

NEW BEDFORD, MASSACHUSETTS

MEETING: COMMITTEE ON APPOINTMENTS & BRIEFINGS
DATE: OCTOBER 18, 2022
TIME: 7:02 P.M.
PLACE: CITY COUNCIL CHAMBER, ROOM 214, MUNICIPAL BUILDING

PRESENT: COUNCILLORS NAOMI CARNEY, CHAIRPERSON; DEREK BAPTISTE, VICE CHAIRMAN; IAN ABREU; SHANE BURGO (7:14); HUGH DUNN (7:14); MARIA GIESTA; BRIAN GOMES; SCOTT LIMA; WILLIAM BRAD MARKEY; LINDA MORAD; RYAN PEREIRA

ABSENT: NO ONE

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Councillor Carney called the Appointments & Briefings Committee Meeting to order and took attendance; everyone was present.

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Councillor Carney announced the start of Citizen's Input Time, not to exceed the first thirty minutes of the meeting.

Notice, City Clerk of reference of Jenny Newman-Arruda, TL6 The Gallery, 100 William Street, New Bedford, speaking on "100% increase in parking rates". (Ref'd 10/03/2022) (1, 1a)

Ms. Jenny Newman-Arruda, Co-owner of TL6 Gallery, 100 William Street was present and informed the Committee of her concern of the city increasing parking rates by one hundred percent. She asked the Committee to address this issue with the Traffic Commission.

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Notice, City Clerk of reference of a COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of GONCALO MEDEIROS COELHO, New Bedford, MA, 02744, as a CONSTABLE (Ref'd 09/08/2022) was received and placed on file by Councillor Markey and seconded by Councillor Pereira. (2)

Mr. Goncalo Medeiros Coelho, 2 Margin Street, New Bedford was present and explained that he was looking for a new opportunity and became interested in a Constable position.

Councillor Markey asked what he intended to do once granted the position. Mr. Coelho explained he will be working with a company that serves warrants, notices, and similar items.

On motion by Councillor Gomes and seconded by Councillor Lima, the Committee VOTED: To recommend to the City Council APPROVAL of the APPOINTMENT of GONCALO MEDEIROS COELHO, New Bedford, MA, 02744, as a CONSTABLE. This motion passed on a voice vote.

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Notice, City Clerk of reference of a PETITION, Nathaniel Ellis, Westport, MA 02790, d/b/a/ FLIP THIS DOLL HOUSE, 127 West Rodney French Boulevard, Suite 201, 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. (Ref'd 09/22/2022) (3)

The Clerk announced that the Clerk of Committee's Office received a telephone call from the applicant stating he would be unable to attend the meeting this evening.

On motion by Councillor Pereira and seconded by Councillor Lima, the Committee VOTED: To table this matter at this time. This motion passed on a voice vote.

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Notice, City Clerk of reference of a COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of Camille Taylor, 14 Beetle Street, New Bedford, MA 02746 d/b/a CT LIVE YOUR BEST LIFE, 14 Beetle Street, New Bedford, MA 02746, hereby submitting a copy of the Application requesting a NEW PRIVATE LIVERY LICENSE to carry passengers for hire over the streets of New Bedford (License will expire June 30, 2023.) (Ref'd 09/22/2022) was received and placed on file by Councillor Lima and seconded by Councillor Abreu. (4)

Ms. Camille Taylor, 14 Beetle Street, New Bedford was present and explained that she was looking to start a new business and decided upon the livery business. She found a need to provide such a service.

Councillor Morad asked if she ever been involved in this type of business. She stated she had not. Ms. Taylor explained that she would start out small with just her and hopefully grow the business. She will have a fifteen (15) passenger van and a smaller vehicle to begin with. Her vehicles will be parked at her home which has off-street parking.

On motion by Councillor Gomes and seconded by Councillor Giesta, the Committee VOTED: To recommend to the City Council APPROVAL on behalf of Camille Taylor, 14 Beetle Street, New Bedford, MA 02746 d/b/a CT LIVE YOUR BEST LIFE, 14 Beetle 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 (License will expire June 30, 2023.) This motion passed on a voice vote.

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Notice, City Clerk of reference of a WRITTEN MOTION, Councillor Gomes, Giesta, Lima, Council President Abreu and Councillor Morad, requesting that the Committee on Appointments and Briefings hold a meeting with Officials from Parallel Products, the Mitchell Administration and the City Solicitor for the purpose of explaining the agreement that the City and the Mayor entered into with Parallel Products which allows Mr. Tim Cusson, CEO of Parallel Products to move forward with the construction plan in the New Bedford Business Park; and further, an explanation as to why the residents of Pine Hill and Sassaquin areas were not notified before the signing of this

agreement which will affect the quality of life for the residents and businesses in the area for many years to come; and further that the Administration provide the City Council, residents, and business owners in the area, an explanation on how this agreement of receiving \$800,000 a year will benefit the abutting area and the City; and whereas the New Bedford City Council signed onto a letter submitted to MEPA on May 10, 2021 along with Mayor Jon Michell, expressing strong opposition to the establishment of a glass/solid waste/biosolids processing facility to be operated by Parallel Products at 100 Duchaine Boulevard; although changes have been made to the project proposal, the City Council will send a letter expressing our continued opposition to this project in its entirety because of the detrimental impact it would have on the residents, businesses and the community of New Bedford; the City has been subjected to multiple environmental injustices and this project will in fact be another one; and furthermore, the City Council would also like to state its opposition to the City's Host Agreement entered into with Parallel Products, and that the New Bedford City Council was unaware any of agreement, as it was entered into solely by Mayor Jon Mitchell (To be Referred to the Committee on Appointments and Briefings and Waive Rule 40.) (Ref'd 08/18/2022) was received and placed on file by Councillor Gomes and seconded by Councillor Baptiste. (5)

Councillor Gomes expressed his frustration that the Administration moved to reach an agreement with Parallel Products in their attempts to establish a business at 100 Duchaine Boulevard, in the Industrial Park of which the Committee felt would end up being a detriment to the neighborhood affecting a number of residents.

City Solicitor Jaikes deferred to Attorney Steve Richmond of the firm Beverage and Diamond who reached this Host Community Agreement with Parallel Products on behalf of the Administration. He gave an overview of the Host Community Agreement as it applied to this issue. He explained that it is advantageous for a community to enter into such an agreement before the permitting process is decided by other entities to protect the city's interests. He emphasized that the permitting process is separate for the agreement that was reached between the Administration and Parallel Products. He stressed that this agreement does not bind a city department, for example, Board of Health into making a decision on permitting. This agreement reached removed the Bio Solids portion of Parallel's original business proposal. It agreed to paying the city a \$2.00 per ton fee which would result in the city receiving \$800,000 a year from the company. They would also be paying property and business taxes on top of the \$2.00 per ton fee. The agreement also prohibits truck traffic on Phillips Road. If the traffic agreement is not followed fines could be issued at \$500 for the first offense, \$1,000 for the second and \$5,000 for everyone after.

In return the Mayor has agreed to not oppose Parallels project. It was explained that this position does in no way affect the decisions that will be made by the DEP, Site Plan Review, or the Board of Health.

The Committee asked when the decision was made to stop fighting the proposal through KP Law, which was retained to represent the city. Attorney Jaikes explained that prior to his becoming City Solicitor, the Administration made the decision to look towards a Community Host Agreement process. This was when KP Law's involvement ended and secured the services of Beverage and Diamond. He did not know why the Council was not notified of this decision. He did acknowledge that upon assuming the position of City Solicitor he brought the Administration's position to where it currently is.

Councillor Morad asked how Beverage and Diamond was being paid for their representation. She explained that she recalled the vote to approve \$250,000 was to pay KP Law to fight the issue on behalf of the city. Attorney Jaikes explained that he believed that Beverage and Diamond were being paid out of the \$250,000 the Council had previously approved. Councillor Morad questioned whether this was allowable.

Councillor Markey asked how the tonnage was calculated. He was told that the company would have to report tonnage to the state, and this is how the payment figure would be arrived at.

Attorney Randall Weeks, Jr., of the firm Partridge, Snow and Hahn in New Bedford, was present representing Parallel Products and explained that his involvement was to negotiate the Community Host Agreement between his client and the city. He furthered echoed Attorney Jaikes' and Attorney Richmond's contention that this agreement in no way would affect the permitting process and that those decisions would be made by the state and local Board of Health.

In closing the Committee expressed their disappointment that this negotiation that took place between the Administration and Parallel Products was not brought to the Council's attention that it was taking place.

On motion by Councillor Gomes and seconded by Councillor Burgo, the Committee VOTED: To table this matter at this time. This motion passed on a voice vote.

Councillor Lima made a motion to adjourn, which was seconded by Councillor Burgo. This motion passed on a voice vote.

This meeting adjourned @ 8:07 p.m.

ATTEST:



Denis Lawrence, Jr.,
Clerk of Committees