

REGULAR MEETING

CITY COUNCIL

Thursday, October 13, 2022

7:02 p.m.

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

LATE: Councillor Baptiste.

ABSENT: Councillor Dunn.

Council President Abreu called the meeting to order and presided.

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

COMMUNICATION, Councillor Dunn, to Members of the City Council, informing that he will be unable to attend the City Council Meeting on Thursday, October 13, 2022, due to a work conflict.

Received and Placed on File. (#1625)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of SCOTT GOMES, to the position of District Fire Chief effective immediately.

Rule 38 and Rule 40 Waived and Appointment Confirmed – Yeas 10, Nays 0. (#1626)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDINANCE Amending Section 19-7 of the Code of Ordinances: “Establishment of Unit C Classification and Salary Plan; Procedures for Advancement.”

Referred to the Committee on Ordinances. (#1627)

AN ORDINANCE,

Referred to the Committee on Ordinances. (#1628)

COMMUNICATION, Mayor Mitchell, to City Council, submitting a proposed Zoning ORDINANCE amendment and a proposed Order approving the *New Bedford MacArthur Drive Redevelopment Plan*.

Referred to the Committee on Ordinances and the Planning Board. (#1629)

AN ORDER,

Referred to the Committee on Ordinances and the Planning Board. (#1630)

AN ORDINANCE,

Referred to the Committee on Ordinances and the Planning Board. (#1631)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the APPROPRIATION of \$407,000.00 from ORDINARY REVENUE AND MUNICIPAL RECEIPTS to FIRE SALARIES AND WAGES.

Received and Placed on File. (#1632)

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CITY OF NEW BEDFORD  
IN CITY COUNCIL  
OCTOBER 13, 2022

ORDERED, that the sum of FOUR HUNDRED AND SEVEN THOUSAND DOLLARS (\$407,000.00) now standing to the credit of the account from ORDINARY REVENUE AND MUNICIPAL RECEIPTS be and the same is hereby transferred and appropriated to as follows:

FIRE SALARIES AND WAGES .....\$407,000.00

To be certified and approved by the Department Head.

This order funds the contract between the City of New Bedford and Local 841 – International Association of Firefighters.

Adopted – Yeas 10, Nays 0.

Presented to the Mayor for approval October 17, 2022.

Approved October 24, 2022. (#1633)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$203,000.00 from EMPLOYEE BENEFITS CHARGES AND SERVICES to FIRE SALARIES AND WAGES.

Received and Placed on File. (#1634)

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CITY OF NEW BEDFORD  
IN CITY COUNCIL  
OCTOBER 13, 2022

ORDERED, that the sum of TWO HUNDRED AND THREE THOUSAND DOLLARS (\$203,000.00) now standing to the credit of the account from EMPLOYEE BENEFITS CHARGES AND SERVICES be and the same is hereby transferred and appropriated to as follows:

FIRE SALARIES AND WAGES .....\$203,000.00

To be certified and approved by the Department Head.

This order funds the contract between the City of New Bedford and Local 841 – International Association of Firefighters.

Adopted – Yeas 10, Nays 0.

Presented to the Mayor for approval October 17, 2022.

Approved October 24, 2022. (#1635)

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RELATED MOTION, Councillor Morad, requesting, that the Interim CFO and/or Chief Kruger, New Bedford Fire Department, provide to the City Council a copy of the current contract.

Adopted.

Presented to the Mayor for approval October 17, 2022.

RETURNED UNSIGNED October 28, 2022. (#1636)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of JUVENAL ALVES NEVES, New Bedford, MA 02740 as a CONSTABLE.

Referred to the Committee on Appointments and Briefings. (#1637)

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AN APPLICATION,

Referred to the Committee on Appointments and Briefings. (#1638)

REPORT, Committee on Appointments & Briefings, recommending to the City Council APPROVAL of the APPLICATION, Jose Elvin Pena, d/b/a M. J. Auto Sales, for a SPECIAL PERMIT for Motor Vehicle Sales and/or Rentals at 297 Belleville Avenue, New Bedford, MA 02746.

Recommendation Followed. (#1639)

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SPECIAL PERMIT APPLICATION, Jose Elvin Pena, d/b/a M. J. Auto Sales, for a SPECIAL PERMIT for Motor Vehicle Sales and/or Rentals at 297 Belleville Avenue, New Bedford, MA 02746.

Special Permit Granted.

Presented to the Mayor for approval October 17, 2022.

Approved October 24, 2022. (#1640)

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REPORT, Committee on Appointments & Briefings, recommending to the City Council APPROVAL of the APPLICATION, Patrick Moriarty, d/b/a M.B. Auto Service, Inc., for a SPECIAL PERMIT for Motor Vehicle Sales and/or Rentals and General Repairs at 75 Church Street, New Bedford, MA 02746.

Recommendation Followed. (#1641)

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SPECIAL PERMIT APPLICATION, Patrick Moriarty, d/b/a M.B. Auto Service, Inc., for a SPECIAL PERMIT for Motor Vehicle Sales and/or Rentals and General Repairs at 75 Church Street, New Bedford, MA 02746.

Special Permit Granted.

Presented to the Mayor for approval October 17, 2022.

Approved October 24, 2022. (#1642)

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REPORT, Committee on Appointments & Briefings, recommending to the City Council APPROVAL of the APPLICATION, Zainab Adesina, d/b/a Abba Auto Sales, for a SPECIAL PERMIT for Motor Vehicle Sales and/or Rentals at 306-310 Rivet Street (aka 227 Bonney Street), New Bedford, MA 02744.

Recommendation Followed. (#1643)

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SPECIAL PERMIT APPLICATION, Zainab Adesina, d/b/a Abba Auto Sales, for a SPECIAL PERMIT for Motor Vehicle Sales and/or Rentals at 306-310 Rivet Street (aka 227 Bonney Street), New Bedford, MA 02744.

Special Permit Granted.

Presented to the Mayor for approval October 17, 2022.

Approved October 24, 2022. (#1644)

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REPORT, Committee on Appointments & Briefings, recommending to the City Council APPROVAL of the APPOINTMENT of REVEREND MICHAEL S. RACINE, New Bedford, MA to the CEMETERY BOARD, replacing Jill M. Ussach, whose term has expired; this term will expire December 2024.

Recommendation Followed. (#1645)

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COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of REVEREND MICHAEL S. RACINE, New Bedford, MA to the CEMETERY BOARD, replacing Jill M. Ussach, whose term has expired; this term will expire December 2024.

Referred to the Committee on Appointments and Briefings – August 18, 2022.

Appointment Granted and Rule 40 Waived – Yeas 10, Nays 0. (#1368)

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REPORT, Committee on Appointments & Briefings, recommending the City Council GRANT a Waiver of Residency to Paul Bryant, Boston, MA 02199, d/b/a FALL RIVER PAWNBROKERS/FALL RIVER FINANCIAL MA, LLC, 268 Union Street, New Bedford, MA 02740, in accordance with Section 15-38 of the City Code, to obtain a PAWNBROKER’S LICENSE and LICENSE TO DEAL IN JUNK, OLD METAL OR ANY OTHER SECONDHAND ARTICLES.

Recommendation Followed. (#1646)

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PETITION, that the City Council grant a Waiver of Residency to Paul Bryant, Boston, MA 02199, d/b/a FALL RIVER PAWNBROKERS/FALL RIVER FINANCIAL MA, LLC, 268 Union Street, New Bedford, MA 02740, in accordance with Section 15-38 of the City Code, to obtain a PAWNBROKER’S LICENSE and LICENSE TO DEAL IN JUNK, OLD METAL OR ANY OTHER SECONDHAND ARTICLES.

Referred to the Committee on Appointments and Briefings – July 21, 2022.

Waiver of Residency Granted – Yeas 10, Nays 0. (#1247)

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REPORT, Committee on Appointments & Briefings, recommending the City Council GRANT a Waiver of Residency to Paul Bryant, Boston, MA 02199, d/b/a FALL RIVER PAWNBROKERS/FALL RIVER FINANCIAL MA, LLC, 1351 Acushnet Avenue, New Bedford, MA 02746, in accordance with Section 15-38 of the City Code, to obtain a PAWNBROKER’S LICENSE and LICENSE TO DEAL IN JUNK, OLD METAL OR ANY OTHER SECONDHAND ARTICLES.

Recommendation Followed. (#1647)

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PETITION, that the City Council grant a Waiver of Residency to Paul Bryant, Boston, MA 02199, d/b/a FALL RIVER PAWNBROKERS/FALL RIVER FINANCIAL MA, LLC, 1351 Acushnet Avenue, New Bedford, MA 02746, in accordance with Section 15-38 of the City Code, to obtain a PAWNBROKER’S LICENSE and LICENSE TO DEAL IN JUNK, OLD METAL OR ANY OTHER SECONDHAND ARTICLES.

Referred to the Committee on Appointments and Briefings – July 21, 2022.

Waiver of Residency Granted – Yeas 10, Nays 0.

Presented to the Mayor for approval October 17, 2022.

RETURNED UNSIGNED October 28, 2022. (#1248)

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REPORT, Committee on Appointments & Briefings, recommending to the City Council APPROVAL on behalf of Fritz G. Barthelmy, 800 Pleasant Street, Apt. 1105, New Bedford, MA 02740 d/b/a TAP TAP MEDICAL TRANSPORTATION, 303 Coggeshall Street, New Bedford, MA 02746, of the Application for a NEW PRIVATE LIVERY LICENSE, to carry passengers for hire over the streets of New Bedford (License will expire June 30, 2023.)

Recommendation Followed. (#1648)

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COMMUNICATION, City Clerk/Clerk of the City Council, to the City Council APPROVAL on behalf of Fritz G. Barthelmy, 800 Pleasant Street, Apt. 1105, New Bedford, MA 02740 d/b/a TAP TAP MEDICAL TRANSPORTATION, 303 Coggeshall Street, New Bedford, MA 02746, of the Application for a NEW PRIVATE LIVERY LICENSE, to carry passengers for hire over the streets of New Bedford (License will expire June 30, 2023.)

Referred to the Committee on Appointments and Briefings – August 18, 2022.

License Granted.

Presented to the Mayor for approval October 17, 2022.

Approved October 24, 2022. (#1396)

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REPORT, Committee on Memorials & Dedications, recommending to the City Council to refer approval to the Park Board of two (2) stone benches to be placed at the Women in Military Service Memorial located at Fort Taber Park.

Recommendation Followed. (#1649)

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COMMUNICATION, Councillor Morad, submitting a Memorial Park Bench and Tree Dedication Program Application for the Women in the Military Service Memorial, located at Fort Taber Park for the placement of two (2) stone benches.

Referred to the Special Committee on Memorials and Dedications – July 21, 2022.

Referred to the Park Board. (#1250)

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REPORT, Committee on Appointments & Briefings, recommending to the City Council to take “NO FURTHER ACTION” on the RELATED MOTION, Councillor Pereira, requesting that the Chairperson of the Historical Commission appear before the Committee on Appointments and Briefings to discuss how demolition determinations are made and to learn about the process.

Recommendation Followed. (#1650)

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RELATED MOTION, Councillor Pereira, requesting that the Chairperson of the Historical Commission appear before the Committee on Appointments and Briefings to discuss how demolition determinations are made and to learn about the process.

Referred to the Committee on Appointments and Briefings – June 23, 2022.

NO FURTHER ACTION. (#1161)

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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 Committee on Public Safety and Neighborhoods meet with the DPI Commissioner Ponte or a representative for the purpose of discussing the installation of LED lights and removing the single bulbs in areas that continue to be high risk for criminal activity throughout the City; and further requesting that when the City replaces an existing LED light bulb that it be replaced with a newer LED bulb not continue to use the older type bulbs; furthermore that in the Committee meeting we discuss lighting across the City.

Recommendation Followed. (#1651)

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WRITTEN MOTION, Councillor Gomes, requesting that the Committee on Public Safety and Neighborhoods meet with the DPI Commissioner Ponte or a representative for the purpose of discussing the installation of LED lights and removing the single bulbs in areas that continue to be high risk for criminal activity throughout the City; and further requesting that when the City replaces an existing LED light bulb that it be replaced with a newer LED bulb not continue to use the older type bulbs; furthermore that in the Committee meeting we discuss lighting across the City.

Referred to the Committee on Public Safety and Neighborhoods – July 16, 2020.

NO FURTHER ACTION. (#0889)

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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 Committee on Public Safety and Neighborhoods meet with Energy Manager Scott Durkee and DPI Commissioner Jamie Ponte, to discuss the present lighting situation in some New Bedford areas; and further that they make available to the City Council the cost savings with changing the street lights, why every neighborhood did not receive LED lighting and the cost savings using the single bulb fixtures and bulb replacements instead of the LED light strips; also provide the Council with how much money has been saved due to the solar farms that have been placed around the City, the reason for this request comes on the heels of asking that LED lighting to be replaced in high crime areas throughout the City.

Recommendation Followed. (#1652)

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WRITTEN MOTION, Councillor Gomes, requesting that the Committee on Public Safety and Neighborhoods meet with Energy Manager Scott Durkee and DPI Commissioner Jamie Ponte, to discuss the present lighting situation in some New Bedford areas; and further that they make available to the City Council the cost savings with changing the street lights, why every neighborhood did not receive LED lighting and the cost savings using the single bulb fixtures and bulb replacements instead of the LED light strips; also provide the Council with how much money has been saved due to the solar farms that have been placed around the City, the reason for this request comes on the heels of asking that LED lighting to be replaced in high crime areas throughout the City.

Referred to the Committee on Public Safety and Neighborhoods – August 20, 2020.

NO FURTHER ACTION. (#1058)

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COMMUNICATION, Councillor Morad, submitting communications from the Executive Director of the New Bedford Retirement Board regarding the vote taken by the Board to increase the COLA base from \$12,000 to \$14,000 and KMS Actuaries regarding the impact on the New Bedford Contributory Retirement System’s liabilities and appropriations as a result of increasing the COLA base. (To be Referred to the Committee on Finance.)

Referred to the Committee on Finance. (#1653)

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COMMUNICATION, Council President Abreu, submitting a copy of a letter from Leonard F. Baillargeon, Chairperson of the New Bedford Retirement Board regarding the Board’s vote of a COLA Increase. (To be Referred to the Committee on Finance.)

Referred to the Committee on Finance. (#1654)

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COMMUNICATION, Council President Abreu, submitting a Communication from Jeff Camara, President of the Retired Firefighters of New Bedford regarding their endorsement of the New Bedford Retirement Board’s vote of the COLA increase. (To be Referred to the Committee on Finance.)

Referred to the Committee on Finance. (#1655)

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COMMUNICATION, Council President Abreu, submitting a Communication from Billy Sylvia, President, New Bedford Firefighters, Local 841, requesting support for our retirees and their families by voting in favor of the increase to the COLA base. (To be Referred to the Committee on Finance.)

Referred to the Committee on Finance. (#1656)

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WRITTEN MOTION, Council President Abreu, requesting, on behalf of D.F. Pray, General Contractors, that the following Streets be CLOSED: A PORTION OF COMMERCIAL STREET, Starting 161’ from the NORTH most point and 172’ from the SOUTH most point at 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, ON TUESDAY, NOVEMBER 01, 2022, TO MAY 01, 2023. **PLEASE NOTE: (A Six-Month Extension of Current Street Closing Which is Due to Expire on November 01, 2022)**, for the purpose of a construction project at 21-35 Commercial Street, 13-19 Commercial and 24 Union Street.

Permission Granted.

Presented to the Mayor for approval October 17, 2022.

Approved October 24, 2022. (#1657)

WRITTEN MOTION, Councillors Pereira, Morad, Lima, Giesta, Carney, Baptiste, Council President Abreu and Councillor Gomes, requesting, that Jana Linhart, Project Services Manager, Eversource Energy and Anthony Veilleux, Community Relations Representative, Eversource Energy, appear before the Committee on Public Safety and Neighborhoods, to discuss the "Eversource Energy Acushnet to New Bedford Line Maintenance Project", said project is proposed to replace an existing transmission line from the Beech Street Substation in Acushnet to the Pine Street Substation in New Bedford; and further, the Committee on Public Safety and Neighborhoods intends to discuss with the representatives of Eversource Energy the deplorable condition of New Bedford streets resulting from the company's previous projects and routine maintenance of underground transmission lines and equipment. (To be Referred to the Committee on Public Safety and Neighborhoods, the Department of Public Infrastructure and Eversource Energy.)

Referred to the Committee on Public Safety and Neighborhoods, the Department of Public Infrastructure, Eversource Energy and a member of our State Legislative Delegation.

Presented to the Mayor for approval October 17, 2022.

RETURNED UNSIGNED October 28, 2022. (#1658)

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WRITTEN MOTION, Councillors Lima and Morad, requesting, that the New Bedford Public Schools Department investigate the feasibility of establishing an executive level position that is solely focused on public safety within the City's public schools, and that such a position be equal in rank to the current New Bedford Public Schools Department Executive Director positions of Executive Director Human Capital Services, Executive Director of Educational Access and Pathways, and Executive Director of Special Education and Student Services; and further, that Superintendent Thomas Anderson, Police Chief Paul Oliveira, Fire Chief Scott Kruger, Director of Emergency Medical Services Michael Thomas, Director of Emergency Management Brian Nobrega, the Mayor's Chief of Staff Neil Mello, and New Bedford Educators Association President Tom Nickerson appear before the Committee on Public Safety & Neighborhoods to discuss the feasibility of establishing said executive level position. (To be Referred to the Committee on Public Safety & Neighborhoods.)

Referred to the Committee on Public Safety & Neighborhoods. (#1659)

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WRITTEN MOTION, Councillor Gomes, requesting, once again, that the flagpoles at the Cape Verdean Veterans monument located at Washington Square be replaced immediately, this is the second request for two new standard-height white flagpoles to be installed at said location, one flagpole is now bending and unsafe due to its height; and further, requesting that the Administration maintain this monument in the same manner that other veteran monuments from other cultures have been maintained throughout the City, so that we can appropriately honor the Cape Verdean Veterans who have served our country; and further requesting, that the Mayor not return this request unsigned as he did to the first request. (To be Referred to the Special Committee on Memorials & Dedications and the Administration.)

Referred to the Special Committee on Memorials and Dedications and the Administration.

Presented to the Mayor for approval October 17, 2022.

RETURNED UNSIGNED October 28, 2022. (#1660)

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WRITTEN MOTION, Councillor Morad, requesting, that the Administration consider appointing one of the area Funeral Directors to the City's Cemetery Board upon the next available Board opening. (To be Referred to the Office of the Mayor.)

Referred to the Office of the Mayor.

Presented to the Mayor for approval October 17, 2022.

RETURNED UNSIGNED October 28, 2022. (#1661)

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WRITTEN MOTION, Councillor Morad, requesting, that she be invited to attend the next meeting of the Cemetery Board to discuss concerns and issues related to the operation of the City's Cemeteries, these issues have been referred to the maker of the motion by several of the area Funeral Directors. (To be Referred to Jonathan Carvalho, Vice-Chairman of the Cemetery Board and Jamie Ponte, Commissioner of the Department of Public Infrastructure.)

Referred to Jonathan Carvalho, Vice-Chairman of the Cemetery Board and Jamie Ponte, Commissioner, Department of Public Infrastructure.

Presented to the Mayor for approval October 17, 2022.

RETURNED UNSIGNED October 28, 2022. (#1662)

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WRITTEN MOTION, Councillors Giesta, Morad, requesting that Purchasing Agent Molly Gilfeather, Chief of Staff Neil Mello and Economic Development Director Derek Santos appear before the Committee on City Property to update said Committee on the numerous deadline extensions for bid submission for the Advanced Manufacturing Park Request for Proposal and the lack of any qualified bid submission being received. (To be Referred to the Committee on City Property.)

NO FURTHER ACTION. (#1663)

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WRITTEN MOTION, Councillor Pereira, submitting a communication and proposed order from Attorney Thomas Mathieu, Esq. in regard to a Petition of Subdivision of Land at 63 David Street. (To be Referred to the Committee on City Property.)

Referred to the Committee on City Property. (#1664)

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COMMUNICATION, Attorney Thomas Mathieu regarding the Subdivision of Land at 63 David Street. (To be Referred to the Committee on City Property.)

Referred to the Committee on City Property. (#1665)

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WRITTEN MOTION, Councillor Gomes, requesting, that the Mayor and the Department of Public Infrastructure take immediate action to repair the metal, framing and structure of the “WELCOME TO NEW BEDFORD” billboard on 195 west, this billboard is an image of the City in New Bedford.

Referred to the Mayor and the Department of Public Infrastructure.

Presented to the Mayor for approval October 17, 2022.

RETURNED UNSIGNED October 28, 2022. (#1666)

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WRITTEN MOTION, Councillors Gomes, Baptiste, Giesta, Carney, Morad and Markey, requesting, that the City Council go on record against granting, any zoning change, or the establishment of the proposed downtown Recovery Connection Center Of America at 268-270 Union Street; and further, that the City Council work with owners of Recovery Connection Centers of America to assist in finding a location to the proposed services. (To be Referred to the Committee on Appointments and Briefings.)

Referred to the Committee on Appointments and Briefings and the Zoning Board of Appeals, with a letter to the ZBA stating that the Council is against any zoning change and that Rule 40 be Waived – Yeas 9, Nays 1. (Councillor Burgo OPPOSED.) (#1667)

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COMMUNICATION, Councillor Gomes, submitting a letter from Attorney Michael Livingstone concerning the proposed methadone clinic to be located at 268-272 Union Street and Mr. Livingstone’s opposition to the project.

Referred to the Committee on Appointments and Briefings and the Zoning Board of Appeals.

(#1668)

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WRITTEN MOTION, Councillor Gomes, requesting, that the City Council go on record, and send a letter to the Massachusetts Department of Energy against the request by Eversource to increase gas and electric rates on the people of Greater New Bedford; and further, that these increases will not only affect homeowners, but the business community along with a large senior population, the increase will have a trickling down effect on the local economy, and the cost to do business, services, and the costs of products, any increase will be very detrimental to the City of New Bedford, and further, that the Mayor take some initiative to address this issue which affects the community he serves. (Requesting that Rule 40 be Waived and that a letter be sent to the Massachusetts Department of Energy.)

Rule 40 Waived with a request that a letter be sent to the Massachusetts Department of Energy –  
Yeas 10, Nays 0. (#1669)

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WRITTEN MOTION, Councillor Gomes, requesting, that the Committee on Audit ask the Administration to provide the Committee with a list of all contractors that contract for service work, engineering, etc., awarded by the City over the past eight years; and further, that the list be provided to the Committee by year, from January 2014 to September 2022.

Referred to the Administration and the Committee on Audit.

Presented to the Mayor for approval October 17, 2022.

RETURNED UNSIGNED October 28, 2022. (#1670)

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WRITTEN MOTION, Councillors Gomes and Pereira, requesting, that the Committee on City Property and Mary Rapoza, Director, Parks, Recreation and Beaches, meet with Mr. Joseph Pacheco, President, and Commodore of the Low Tide Yacht Club and the Fort Rodman Marine Educational Association, for the purposes of discussing the educational program held between May 15 and September 15 at Fort Taber, and further, to discuss issues with meetings and services that the Low Tide Yacht Club provides after the 8:00 p.m. closing of Ft. Taber, and ways the City can assist the club with access to the facilities after hours for said meetings and services.

Referred to the Committee on City Property. (#1671)

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COMMUNICATION, Derek Santos, Executive Director, New Bedford Economic Development Council, to Members of the City Council, submitting STA Agreement and Resolution approved by the Tax Increment Financing Board for a five (5) year Agreement for **ISLAND CREEK OYSTERS INC. AND HARBORVIEW LLC.** (Copies provided and distributed to all Councillors on October 6, 2022.)

Referred to the Committee on Finance. (#1672)

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RESOLUTION, Approving Certified Project Application and Special Tax Assessment Agreement with **ISLAND CREEK OYSTERS INC. AND HARBORVIEW LLC.**

Referred to the Committee on Finance. (#1673)

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RELATED MOTION, Councillor Morad, requesting, that New Bedford Economic Development Council Executive Director Derek Santos provide to the Chairperson of the Committee on Finance the draft minutes from the June 1, 2022 Tax Increment Financing Board meeting detailing the Board's discussion regarding the proposed Special Tax Assessment (STA) agreement for Island Creek Oyster Company; and further, that said draft minutes be submitted 5 business days prior to the Committee on Finance meeting where the discussion of said STA is to be conducted. (To be Referred to the Committee on Finance and the New Bedford Economic Development Council Executive Director.)

Referred to the Committee on Finance and New Bedford Economic Development Council Executive Director Derek Santos. (#1674)

RELATED MOTION, Councillor Morad, requesting, that New Bedford Economic Development Council Executive Director Derek Santos provide to the Chairperson of the Committee on Finance the recently revised and adopted language of the Tax Increment Finance (TIF) Program Policy and Guidelines which were to include the new Massachusetts Diversity, Equity and Inclusion (DEI) requirements. (To be Referred to the Committee on Finance and the New Bedford Economic Development Council Executive Director.)

Referred to the Committee on Finance and New Bedford Economic Development Council Executive Director Derek Santos. (#1675)

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COMMUNICATION, City Clerk/Clerk of the City Council Farias, submitting a copy of a public hearing notice from the Department of Public Utilities regarding a Petition of NSTAR Gas Company d/b/a Eversource Energy for approval of its 2019-2021 Energy Efficiency Plan Term Report. (To be Received and Placed on File.)

Received and Placed on File. (#1676)

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CITATION, Councillor Morad, honoring ROBERT and RACHEL CONSTANT, in recognition of their 60<sup>th</sup> wedding anniversary and with wishes that the Good Lord will give them many more years together.

Adopted, to be presented at a later date. (#1677)

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CITATION, Councillor Morad, honoring EMANUEL MACIEL, in recognition of being awarded the 2022 Forever Paws Animal Shelter Humanitarian Award for his many years of dedicated service and compassionate care for stray and abandoned animals not only locally, but throughout the country and world.

Adopted, to be presented at a later date. (#1678)

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CITATION, Councillors Gomes, Morad and Pereira, honoring ROSIE, Canine Officer, in recognition of her becoming the newest member of the New Bedford Police Department.

Adopted, to be presented at a later date. (#1679)

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WRITTEN MOTION, Councillor Baptiste, requesting, on behalf of AMC, that the following Streets be CLOSED: MADISON STREET, from Orchard Street to County Street, FROM 5:00 A.M. TO 6:00 P.M. AND ORCHARD STREET, from Hawthorn Street to East Clinton Street, FROM 5:00 A.M. to 5:00 P.M., ON: MONDAY, OCTOBER 17, 2022; WILLIAM STREET, from Purchase Street to Johnny Cake Hill, AND ACUSHNET AVENUE, from Elm Street to Barker's Lane, FROM 5:00 A.M. to 10:00 P.M., ON: TUESDAY, OCTOBER 18, 2022 AND EIGHTH STREET, from Mechanics Lane to Union Street, from 5:00 A.M. to 10:00 P.M., ON: WEDNESDAY, OCTOBER 19, 2022, for the purpose of filming in the City of New Bedford.

Permission Granted.

Presented to the Mayor for approval October 17, 2022.

Approved October 24, 2022. (#1680)

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CONSTABLE BOND, MICHAEL JOHN MCLUSKEY, Acushnet, MA 02743, in the amount of \$5,000.00, with Western Surety Company.

Approved.

Presented to the Mayor for approval October 17, 2022.

Approved October 31, 2022 (#1681)

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COMMUNICATION, Councillor Pereira submitting a copy of a support letter sent to the Zoning Board of Appeals regarding the redevelopment of the George H. Dunbar School into 17 residential apartment units.

Received and Placed on File. (#1682)

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COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, notifying that the Office of the City Clerk has received Meeting Minutes from the Board of Assessors for meetings held on September 8, 16, 22, 2022; Licensing Board for a meeting held on August 29, 2022; New Bedford Cultural Council for a meeting held on September 19, 2022 and the Park Board for meetings held on June 15 and July 27, 2022.

Received and Placed on File.

(#1683)

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APPLICATION, **W.C. Smith & Son**, for permission to maintain a STREET OBSTRUCTION at **159 William Street**, provisionally granted by the City Clerk on September 19, 2022, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval October 17, 2022.

Approved October 24, 2022.

(#1684)

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APPLICATIONS, **Early Contractors, Inc.**, for permission to maintain a STREET OBSTRUCTION, provisionally granted by the City Clerk on September 21, 2022, subject to ratification by the Mayor and City Council as follows:

38 – 42 Campbell Street

(#1685)

720 County Street to Intersection of Pope Street

(#1686)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval October 17, 2022.

Approved October 24, 2022.

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APPLICATION, **Forgen LLC**, for permission to maintain a STREET OBSTRUCTION at **Hadley Street for service to 740 Belleville Avenue**, provisionally granted by the City Clerk on September 20, 2022, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval October 17, 2022.

Approved October 24, 2022.

(#1687)

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APPLICATION, **R. W. Bryant Contracting, Inc.**, for permission to maintain a STREET OBSTRUCTION at **630 Mount Pleasant Street**, provisionally granted by the City Clerk on September 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 October 17, 2022.

Approved October 24, 2022.

(#1688)

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APPLICATIONS, **R.J. Canessa Excavating, Co.**, for permission to maintain a STREET OBSTRUCTION, provisionally granted by the City Clerk on September 22, 2022, subject to ratification by the Mayor and City Council as follows:

Pequot Street - M136A/L884

(#1689)

152 Florence Street

(#1690)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval October 17, 2022.

Approved October 24, 2022.

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APPLICATION, **W.C. Smith & Son**, for permission to maintain a STREET OBSTRUCTION at **Phillips Road - P136/L468**, provisionally granted by the City Clerk on September 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 October 17, 2022.

Approved October 24, 2022.

(#1691)

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APPLICATION, **Able Asphalt, Inc.**, for permission to maintain a STREET OBSTRUCTION at **209 Chestnut Street**, provisionally granted by the City Clerk on October 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 October 17, 2022.

Approved October 24, 2022. (#1692)

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APPLICATIONS, **Frank Corp. Environmental Services**, for permission to maintain a STREET OBSTRUCTION, provisionally granted by the City Clerk on October 06, 2022, subject to ratification by the Mayor and City Council as follows:

Wamsutta Street/Acushnet Avenue (#1693)

198 Herman Melville Boulevard (#1694)

242 Herman Melville Boulevard (#1695)

9 Maple Street (#1696)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval October 17, 2022.

Approved October 24, 2022.

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APPLICATION, **W.C. Smith and Son**, to DISTURB THE SURFACE, of **159 William Street**, provisionally granted by the City Clerk on September 19, 2022, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval October 17, 2022.

Approved October 24, 2022. (#1697)

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APPLICATIONS, **Early Contractors, Inc.**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on September 21, 2022, subject to ratification by the Mayor and City Council as follows:

38 – 42 Campbell Street (#1698)

720 County Street to Intersection of Pope Street (#1698a)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval October 17, 2022.

Approved October 24, 2022.

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APPLICATION, **Forgen LLC**, to DISTURB THE SURFACE, of **Hadley Street for service to 740 Belleville Avenue**, provisionally granted by the City Clerk on September 20, 2022, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval October 17, 2022.

Approved October 24, 2022. (#1699)

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APPLICATION, **R.W. Bryant Contracting, Inc.**, to DISTURB THE SURFACE, of **630 Mount Pleasant Street**, provisionally granted by the City Clerk on September 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 October 17, 2022.

Approved October 24, 2022. (#1700)

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APPLICATIONS, **R.J. Canessa Excavating, Co.**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on September 22, 2022, subject to ratification by the Mayor and City Council as follows:

Pequot Street - M136A/L884 (#1701)

152 Florence Street (#1702)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval October 17, 2022.

Approved October 24, 2022.

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APPLICATION, **W.C. Smith and Son**, to DISTURB THE SURFACE, of **Phillips Road - P136/L468**, provisionally granted by the City Clerk on September 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 October 17, 2022.

Approved October 24, 2022. (#1703)

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APPLICATION, **Able Asphalt, Inc.**, to DISTURB THE SURFACE, of **209 Chestnut Street**, provisionally granted by the City Clerk on October 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 October 17, 2022.

Approved October 24, 2022. (#1704)

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APPLICATIONS, **Frank Corp. Environmental Services**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on October 06, 2022, subject to ratification by the Mayor and City Council as follows:

Wamsutta Street/Acushnet Avenue (#1705)

198 Herman Melville Boulevard (#1706)

242 Herman Melville Boulevard (#1707)

9 Maple Street (#1708)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval October 17, 2022.

Approved October 24, 2022.

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

3 West Street (Cross Street – Grape Street) (#1709)

1471 Morton Avenue (#1710)

97 Rivet Street, working on the Acushnet Avenue side (#1711)

198 Hervey Tichon Avenue, Herman Melville Boulevard – Dead End (#1712)

42 Lancaster Street, working on the Upton Street side (#1713)

29 Division Street (#1714)

145 Essex Street (#1715)

Court Street @ Cottage Street, between Cottage Street and Cedar Street (#1716)

965 Church Street, working on the Chaffee Street side (#1717)

Cottage Street, from Court Street to Ash Street (#1718)

81 Cherry Tree Lane (#1719)

48-60 South Second Street (#1720)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval October 17, 2022.

Approved October 24, 2022.

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APPLICATION, **Always Available Bargain Cleanouts, LLC**, for permission to maintain a STREET OBSTRUCTION at **1265 Pleasant Street**, provisionally granted by the City Clerk on September 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 October 17, 2022.

Approved October 24, 2022. (#1721)

APPLICATION, **Always Available Bargain Cleanouts, LLC**, for permission to maintain a STREET OBSTRUCTION at **123 Cedar Street**, provisionally granted by the City Clerk on September 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 October 17, 2022.

Approved October 24, 2022. (#1722)

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APPLICATION, **CL Noonan Container Service**, for permission to maintain a STREET OBSTRUCTION at **417 Shaw Street**, provisionally granted by the City Clerk on September 30, 2022, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval October 17, 2022.

Approved October 24, 2022. (#1723)

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PETITION, Early Contractors, Inc., for location of one (1) 3” Conduit and one (1) Handhole at 210 Park Street to a pole in front of 226 Park Street.

RECEIVED AND HEARING ORDERED FOR THURSDAY, OCTOBER 27, 2022.

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On a motion, the Council then adjourned at 8:22 p.m.

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ATTEST:

DENNIS W. FARIAS, CITY CLERK/

CLERK OF THE CITY COUNCIL