented to the Mayor for approval April 14, 2022.

Approved April 22, 2022. (#0566)

COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of **Brittany B. Botelho, 185 Hathaway Road, Acushnet, MA 02743 d/b/a PROJECT INDEPENDENCE SERVICES, INC., 250 Elm Street, New Bedford, MA 02740**, hereby submitting a copy of the Application requesting a **RENEWAL of a PRIVATE LIVERY LICENSE** to carry passengers for hire over the streets of New Bedford. **(Term of License July 1, 2022 – June 30, 2023.)**

Livery License Renewal Granted.

Presented to the Mayor for approval April 14, 2022.

Approved April 22, 2022. (#0567)

COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of **Albert Williams III & Jeanne Williams, 1 Deerfield Lane, Fairhaven, MA 02719 d/b/a ELITE TRANSPORTATION, INC., 1 Deerfield Lane, Fairhaven, MA 02719**, 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 Term July 1, 2022 – June 30, 2023.)**

Livery License Renewal Granted.

Presented to the Mayor for approval April 14, 2022.

Approved April 22, 2022. (#0568)

COMMUNICATION, City Clerk on behalf of the City Treasurer, requesting that the City Council set the City Treasurer's Continuation Bond at \$350,000.00. (Term of Bond – May 3, 2022 – May 3, 2023; To be Received and Placed on File.)

Received and Placed on File. (#0569)

COMMUNICATION, Councillors Baptiste and Pereira, submitting a copy of letter sent to Members of the Board of Park Commissioners regarding the parking plan at Marine Park and Noah's Place Playground. (To be Referred to the Committee on City Property.)

Referred to the Committee on City Property – Yeas 10, Nays 0. (Councillor Gomes not present for vote.) (#0570)

COMMUNICATION, City Clerk/Clerk of the City Council, submitting a copy of the Department of Environmental Protection Waterways Regulation Program's public notice by the University of Massachusetts/Dartmouth to construct and maintain a Meteorological Tower on an existing pier at 706 South Rodney French Boulevard. (To be Received and Placed on File.)

Received and Placed on File. (#0571)

COMMUNICATION, City Clerk/Clerk of the City Council, submitting a copy of the Department of Environmental Protection Waterways Regulation Program's public notice by the Community Boating Center, Inc. to construct and maintain a Meteorological Tower on an existing pier at 0 SS Padanaram Avenue. (To be Received and Placed on File.)

Received and Placed on File. (#0572)

CITATION, Councillor Gomes, honoring EMMANUEL POWERS-SILVEIRA, in recognition of his Appointment as a New Bedford Police Officer.

Adopted, to be presented at a later date. (#0573)

WRITTEN MOTION, Councillor Gomes, requesting, on behalf of Buddy Andrade, that the following street(s) be CLOSED: BEDFORD STREET, from South Sixth Street to Pleasant Street, ON SATURDAY, APRIL 23, 2022, FROM 8:00 A.M. TO 4:00 P.M., for the purpose of EVERY DAY IS EARTH DAY - GO GREEN CAMPAIGN FAIR.

Permission Granted.

Presented to the Mayor for approval April 14, 2022.

Approved April 22, 2022. (#0574)

WRITTEN MOTION, Councillor Lima, requesting, that the following street(s) be CLOSED: BRIGGS STREET, from Thompson Street to Rockland Street, ON MONDAY, APRIL 25, 2022, AND TUESDAY, APRIL 26, 2022, FROM 7:00 A.M. TO 8:00 P.M., for the purpose of filming the movie "THE FINESTKIND".

Permission Granted.

Presented to the Mayor for approval April 14, 2022.

Approved April 22, 2022. (#0575)

WRITTEN MOTION, Councillor Giesta, requesting, that the following street(s) be CLOSED: BEETLE COURT, from North Front Street to Belleville Avenue, ON FRIDAY, APRIL 22, 2022, FROM 7:00 A.M. TO 9:00 P.M. AND BELLEVILLE AVENUE, (Southbound Traffic Road Closure – Reroute via Sawyer Street) FROM 9:00 A.M. TO 9:00 P.M., for the purpose of filming the movie “THE FINESTKIND”.

Permission Granted.

Presented to the Mayor for approval April 14, 2022.

Approved April 22, 2022. (#0576)

WRITTEN MOTION, Councillor Pereira, requesting, that the following street(s) be CLOSED: COVE STREET, from JFK Memorial Highway to Abbott Street; EAST RODNEY FRENCH BOULEVARD, from Abbott Street to Ruth Street; ABBOTT STREET, from Cove Street to Ruth Street; GIFFORD STREET @ Morton Court AND HARBOR STREET, from Gifford Street and Cove Street, ON WEDNESDAY, APRIL 27, 2022, FROM 7:00 A.M. TO 7:00 P.M., for the purpose of filming the movie “THE FINESTKIND”.

Permission Granted.

Presented to the Mayor for approval April 14, 2022.

Approved April 22, 2022. (#0577)

PETITION/INDEMNITY AGREEMENT, BLESSED WITH BEAUTY, for Permission to Erect and Maintain a 3 ft. x 4 ft. Non-Illuminated Projecting Sign to overhang City property at 202 Dartmouth Street, New Bedford, MA 02740. Provisionally Granted, subject to Approval of the Building Commissioner and subject to Ratification by Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval April 14, 2022.

Approved April 22, 2022. (#0578)

CONSTABLE BOND, CHARLES R. COOPER, II, New Bedford, MA 02740, in the amount of \$5,000.00 with Western Surety Company.

Approved.

Presented to the Mayor for approval April 14, 2022.

Approved April 22, 2022. (#0579)

CONSTABLE BOND, RICHARD A. MONIZ, Dartmouth, MA 02747, in the amount of \$5,000.00, with Hanover Insurance Company.

Approved.

Presented to the Mayor for approval April 14, 2022.

Approved April 22, 2022. (#0580)

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 Historical Commission for meetings held on November 08, 2021, and February 07, 2022, Bristol County PHEP Coalition/Ex. Board, for a meeting held on March 25, 2022, the Park Board, for a meeting held on February 23, 2022 and the Planning Board, for meetings held on October 13, November 10 and December 15, 2021.

Received and Placed on File.

(#0581)

APPLICATION, **Araujo Brothers Plumbing**, for permission to maintain a STREET OBSTRUCTION at **1856 Acushnet Avenue**, provisionally granted by the City Clerk on March 28, 2022, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval April 14, 2022.

Approved April 22, 2022. (#0582)

APPLICATION, **Couto Construction**, for permission to maintain a STREET OBSTRUCTION at **55 William Street/Acushnet Avenue**, provisionally granted by the City Clerk on April 04, 2022, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval April 14, 2022.

Approved April 22, 2022. (#0583)

APPLICATION, **JLC Construction**, for permission to maintain a STREET OBSTRUCTION at **616 Shawmut Avenue**, provisionally granted by the City Clerk on March 21, 2022, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval April 14, 2022.

Approved April 22, 2022. (#0584)

APPLICATION, **JLC Construction**, for permission to maintain a STREET OBSTRUCTION at **927 Bristol Street**, provisionally granted by the City Clerk on March 23, 2022, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval April 14, 2022.

Approved April 22, 2022. (#0585)

APPLICATION, **W.C. Smith & Son**, for permission to maintain a STREET OBSTRUCTION at **175-180 MacArthur Drive, 140 Pine Street and MacArthur Drive at Leonard's Wharf**, provisionally granted by the City Clerk on April 04, 2022, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval April 14, 2022.

Approved April 22, 2022. (#0586)

APPLICATION, **Able Asphalt, Inc.**, for permission to maintain a STREET OBSTRUCTION at **1060 Marion Street**, provisionally granted by the City Clerk on April 04, 2022, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval April 14, 2022.

Approved April 22, 2022. (#0587)

APPLICATION, **Sweeney Excavating Corp.**, for permission to maintain a STREET OBSTRUCTION at **157 Coggeshall Street/Mitchell Street (Plot 93/Lots 275, 168 and 169)**, provisionally granted by the City Clerk on April 04, 2022, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval April 14, 2022.

Approved April 22, 2022. (#0588)

APPLICATION, **Communications Construction Group**, for permission to maintain a STREET OBSTRUCTION at **771 Purchase Street**, provisionally granted by the City Clerk on April 05, 2022, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval April 14, 2022.

Approved April 22, 2022. (#0589)

APPLICATIONS, **JLC Construction**, for permission to maintain a STREET OBSTRUCTION, provisionally granted by the City Clerk on April 06, 2022, subject to ratification by the Mayor and City Council as follows:

73 Oneida Street (#0590)
76 Oneida Street (#0591)
2 Concord Street (#0592)
Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval April 14, 2022.
Approved April 22, 2022.

APPLICATION, **JLC Construction**, to DISTURB THE SURFACE, of **616 Shawmut Avenue**, provisionally granted by the City Clerk on March 21, 2022, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval April 14, 2022.
Approved April 22, 2022. (#0593)

APPLICATION, **JLC Construction**, to DISTURB THE SURFACE, of **927 Bristol Street**, provisionally granted by the City Clerk on March 23, 2022, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval April 14, 2022.
Approved April 22, 2022. (#0594)

APPLICATION, **W.C. Smith & Son**, to DISTURB THE SURFACE, of **175-180 MacArthur Drive, 140 Pine Street and MacArthur Drive at Leonard's Wharf**, provisionally granted by the City Clerk on April 04, 2022, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval April 14, 2022.
Approved April 22, 2022. (#0595)

APPLICATION, **Able Asphalt, Inc.**, to DISTURB THE SURFACE, of **1060 Marion Street**, provisionally granted by the City Clerk on April 04, 2022, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval April 14, 2022.
Approved April 22, 2022. (#0595a)

APPLICATION, **Sweeney Excavating Corp.**, to DISTURB THE SURFACE, of **157 Coggeshall Street/Mitchell Street (Plot 93/Lots 275, 168 and 169)**, provisionally granted by the City Clerk on April 04, 2022, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval April 14, 2022.
Approved April 22, 2022. (#0596)

APPLICATION, **Communications Construction Group**, to DISTURB THE SURFACE, of **771 Purchase Street**, provisionally granted by the City Clerk on April 05, 2022, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval April 14, 2022.
Approved April 22, 2022. (#0597)

APPLICATIONS, **JLC Construction**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on April 06, 2022, subject to ratification by the Mayor and City Council as follows:

73 Oneida Street	(#0598)
76 Oneida Street	(#0599)
2 Concord Street	(#0600)

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval April 14, 2022.
Approved April 22, 2022.

APPLICATIONS, **Eversource Gas**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on March 23, 2022, subject to ratification by the Mayor and City Council as follows:

969 Hillcrest Road	(#0601)
1064 Tobey Street	(#0602)
Intersection of Tarkiln Hill Road and Church Street	(#0603)
1375 Pleasant Street	(#0604)
124-126 Nye Street	(#0605)
15-17 Hollyhock Street	(#0606)
198 Herman Melville Boulevard	(#0607)
140 Chancery Street	(#0608)
208 Central Avenue	(#0609)
890 Brock Avenue	(#0610)
145 Branscomb Street	(#0611)
152 Birch Street	(#0612)
163 Eighth Street	(#0613)
Brock Avenue @ Intersection with Warren Street	(#0614)

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval April 14, 2022.
Approved April 22, 2022.

APPLICATION, **Eversource Gas**, to DISTURB THE SURFACE, of **286 Ashley Boulevard**, provisionally granted by the City Clerk on March 31, 2022, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval April 14, 2022.
Approved April 22, 2022. (#0615)

APPLICATION, **Couto Construction**, for permission to maintain a STREET OBSTRUCTION at **689 County Street**, provisionally granted by the City Clerk on March 21, 2022, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval April 14, 2022.
Approved April 22, 2022. (#0616)

APPLICATION, **Vaz Construction**, for permission to maintain a STREET OBSTRUCTION at **124 Washington Street**, provisionally granted by the City Clerk on March 22, 2022, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval April 14, 2022.
Approved April 22, 2022. (#0617)

APPLICATION, **Couto Construction**, for permission to maintain a STREET OBSTRUCTION at **107 David Street**, provisionally granted by the City Clerk on April 04, 2022, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval April 14, 2022.

Approved April 22, 2022. (#0618)

APPLICATIONS, **ABC Disposal Service**, for permission to maintain a STREET OBSTRUCTION, provisionally granted by the City Clerk on March 30, 2022, subject to ratification by the Mayor and City Council as follows:

1534 Acushnet Avenue (#0619)

262 Belair Street (#0620)

11-35 Commercial Street (#0621)

45 Bedford Street (#0622)

603 Cottage Street (#0623)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval April 14, 2022.

Approved April 22, 2022.

On a motion, the Council then adjourned at 7:55 p.m.

ATTEST:

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