

REGULAR MEETING
Chambers of the City Council
Thursday, July 20, 2023

CITY COUNCIL
Municipal Building
7:01 p.m.

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

LATE: Councillor Baptiste.

ABSENT: Councillors Burgo and Giesta.

Council President Morad called the meeting to order and presided.

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

COMMUNICATION, Councillor Burgo, to Members of the City Council, informing that he will be unable to attend the Regular City Council Meeting on Thursday, July 20, 2023, due to a prior commitment.

Received and Placed on File. (#1244)

COMMUNICATION, Councillor Giesta, to Members of the City Council, informing that she will be unable to attend the Regular City Council Meeting on Thursday, July 20, 2023, due to a family commitment.

Received and Placed on File. (#1245)

COMMUNICATION, Councillor Baptiste, to Members of the City Council, informing that he will be unable to attend the Regular City Council Meeting on Thursday, July 20, 2023, due to a family commitment.

Received and Placed on File. (#1246)

HEARING, NSTAR Electric Company d/b/a Eversource Energy for location of approximately 108' Conduit and Cable and two (2) Handholes in SASSAQUIN AVENUE, to provide underground electric service to 4227 Acushnet Avenue.

Hearing Held.

Petition Placed on File. (#1247)

AN ORDER,

Adopted and ordered recorded in Book of Location Order Records.

Presented to the Mayor for approval July 24, 2023.

Approved July 27, 2023. (#1248)

HEARING, NSTAR Electric Company d/b/a Eversource Energy for location of approximately 290' of Conduit and Cable and one (1) Manhole in JOHN VERTENTE BOULEVARD, this is part of a multi-phase project to increase capacity and reliability throughout the New Bedford Business Park.

Hearing held.

Petition placed on file. (#1249)

AN ORDER,

Adopted and ordered recorded in Book of Location Order Records.

Presented to the Mayor for approval July 24, 2023.

Approved July 27, 2023. (#1250)

HEARING, NSTAR Electric Company d/b/a Eversource Energy for location of one (1) FO Pole in SAMUEL BARNET BOULEVARD, to provide new electric service for multiple new streetlights.

Hearing held.

Petition placed on file. (#1251)

AN ORDER,

Adopted and ordered recorded in Book of Location Order Records.

Presented to the Mayor for approval July 24, 2023.

Approved July 27, 2023. (#1252)

HEARING, NSTAR Electric Company d/b/a Eversource Energy for location of approximately 15' Conduit and Cable in HILLMAN STREET and approximately 44' of Conduit and Cable and three (3) Manholes in COUNTY STREET, to provide electric service to 109 Hillman Street.

Hearing held.

Petition placed on file. (#1253)

AN ORDER,

Adopted and ordered recorded in Book of Location Order Records.

Presented to the Mayor for approval July 24, 2023.

Approved July 27, 2023. (#1254)

COMMUNICATION, Elizabeth McNamara, First Assistant City Solicitor, to City Council, pursuant to an Order of the City Council dated June 22, 2023, submitting AN ORDER for the LAYOUT and ACCEPTANCE of COUNTY STREET, 50 feet wide, from Sta. Elizabeth McNamara, First Assistant City Solicitor, to City Council, pursuant to an Order of the City Council dated June 22, 2023, submitting AN ORDER for the LAYOUT and ACCEPTANCE of COUNTY STREET, 50 feet wide, from Sta. 0+00.00 being 31.56 feet north of Scott Street to Sta. 68+85.63 being 100.02 feet north of Union Street.

Received and Placed on File. (#1255)

CITY OF NEW BEDFORD

IN CITY COUNCIL

JULY 20, 2023

LAYOUT AND ACCEPTANCE OF STREET

RESOLVED, that the common necessity and convenience of the inhabitants of the City of New Bedford require that COUNTY STREET, 50 feet wide, from Sta. 0+00.00 being 31.56 north of Scott Street to Sta. 68+85.63 being 100.02 feet north of Union Street be laid out and accepted.

The area taken for this layout of COUNTY STREET, 50 feet wide, from Sta. 0+00.00 being 31.56 north of Scott Street to Sta. 68+85.63 being 100.02 feet north of Union Street is bounded and described as follows:

BEGINNING AT AN ANGLE POINT IN WESTERLY SIDELINE OF COUNTY STREET, SAID POINT BEING LOCATED N 17° 51' 09" E A DISTANCE OF THIRTY-ONE AND FIFTY-SIX HUNDREDTHS (31.56) FEET FROM THE POINT OF INTERSECTION OF WESTERLY SIDELINE OF COUNTY STREET AND THE NORTHERLY SIDELINE OF SCOTT STREET, THENCE;

N 13° 17' 30" W FOR A DISTANCE OF SIX HUNDRED THIRTY-SEVEN AND EIGHTY-SEVEN HUNDREDTHS (637.87) FEET TO STONE BOUND WITH A LEAD PLUG AT AN ANGLE POINT THENCE;

N 24° 54' 00" W FOR A DISTANCE OF SIX HUNDRED FORTY-FIVE AND SEVENTY-ONE HUNDREDTHS (645.71) FEET TO AN ANGLE POINT THENCE;

N 30° 22' 42" W FOR A DISTANCE OF TWO HUNDRED SEVENTY-NINE AND TWO HUNDREDTHS (279.02) FEET TO A STONE BOUND AT THE INTERSECTION OF THE SOUTHERLY SIDELINE OF RIVET STREET AND THE WESTERLY SIDELINE OF COUNTY STREET BEING AN ANGLE POINT THENCE;

N 24° 27' 20" W FOR A DISTANCE OF THREE HUNDRED EIGHTEEN AND SIXTY-EIGHT HUNDREDTHS (318.68) FEET TO AN ANGLE POINT THENCE;

N 03° 55' 51" W FOR A DISTANCE OF ONE THOUSAND THIRTEEN AND TWENTY-NINE HUNDREDTHS (1,013.29) FEET TO A STONE BOUND WITH A DRILL HOLE AT AN ANGLE POINT THENCE;

N 28° 17' 46" W FOR A DISTANCE OF NINETY-SEVEN AND ZERO HUNDREDTHS (97.00) FEET TO AN ANGLE POINT THENCE;

N 36° 48' 26" W FOR A DISTANCE OF SEVEN HUNDRED-ONE AND SEVENTY-EIGHT HUNDREDTHS (701.78) FEET TO AN ANGLE POINT THENCE;

N 26° 44' 36" W FOR A DISTANCE OF SEVEN HUNDRED-EIGHTY-NINE AND SEVEN HUNDREDTHS (789.07) FEET TO AN ANGLE POINT THENCE;

N 24° 39' 29" W FOR A DISTANCE OF TWO HUNDRED SIXTEEN AND TEN HUNDREDTHS (216.10) FEET TO A DRILL HOLE AT AN ANGLE POINT THENCE;

N 13° 24' 00" W FOR A DISTANCE OF EIGHT HUNDRED FORTY-EIGHT AND EIGHTY -TWO HUNDREDTHS (848.82) FEET TO AN ANGLE POINT THENCE;

N 07° 56' 22" W FOR A DISTANCE OF THREE HUNDRED TWENTY-ONE AND SIXTY-EIGHT HUNDREDTHS (321.68) FEET TO AN ANGLE POINT THENCE;

N 28° 23' 07" W FOR A DISTANCE OF SIX HUNDRED THIRTY-SIX AND THIRTY-SIX HUNDREDTHS (636.36) FEET TO AN ANGLE POINT THENCE;

N 11° 12' 45" W FOR A DISTANCE OF TWO HUNDRED EIGHTY-FIVE AND TWENTY-FOUR HUNDREDTHS (285.24) FEET TO AN ANGLE POINT THENCE;

N 08° 55' 52" W FOR A DISTANCE OF EIGHTY- NINE AND SEVENTY-FOUR HUNDREDTHS (89.74) FEET TO AN ANGLE POINT THENCE;

N 81° 04' 08" E FOR A DISTANCE OF FIFTY AND ZERO HUNDREDTHS (50.00) FEET TO A POINT ON THE EASTERLY SIDELINE OF COUNTY STREET THENCE;

S 08° 55' 52" E FOR A DISTANCE OF EIGHTY-EIGHT AND SEVENTY-FIVE HUNDREDTHS (88.75) FEET TO AT AN ANGLE POINT THENCE;

S 11° 12' 45" E FOR A DISTANCE OF TWO HUNDRED SEVENTY-SIX AND SIXTY-NINE HUNDREDTHS (276.69) FEET TO AN ANGLE POINT THENCE;

S 28° 23' 07" E FOR A DISTANCE OF SIX HUNDRED THIRTY-SEVEN AND EIGHTY-THREE HUNDREDTHS (637.83) FEET TO AN ANGLE POINT THENCE;

S 07° 56' 22" E FOR A DISTANCE OF THREE HUNDRED TWENTY-EIGHT AND THIRTY-ONE HUNDREDTHS (328.31) FEET TO AN ANGLE POINT THENCE;

S 13° 24' 00" E FOR A DISTANCE OF EIGHT HUNDRED FOURTY-ONE AND FIFTY HUNDREDTHS (841.50) FEET TO AN ANGLE POINT THENCE;

S 24° 39' 29" E FOR A DISTANCE OF TWO HUNDRED TEN AND TWENTY-SIX HUNDREDTHS (210.26) FEET TO AN ANGLE POINT THENCE;

S 26° 44' 36" E FOR A DISTANCE OF SEVEN HUNDRED EIGHTY-THREE AND SEVENTY-SIX HUNDREDTHS (783.76) FEET TO AN ANGLE POINT THENCE;

S 36° 48' 26" E FOR A DISTANCE OF SEVEN HUNDRED ONE AND TEN HUNDREDTHS (701.10) FEET TO AN ANGLE POINT THENCE;

S 28° 17' 46" E FOR A DISTANCE OF ONE HUNDRED ELEVEN AND FIFTY-TWO HUNDREDTHS (111.52) FEET TO AN ANGLE POINT THENCE;

S 03° 55' 51" E FOR A DISTANCE OF ONE THOUSAND FIFTEEN AND FOUR HUNDREDTHS (1,015.04) FEET TO AN ANGLE POINT THENCE;

S 24° 27' 20" E FOR A DISTANCE OF THREE HUNDRED SEVEN AND FOUR HUNDREDTHS (307.04) FEET TO AN ANGLE POINT THENCE;

S 30° 22' 42" E FOR A DISTANCE OF TWO HUNDRED SEVENTY-EIGHT AND EIGHTY-TWO HUNDREDTHS (278.82) FEET TO AN ANGLE POINT THENCE;

S 24° 54' 00" E FOR A DISTANCE OF SIX HUNDRED FIFTY-THREE AND NINETEEN HUNDREDTHS (653.19) FEET TO AN ANGLE POINT THENCE;

S 13° 17' 30" E FOR A DISTANCE OF SIX HUNDRED FIFTY-SIX AND EIGHTY-NINE HUNDREDTHS (656.89) FEET TO AN ANGLE POINT THENCE;

N 87° 43' 10" W FOR A DISTANCE OF FIFTY-ONE AND NINETY-ONE HUNDREDTHS (51.91) FEET TO THE POINT OF BEGINNING.

RIGHT OF WAY AREA = 344,276 SF +/- OR 7.903 ACRES

THIS DESCRIPTION IS INTENDED TO DEFINE THE LEGAL RIGHT-OF-WAY OF A PORTION OF COUNTY STREET. SAID STREET HAS ALL THE RIGHTS AND PRIVILEGES AS NORMALLY GRANTED IN THE CITY OF NEW BEDFORD. SAID STREET IS SHOWN AND FURTHER DEFINED ON A PLAN BY CHAPPELL ENGINEERING TITLED "COUNTY STREET ACCEPTANCE PLAN", DATED JUNE 5, 2023, AND RECORDED AT THE SOUTH BRISTOL REGISTRY OF DEEDS.

No trees on the land and no structures affixed thereto are included in the taking, and the owners of the property are allowed sixty (60) days from and after the recording of this instrument in the Registry of Deeds by the City in which to remove and take away from the land any trees or structures.

The City has notified property owner of any encroachments on the street layout and will negotiate in good faith with any affected property owner the terms of a license agreement which will allow for the existing encroachment and any subsequent repairs made to said encroachment to remain.

The City shall not charge a fee for any such license.

In lieu of a successful negotiation of a license agreement with the City, the property owner shall remove the encroachment.

The license agreement relative to any encroachment shall be negotiated and executed on or before September 1, 2023.

The City shall renew the terms of the license with any subsequent property owner.

The damages sustained by the owners of property aforesaid is hereby estimated and awarded as compensation in full to them as follows: To all persons: No damages.

IT IS FURTHER EXPRESSED AND STIPULATED that the order of taking and the award of damages does not relieve the owners of land taken from liability for taxes now uncollected for the fiscal year 2023 or any prior year.

WHEREAS, due notice has been given of the intention of the City to take said parcel of land for highway purposes, it is therefore,

ORDERED, that the parcels of land heretofore described be and hereby are taken, interest being an easement in said land for highway purposes, under the provisions of General Laws Chapter 79, and accepted under the provisions of General Laws Chapter 82 as a public street or way of the City of New Bedford, said street to be known as COUNTY STREET, and the grade therefor is established according to a plan heretofore referred to in this order, on file in the office of the City Clerk.

AND BE IT FURTHER ORDERED, that the City Clerk cause a copy of this order, certified by him, to be recorded on behalf of the City of New Bedford in the Registry of Deeds for the Southern District of Bristol County, and to give such other notices as are required by General Laws.

Adopted, as amended, – Yeas 9, Nays 0.

Approved as to form, Eric Jaikes, City Solicitor.

Presented to the Mayor for approval July 24, 2023.

Approved July 26, 2023. (#1203)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, that the City Solicitor obtain an appraisal of land for Assessors Map 23, Lot 158 (property known as the “Goodyear Site”) and prepare an Order of Taking, for the purpose of acquiring a fee interest in the land, by eminent domain or other legal means; the acquisition is needed for construction of a new facility serving Grades K-5 on an alternative site to consolidate the student populations of the existing James B. Congdon and John B. DeValles Elementary Schools.

Referred to the Committee on City Property. (#1257)

AN ORDER,

Referred to the Committee on City Property. (#1258)

EMINENT DOMAIN PACKET,

Referred to the Committee on City Property. (#1259)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, authorizing the Mayor of the City of New Bedford, from July 20, 2023 to January 31, 2024, to utilize a salary step other than the minimum for the following positions: Administrative Assistant to the Assessor, Associate City Solicitor, Director of Human Resources, and Treasurer/Collector.

Referred to the Committee on Appointments and Briefings. (#1260)

AN ORDER,

Referred to the Committee on Appointments and Briefings. (#1261)

COMMUNICATION, Mayor Mitchell, to City Council, submitting a HOME RULE PETITION, authorizing the Administrative Assistant to the Board of Assessors of the City of New Bedford to be a non-resident.

Referred to Committee on Ordinances. (#1262)

AN ACT,

Referred to Committee on Ordinances. (#1263)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDINANCE, amending Chapter 19, Article II, relating to the residency of the Administrative Assistant to the Board of Assessors.

Referred to Committee on Ordinances. (#1264)

AN ORDINANCE,

Referred to Committee on Ordinances. (#1265)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of ROBERT EKSTROM as CHIEF FINANCIAL OFFICER, effective October 15, 2023.

Referred to the Committee on Appointments and Briefings. (#1266)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, authorizing the Mayor to enter into a ninety-nine (99) year lease with the Zeiterion Theater for property located at 684 Purchase Street in New Bedford.

Referred to the Committee on City Property. (#1267)

AN ORDER,

Referred to the Committee on City Property. (#1268)

LEASE, (DRAFT)

Referred to the Committee on City Property. (#1269)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the APPROPRIATION of \$2,607,730.00 from ORDINARY REVENUE AND MUNICIPAL RECEIPTS to POLICE SALARIES AND WAGES.

Received and Placed on File. (#1270)

CITY OF NEW BEDFORD
IN CITY COUNCIL
JULY 20, 2023

ORDERED, that the sum of TWO MILLION, SIX HUNDRED SEVEN THOUSAND, SEVEN HUNDRED AND THIRTY DOLLARS (\$2,607,730) 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:

POLICE SALARIES AND WAGES.....\$2,607,730

To be certified and approved by the Department Head.

This order funds the contract between the City of New Bedford and the New Bedford Police Union.

Adopted – Yeas 9, Nays 0.

Presented to the Mayor for approval July 24, 2023.

Approved July 26, 2023. (#1271)

MEMORANDUM OF AGREEMENT, between the City of New Bedford and the Police Union, to enter into a collective bargaining agreement from July 01, 2021 to June 30, 2024 (FY22, FY23, and FY24).

Received and Placed on File. (#1272)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, that in accordance with MGL Chapter 44, Section 53E ½, the revolving fund under the control of the Emergency Medical Services Department, known as the EMS DETAIL REVOLVING FUND, whose revenues collected and amount limited to be spent estimated at \$25,000.00 is hereby authorized for FISCAL YEAR 2024.

Received and Placed on File.

(#1273)

CITY OF NEW BEDFORD
IN CITY COUNCIL
JULY 20, 2023

ORDERED, that in accordance with MGL Chapter 44, Section 53E ½, the revolving fund under the control of the Emergency Medical Services Department, known as the EMS DETAIL REVOLVING FUND, whose revenues collected and amount limited to be spent estimated at \$25,000.00 is hereby authorized for FISCAL YEAR 2024.

Adopted – Yeas 9, Nays 0.

Presented to the Mayor for approval July 24, 2023.

Approved July 26, 2023.

(#1274)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, that in accordance with MGL Chapter 44, Section 53E ½, the revolving fund under the control of the Emergency Medical Services Department, known as the EMS TRAINING ACADEMY REVOLVING FUND, whose revenues collected and amount limited to be spent estimated at \$32,000.00 is hereby authorized for FISCAL YEAR 2024.

Received and Placed on File.

(#1275)

CITY OF NEW BEDFORD
IN CITY COUNCIL
JULY 20, 2023

ORDERED, that in accordance with MGL Chapter 44, Section 53E ½, the revolving fund under the control of the Emergency Medical Services Department, known as the EMS TRAINING ACADEMY REVOLVING FUND, whose revenues collected and amount limited to be spent estimated at \$32,000.00 is hereby authorized for FISCAL YEAR 2024.

Adopted – Yeas 9, Nays 0.

Presented to the Mayor for approval July 24, 2023.

Approved July 26, 2023.

(#1276)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of JOSEPH C. LATIMER, Somerset, MA 02726, as a CONSTABLE.

Received and Placed on File.

(#1277)

AN APPLICATION, JOSEPH C. LATIMER, Somerset, MA for REAPPOINTMENT as a CONSTABLE.

Reappointment Confirmed.

(#1278)

CITY OF NEW BEDFORD

IN CITY COUNCIL

APRIL 13, 2023

A BOND ORDER TO AUTHORIZE A BORROWING TO PAY THE COSTS OF PROJECTS OUTLINED IN THE CITY'S LONG TERM CSO CONTROL AND INTEGRATED CAPITAL IMPROVEMENTS PLAN, INCLUDING BUT NOT LIMITED TO: REGULATORY COMPLIANCE PLANNING TO ADDRESS CAPACITY MANAGEMENT, OPERATIONS AND MAINTENANCE REQUIREMENTS, AND ASSET MANAGEMENT PLANNING; PUMPING STATION UPGRADES, INCLUDING THE REPLACEMENT AND UPGRADE TO THE HOWARD AVENUE PUMPING STATION; STORMWATER SYSTEM AND WATER QUALITY IMPROVEMENTS ASSOCIATED WITH BUTTONWOOD BROOK; AND GENERAL PUBLICLY OWNED TREATMENT WORKS PLANNING AND IMPROVEMENTS.

BE IT ORDERED, BY THE CITY COUNCIL OF THE CITY OF NEW BEDFORD AS FOLLOWS:

That \$20,000,000 is appropriated for the purpose of financing the cost of projects outlined in the City's Long Term CSO Control and Integrated Capital Improvements Plan including but not limited to Regulatory Compliance Planning to address Capacity Management Operations and Maintenance requirements and asset management planning; Pumping Station Upgrades including the replacement and upgrade to the Howard Avenue Pumping Station; Stormwater System and Water Quality Improvements associated with Buttonwood Brook and general publicly owned treatment works planning and improvements, including all costs thereof as defined Section 1 of Chapter 29C of the General Laws; that to meet this appropriation the Treasurer, with the approval of the Mayor and the Committee on Finance, is authorized to borrow \$20,000,000.00 and issue bonds or notes thereof under Chapter 44 of the General Laws and/or Chapter 29C of the General Laws; that such bonds or notes shall be general obligations of the City unless the Treasurer, with the approval of the Mayor and the Committee on Finance, determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C; that the Treasurer, with the approval of the Mayor and the Committee on Finance, is authorized to borrow all or a portion of such amount from the Massachusetts Clean Water Trust established pursuant to Chapter 29C of the General Laws; and in connection therewith to enter into a loan agreement and/or a security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; that the Mayor is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary to carry out the project.

FURTHER ORDERED: That any premium received by the City upon the sale of any bonds or notes approved by this Order, less the cost of preparing, issuing and marketing them, and any accrued interest received upon the delivery of such bonds or notes, shall be applied to the payment of project costs approved by this Order, thereby reducing the amount authorized to be borrowed to pay costs by a like amount.

FURTHER ORDERED: That the Treasurer is authorized to file an application with the appropriate officials of the Commonwealth of Massachusetts (the "Commonwealth") to qualify under Chapter 44A of the General Laws any and all bonds of the City authorized by this Order, and to provide such information and execute such documents as such officials of the Commonwealth may require in connection therewith.

Referred to the Committee on Finance – April 13, 2023.

Passed to a Second Reading – June 08, 2023.

Adopted – Yeas 8, Nays 0. (Councillor Abreu not present for vote.)

Presented to the Mayor for approval July 24, 2023.

Approved July 25, 2023.

(#0636)

LOAN ORDER, appropriating ~~\$7,850,000.00~~ **\$7,650,000.00** for the purpose of making critically needed repairs to City-owned buildings.

Referred to the Committee on Finance – April 27, 2023.

Passed to a Second Reading as Amended – Yeas 8, Nays 2 – June 29, 2023. (Councillors Burgo and Carney OPPOSED.)

Adopted – FAILED – Yeas 5, Nays 3. (Councillors Baptiste, Carney and Pereira OPPOSED; Councillor Abreu not present for vote.)

Councillor Pereira, having voted on the prevailing side, made a motion to RECONSIDER.

Reconsideration Adopted – Yeas 7, Nays 1. (Councillor Carney OPPOSED; Councillor Abreu not present for vote.)

Table – FAILED – Yeas 4, Nays 5. (Councillors Baptiste, Gomes, Lima and Pereira IN FAVOR; Councillor Abreu not present for vote.) (#0782)

REPORT, Special Committee on Memorials & Dedications, recommending to the City Council APPROVAL of the Memorial Park Bench and Tree Dedication Program Application for a Memorial Park Bench and Plaque to be located at Buttonwood Park Zoo (outside of the Zoo facing the Elephant Enclosure) in memory of BEVERLY A. (ALMEIDA) SOUZA.

Recommendation Followed. (#1279)

COMMUNICATION, Department of Parks, Recreation and Beaches, submitting a Memorial Park Bench and Tree Dedication Program Application for a Memorial Park Bench and Plaque to be located at Buttonwood Park Zoo (outside of the Zoo facing the Elephant Enclosure) in memory of BEVERLY A. (ALMEIDA) SOUZA.

Referred to the Special Committee on Memorials & Dedications – May 11, 2023.

Approved. (#0843)

REPORT, Special Committee on Memorials & Dedications, recommending to the City Council APPROVAL of the Memorial Park Bench and Tree Dedication Program Application for a Memorial Park Bench and Plaque to be located at Buttonwood Park (in the tennis grove area) in memory of WILLIAM “BUD” MONTIGNY.

Recommendation Followed. (#1280)

COMMUNICATION, Department of Parks, Recreation and Beaches, submitting a Memorial Park Bench and Tree Dedication Application for a Memorial Park Bench and Plaque to be located at Buttonwood Park (in the tennis grove area) in memory of WILLIAM “BUD” MONTIGNY.

Referred to the Special Committee on Memorials & Dedications – June 08, 2023.

Approved. (#1107)

REPORT, Special Committee on Memorials & Dedications, recommending to the City Council APPROVAL of the Memorial Park Bench and Tree Dedication Program Application for a Memorial Park Bench and Plaque to be located at Buttonwood Park (in the tennis grove area) in memory of ELIZABETH “BETTY” MONTIGNY.

Recommendation Followed. (#1281)

COMMUNICATION, Department of Parks, Recreation and Beaches, submitting a Memorial Park Bench and Tree Dedication Application for a Memorial Park Bench and Plaque to be located at Buttonwood Park (in the tennis grove area) in memory of ELIZABETH “BETTY” MONTIGNY.

Referred to the Special Committee on Memorials & Dedications – June 08, 2023.

Approved. (#1108)

REPORT, Committee on Appointments & Briefings, recommending to the City Council APPROVAL of the APPLICATION for the **RENEWAL of a PRIVATE LIVERY LICENSE**, on behalf of **CHRISTOPHER OKAFOR, 27 Maddie Drive, New Bedford, MA 02745 d/b/a KIK TRANSPORTATION, 27 Maddie Drive, New Bedford, MA 02745.**

Recommendation Followed. (#1282)

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 01, 2023 to June 30, 2024.)**

Referred to the Committee on Appointments & Briefings – May 11, 2023.

Livery License Renewal Granted.

Presented to the Mayor for approval July 24, 2023.

Approved July 26, 2023. (#0841)

REPORT, Committee on Appointments & Briefings, recommending to the City Council APPROVAL of the APPOINTMENT of JAMES E. SULLIVAN, JR., New Bedford, MA 02745, to the COUNCIL ON AGING.

NO FURTHER ACTION. (#1283)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of JAMES E. SULLIVAN, JR., New Bedford, MA 02745, to the COUNCIL ON AGING, Mr. Sullivan will be replacing Zachary Boyer, who has resigned; this term will expire in December 2025.

Referred to the Committee on Appointments & Briefings – April 27, 2023.

Referred to the Committee on Appointments & Briefings. (#0789)

REPORT, Committee on Appointments & Briefings, recommending to the City Council APPROVAL of the APPOINTMENT of JAMES R. GAGNON, New Bedford, MA, to the VETERANS ADVISORY BOARD.

Recommendation Followed. (#1284)

COMMUNICATION, Mayor Mitchell to City Council, submitting the APPOINTMENT of JAMES R. GAGNON, New Bedford, MA, to the VETERANS ADVISORY BOARD.

Referred to the Committee on Appointments & Briefings – February 23, 2023.

Referred to the Committee on Appointments & Briefings – May 25, 2023.

Appointment Confirmed and Rule 40 waived – Yeas 8, Nays 0. (Councillor Abreu not present for vote.) (#0329)

REPORT, Committee on City Property, recommending that the City Council GRANT the STREET CLOSING: 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, FROM AUGUST 01, 2023 TO DECEMBER 31, 2023, **(PLEASE NOTE: A Five-Month Extension of Current Street Closing Which Will Expire on July 31, 2023)** for the purpose of a construction project at 21-35 Commercial Street, 13-19 Commercial Street and 24 Union Street.

Recommendation Followed.

(#1285)

WRITTEN MOTION, Councillors Baptiste and 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, FROM AUGUST 01, 2023 TO DECEMBER 31, 2023, **(PLEASE NOTE: A Five-Month Extension of Current Street Closing Which Will Expire on July 31, 2023)** for the purpose of a construction project at 21-35 Commercial Street, 13-19 Commercial Street and 24 Union Street.

Referred to the Committee on City Property – June 08, 2023.

Permission Granted.

Presented to the Mayor for approval July 24, 2023.

Approved July 26, 2023.

(#1100)

REPORT, Committee on Public Safety and Neighborhoods, recommending that the City Council request that the Chief of Police look into reinstating periodic checks along with the Licensing Board, of local bars and establishments to ensure they are operating correctly without issues or violations.

Recommendation Followed.

Presented to the Mayor for approval July 24, 2023.

RETURNED UNSIGNED August 03, 2023.

(#1286)

WRITTEN MOTION, Councillors Abreu and Pereira, requesting that New Bedford Police Chief Paul Oliveira come before the Committee on Public Safety and Neighborhoods to discuss on-going public issues relating to the south end of the City, where residents and business owners alike are growing increasingly concerned for their safety and overall well-being. (To be Referred to the Committee on Public Safety and Neighborhoods and New Bedford Police Chief Paul Oliveira.)

Referred to the Committee on Public Safety and Neighborhoods and New Bedford Police Chief Paul Oliveira – May 11, 2023.

Received and Place on File.

(#0840)

REPORT, Committee on Finance, recommending to the City Council APPROVAL of the CPA annual budget for fiscal year 2024, for Committee Administrative expenses and Community Preservation Projects in fiscal year 2024.

Recommendation Followed.

(#1287)

COMMUNICATION, Community Preservation Committee submitting the CPA annual budget for fiscal year 2024, for Committee Administrative expenses and Community Preservation Projects in fiscal year 2024.

Referred to the Committee on Finance – June 08, 2023.

Approved.

(#1105)

REPORT, Committee on Finance, recommending to the City Council ADOPTION of the ORDER to enter into a five-year lease with All American Investment Group LLC, for the purchase of two equipped ambulances for \$807,000.00, one transit van for \$192,198.00 and one truck for \$63,325.80.

Recommendation Followed. (#1288)

CITY OF NEW BEDFORD
IN CITY COUNCIL
JULY 20, 2023

ORDERED, that the City of New Bedford is hereby authorized to enter into a five-year lease with All American Investment Group, LLC, for the purchase of two equipped ambulances (\$807,000.00), one transit van (\$192,198.00) and one truck (\$63,325.80). Submitted for City Council approval in accordance with M.G.L. c.30B, Section 12 (b) for contracts in excess of three years duration.

Referred to the Committee on Finance – June 08, 2023.

Adopted – Yeas 8, Nays 0. (Councillor Abreu not present for vote.)

Presented to the Mayor for approval July 24, 2023.

Approved July 24, 2023. (#1011)

REPORT, Committee on Finance, recommending to the City Council ADOPTION of the LOAN ORDER, appropriating \$4,054,139 for the replacement of the windows, curtainwall, doors and storefront at the Ellen R. Hathaway Elementary School, 256 Court Street, New Bedford, MA.

Recommendation Followed. (#1289)

LOAN ORDER, appropriating \$4,054,139 for the replacement of the windows, curtainwall, doors and storefront at the Ellen R. Hathaway Elementary School, 256 Court Street, New Bedford, MA.

Referred to the Committee on Finance – June 22, 2023.

Passed to a Second Reading. (#1174)

REPORT, Committee on Finance, recommending to the City Council ADOPTION of the LOAN ORDER, appropriating \$3,718,236 for the replacement of the roof at the Elizabeth Carter Brooks Elementary School, 212 Nemasket Street, New Bedford, MA.

Recommendation Followed. (#1290)

LOAN ORDER, appropriating \$3,718,236 for the replacement of the roof at the Elizabeth Carter Brooks Elementary School, 212 Nemasket Street, New Bedford, MA.

Referred to the Committee on Finance – June 22, 2023.

Passed to a Second Reading. (#1176)

REPORT, Special Committee on Memorials & Dedications, recommending that the City Council take **“NO FURTHER ACTION”** on the WRITTEN MOTION, Councillor Gomes, requesting, that the City use Community Development money, or another resource to replace the two existing flag poles at the Cape Verdean American Veterans Memorial Square, the two present poles are too tall and the pole with the American flag is bending, the replacement poles should be shorter like the standard American white poles being used across the City at different monuments; and further, requesting, that the Department of Public Infrastructure’s Electrical Department run underground lighting to spotlight these two flags, and further asking that Department of Public Infrastructure’s Forestry Department trim all the trees at the Square and once these poles are installed and the work has been done, that the City have a rededication of the square with the raising of the American and Cape Verdean flags.

Recommendation Followed.

(#1291)

WRITTEN MOTION, Councillor Gomes, requesting, that the City use Community Development money, or another resource to replace the two existing flag poles at the Cape Verdean American Veterans Memorial Square, the two present poles are too tall and the pole with the American flag is bending, the replacement poles should be shorter like the standard American white poles being used across the City at different monuments; and further, requesting, that the Department of Public Infrastructure’s Electrical Department run underground lighting to spotlight these two flags, and further asking that Department of Public Infrastructure’s Forestry Department trim all the trees at the Square and once these poles are installed and the work has been done, that the City have a rededication of the square with the raising of the American and Cape Verdean flags.

Referred to the Special Committee on Memorials and Dedications, the Mayor’s Office and the Department of Public Infrastructure – Yeas 10, Nays 0 – June 10, 2021. (Councillor Coelho not present for vote.)

Presented to the Mayor for approval June 14, 2021.

RETURNED UNSIGNED June 25, 2021.

NO FURTHER ACTION.

(#0823)

REPORT, Special Committee on Memorials & Dedications, recommending that the City Council take **“NO FURTHER ACTION”** on the 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.

Recommendation Followed.

(#1292)

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.

Referred to the Special Committee on Memorials & Dedications and the Administration – October 13, 2022.

Presented to the Mayor for approval October 17, 2022.

RETURNED UNSIGNED October 28, 2022.

NO FURTHER ACTION.

(#1660)

REPORT, Special Committee on Memorials & Dedications, recommending that the City Council take **“NO FURTHER ACTION”** on the WRITTEN MOTION, Councillor Gomes, requesting that the Special Committee on Memorials and Dedications meet with the Administration for the purpose of discussing a suitable site for a Memorial honoring the late Senator Edward M. Kennedy, for his 47 Years of Service of Dedication and Representation to our Country, Commonwealth and our City while serving in the United States Senate, seeing that Senator Kennedy’s ties to the City of New Bedford were infused by his many actions to help this City and its Citizens and the people who were dedicated to and supported the Senator; further, in this Councillor’s opinion, a suitable location for a dedication would be the completion of the hurricane dike walkway reflecting the late Senator’s love for the City, and for the ocean; further that this recommendation be forwarded to the Special Committee on Memorials and Dedications to work with the Army Corps of Engineers; and further requesting that, if the hurricane dike walkway is not feasible, then the Committee, along with the Administration, look for another location to memorialize the late Senator Edward M. Kennedy.

Recommendation Followed.

(#1293)

WRITTEN MOTION, Councillor Gomes, requesting that the Special Committee on Memorials and Dedications meet with the Administration for the purpose of discussing a suitable site for a Memorial honoring the late Senator Edward M. Kennedy, for his 47 Years of Service of Dedication and Representation to our Country, Commonwealth and our City while serving in the United States Senate, seeing that Senator Kennedy’s ties to the City of New Bedford were infused by his many actions to help this City and its Citizens and the people who were dedicated to and supported the Senator; further, in this Councillor’s opinion, a suitable location for a dedication would be the completion of the hurricane dike walkway reflecting the late Senator’s love for the City, and for the ocean; further that this recommendation be forwarded to the Special Committee on Memorials and Dedications to work with the Army Corps of Engineers; and further requesting that, if the hurricane dike walkway is not feasible, then the Committee, along with the Administration, look for another location to memorialize the late Senator Edward M. Kennedy.

Referred to the Special Committee on Memorials & Dedications – September 10, 2009.

NO FURTHER ACTION.

(#1701)

REPORT, Special Committee on Memorials & Dedications, recommending that the City Council take **“NO FURTHER ACTION”** on the WRITTEN MOTION, Councillors Lopes, Gomes, Abreu, Bousquet, Carney, Martins, Winterson, Coelho, Rebeiro and Oliveira, requesting, that the Hurricane Dike Walking Path on the east beach be named after the former Ward Six City Councillor, Ralph J. Saulnier.

Recommendation Followed.

(#1294)

WRITTEN MOTION, Councillors Lopes, Gomes, Abreu, Bousquet, Carney, Martins, Winterson, Coelho, Rebeiro and Oliveira, requesting that the Hurricane Dike Walking Path on the east beach be named after the former Ward Six City Councillor, Ralph J. Saulnier.

Referred to the Special Committee on Memorials & Dedications – September 22, 2016.

NO FURTHER ACTION.

(#1724)

REPORT, Special Committee on Memorials & Dedications, recommending that the City Council take **“NO FURTHER ACTION”** on the WRITTEN MOTION, Councillor Gomes, requesting that the Special Committee on Memorials and Dedications, meet for the purpose of discussing exactly what the City's intentions are with the Franco-American Veterans Square, this Veteran's Memorial has been under construction due to the road work; and further, that the Committee look into what happened to the plaque dedicated to Roland G. Saulnier Square, that was located at the former Saint Anne's Church at the corner of Brock Avenue and Ruth Street which was dedicated on July 4, 1946 by New Bedford Post 62 Vets; furthermore, this request comes from the family asking the City plans to complete and rededicate the square to this American, our City hero.

Recommendation Followed. (#1295)

WRITTEN MOTION, Councillor Gomes, requesting that the Special Committee on Memorials and Dedications, meet for the purpose of discussing exactly what the City's intentions are with the Franco-American Veterans Square, this Veteran's Memorial has been under construction due to the road work; and further, that the Committee look into what happened to the plaque dedicated to Roland G. Saulnier Square, that was located at the former Saint Anne's Church at the corner of Brock Avenue and Ruth Street which was dedicated on July 4, 1946 by New Bedford Post 62 Vets; furthermore, this request comes from the family asking the City plans to complete and rededicate the square to this American, our City hero.

Referred to the Special Committee on Memorials & Dedications – Yeas 10, Nays 0 – April 28, 2022.

NO FURTHER ACTION. (#0690)

REPORT, Committee on Appointments & Briefings, recommending that the City Council take **“NO FURTHER ACTION”** on the APPOINTMENT of ALICIA DUFF, New Bedford, MA to the VETERANS ADVISORY BOARD.

Recommendation Followed. (#1296)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of ALICIA DUFF, New Bedford, MA to the VETERANS ADVISORY BOARD; Ms. Duff will be replacing the late Luiz Ferreira, whose term expired in December 2019; this term will expire December 2025.

Referred to the Committee on Appointments & Briefings – April 13, 2023.

NO FURTHER ACTION. (#0667)

REPORT, Committee on Appointments and Briefings, recommending that the City Council take **“NO FURTHER ACTION”** on the COMMUNICATION, Mayor Mitchell to City Council, submitting the APPOINTMENT of JAMES R. GAGNON, New Bedford, MA, to the VETERANS ADVISORY BOARD.

Referred to the Committee on Appointments & Briefings – May 25, 2023.

NO FURTHER ACTION. (#0937)

REPORT, Committee on Public Safety and Neighborhoods, recommending that the City Council take **“NO FURTHER ACTION”** on the WRITTEN MOTION, Councillor Gomes, requesting that the Committee on Public Safety and Neighborhoods, meet with the Museum Director and Security Personnel of the New Bedford Whaling Museum to review the policies and procedures for hiring personnel at the Museum; and further, to discuss who was responsible for reviewing CORI checks and who hired the male suspect that stole thousands of dollars in historical Whaling Artifacts.

Recommendation Followed. (#1297)

WRITTEN MOTION, Councillor Gomes, requesting that the Committee on Public Safety and Neighborhoods, meet with the Museum Director and Security Personnel of the New Bedford Whaling Museum to review the policies and procedures for hiring personnel at the Museum; and further, to discuss who was responsible for reviewing CORI checks and who hired the male suspect that stole thousands of dollars in historical Whaling Artifacts.

Referred to the Committee on Public Safety and Neighborhoods – March 23, 2023.

NO FURTHER ACTION. (#0569)

REPORT, Committee on Public Safety & Neighborhoods, recommending that the City Council take **“NO FURTHER ACTION”** on a WRITTEN MOTION, Councillor Pereira, requesting, that Thomas Anderson, Superintendent of New Bedford Public Schools, come before the Committee on Public Safety and Neighborhoods to discuss the InForce 911 program.

Recommendation Followed. (#1298)

WRITTEN MOTION, Councillor Pereira, requesting, that Thomas Anderson, Superintendent of New Bedford Public Schools, come before the Committee on Public Safety and Neighborhoods to discuss the InForce 911 program.

Referred to the Committee on Public Safety and Neighborhoods – June 23, 2022.

NO FURTHER ACTION. (#1158)

REPORT, Committee on Public Safety & Neighborhoods, recommending that the City Council take **“NO FURTHER ACTION”** on the WRITTEN MOTION, Councillors Giesta, Abreu, Carney, Burgo, Council President Morad, Councillors Lima and Baptiste, requesting, that Fire Chief Scott Kruger and Building Commissioner Danny Romanowicz appear before the Committee on Public Safety and Neighborhoods to discuss the policies and procedures currently in place for conducting fire safety inspections and evaluations on residential structures consisting of three or more dwelling units.

Recommendation Followed. (#1299)

WRITTEN MOTION, Councillors Giesta, Abreu, Carney, Burgo, Council President Morad, Councillors Lima and Baptiste, requesting, that Fire Chief Scott Kruger and Building Commissioner Danny Romanowicz appear before the Committee on Public Safety and Neighborhoods to discuss the policies and procedures currently in place for conducting fire safety inspections and evaluations on residential structures consisting of three or more dwelling units.

Referred to the Committee on Public Safety and Neighborhoods, Fire Chief Scott Kruger, Building Commissioner Danny Romanowicz and the Administration – April 27, 2023.

Presented to the Mayor for approval May 01, 2023.

RETURNED UNSIGNED May 19, 2023.

NO FURTHER ACTION. (#0817)

WRITTEN MOTION, Councillor Gomes, requesting, that the Committee on Appointments and Briefings meet with Berklee College of Music Professor Jackie Santos and Berklee College of Music Vice President of Education Outreach and Social Entrepreneurship Krystal Prime-Banfield for the purpose of discussing, which has been in discussion for some time, the locating of an annex of the Berklee College of Music in the City in New Bedford.

Referred to the Committee on Appointments and Briefings – Yeas 8, Nay 0. (Councillor Abreu not present for vote.) (#1300)

COMMUNICATION, Ramon Silva, Senior Director, New Bedford Economic Development Council, to Council President Morad and Members of the City Council, submitting a TIF application and Resolution approved by the Tax Increment Financing Board for a five (5) year TIF Agreement for Windward Powers Systems, Inc. and Superfly Enterprises LLC, New Bedford, MA 02740.

Referred to the Committee on Finance. (#1301)

RESOLUTION, approving Certified Project Application and Special Tax Agreement with Windward Powers Systems, Inc. and Superfly Enterprises LLC.

Referred to the Committee on Finance. (#1302)

COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of **KHALIL ARSANIOS, 1200 Pleasant Street, New Bedford, MA 02740 d/b/a INTERNATIONAL TRANSPORTATION LLC, 1200 Pleasant 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 01, 2023 to June 30, 2024.)**

Livery License Renewal Granted.

Presented to the Mayor for approval July 24, 2023.

Approved July 26, 2023.

(#1303)

COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of **DAVID MATTOS, 319 Reed Street, New Bedford, MA 02740 d/b/a A-1 TRANSPORTATION & LOGISTICS, 35 Summit Street, New Bedford, MA 02740**, hereby submitting a copy of the Application requesting a **NEW PRIVATE LIVERY LICENSE** to carry passengers for hire over the streets of New Bedford. **(Term of License – July 01, 2023 – June 30, 2024.)**

Referred to the Committee on Appointments and Briefings.

(#1304)

COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of **CHRISTIAN A. CORNEJO CABRERA, 8 Calumet Street, New Bedford, MA 02744 d/b/a CABRERA TRANSPORTATION, 8 Calumet Street, New Bedford, MA 02744**, hereby submitting a copy of the Application requesting a **NEW PRIVATE LIVERY LICENSE** to carry passengers for hire over the streets of New Bedford. **(Term of License – July 01, 2023 – June 30, 2024.)**

Referred to the Committee on Appointments and Briefings.

(#1305)

COMMUNICATION, City Clerk/Clerk of the City Council Dennis W. Farias, to City Council, submitting AN ORDINANCE, amending Chapter 2, Sections 2-60 through 2-63, relative to the Clerk of Committees.

Received and Placed on File.

(#1306)

AN ORDINANCE,

Passed to a Second Reading.

(#1307)

COMMUNICATION/DEMOLITION, Anne Louro, Preservation Planner, to City Council, re: BUILDING DEMOLITION REVIEW: 278 UNION STREET (MAP 46 LOT 18) a circa 1925, one story brick masonry commercial building, advising that “the structure is listed as a contributing resource (NBE.18) within the Central New Bedford National Register Historic District (NBE.AC); the structure has been substantially altered and no longer retains architectural significance based on the existing condition of the structure; the structure’s demolition is necessary to accommodate the new construction of a five-story mixed use building; the Historical Commission, by and through a Memorandum of Agreement between the Massachusetts Historical Commission and the property owner, Alinea Capital Partners LLC, have collaborated in the new building design as a means to mitigate the adverse effects of demolition” **“in light of these findings, the Preservation Planner has determined that the commercial structure at 278 Union Street is neither a Historically Significant nor a Preferably Preserved Structure.”**

Demolition Granted – Yeas 8, Nays 0. (Councillor Abreu not present for vote.)

Presented to the Mayor for approval July 24, 2023.

Approved July 26, 2023.

(#1308)

COMMUNICATION, Board of Assessors, to City Council, submitting a MOTION passed 2-0 at its Open Meeting on June 29, 2023, and requesting the City Council ADOPT, and the Mayor APPROVE the THREE ORDERS relating to the annual Consumer Price Index for Fiscal Year 2024, as determined by the Commissioner of Revenue of a 6.5% increase for Clause 17 for the amount of the exemption to \$381.81, to accept under Chapter 59, Section 5, Clause 17E to increase the amount of assets to \$77,856.54 to qualifying individuals, and under Chapter 59, Section 5, Clause 41, 41B and 41C, raising the base limit of income for single taxpayers to \$25,302.42, and married taxpayers to \$29,198.56 and to raise the assets limits to \$54,499.81 for single taxpayers, and \$58,392.41 for married taxpayers.

Received and Placed on File. (#1309)

CITY OF NEW BEDFORD
IN CITY COUNCIL
JULY 20, 2023

ORDERED, That pursuant to M.G.L., Chapter 59, Section 5, Clause 17E, the total value of assets, as set forth in M.G.L., Chapter 59, Section 5, Clause 17, 17C, 17C ½ and 17D is hereby increased by 6.5% for Fiscal Year 2024. Said increase is equal to the Consumer Price Index.

Adopted – Yeas 8, Nays 0. (Councillor Abreu not present for vote.)

Presented to the Mayor for approval July 24, 2023.

Approved July 26, 2023. (#1310)

CITY OF NEW BEDFORD
IN CITY COUNCIL
JULY 20, 2023

ORDERED, That the exemption granted to persons qualifying under M.G.L., Chapter 59, Section 5, Clause 17, 17C, 17C ½ and 17D is hereby increased by 6.5% for Fiscal Year 2024. Said increase is equal to the Consumer Price Index.

Adopted – Yeas 8, Nays 0. (Councillor Abreu not present for vote.)

Presented to the Mayor for approval July 24, 2023.

Approved July 26, 2023. (#1311)

CITY OF NEW BEDFORD
IN CITY COUNCIL
JULY 20, 2023

ORDERED, That the base limit of income and the total value of assets of persons qualifying under M.G.L. Chapter 59, Section 5, Clause 41, 41B and 41C is hereby increased by 6.5% for Fiscal Year 2024. Said increase is equal to the Consumer Price Index.

Adopted – Yeas 8, Nays 0. (Councillor Abreu not present for vote.)

Presented to the Mayor for approval July 24, 2023.

Approved July 26, 2023. (#1312)

COMMUNICATION, Council President Morad, submitting a copy of a letter that thanked the New Bedford Rotary Club's invitation to their meeting to celebrate the Club's 100th Anniversary.

Received and Placed on File. (#1313)

COMMUNICATION, Councillor Brian K. Gomes, submitting a copy of a letter from Amanda McMullen, President & CEO of the New Bedford Whaling Museum, responding to an invitation to the June 27, 2023 Public Safety & Neighborhoods Committee meeting to discuss the policies and procedures for hiring museum personnel.

Received and Placed on File. (#1314)

CITATION, Council President Morad and Councillor Oliver, honoring Xpress Laundry, in recognition of the Hathaway Boulevard Grand Opening Celebration and with sincere appreciation for their continued service and commitment to the residents of the City of New Bedford.

Adopted, to be presented at a later date. (#1315)

WRITTEN MOTION, Councillor Baptiste, requesting, that the following street(s) be CLOSED: BEDFORD STREET, from Pleasant Street to South Sixth Street, ON SATURDAY, JULY 15, 2023, FROM 8:00 A.M. TO 7:00 P.M., for the purpose of the Go Green Campaign “Every Day is Earth Day” event. **PLEASE NOTE: RAIN DATE OF SUNDAY, JULY 16, 2023.**

GRANTED PROVISIONALLY BY THE 2023 CITY COUNCIL PRESIDENT LINDA M. MORAD, ON THURSDAY, JULY 06, 2023, TO BE RATIFIED BY THE CITY COUNCIL ON THURSDAY, JULY 20, 2023.

Received and Action of the City Council President Ratified.

Presented to the Mayor for approval July 24, 2023.

Approved July 27, 2023. (#1316)

WRITTEN MOTION, Councillor Baptiste, requesting, that the following streets be CLOSED: BEDFORD STREET, from Pleasant Street to South Sixth Street, on SATURDAY, AUGUST 19, 2023, FROM 8:00 A.M. TO 7:00 P.M., for the purpose of the GO GREEN CAMPAIGN “EVERY DAY IS EARTH DAY” SUMMER FAIR. **PLEASE NOTE: RAIN DATE OF SUNDAY, AUGUST 20, 2023.**

Permission Granted.

Presented to the Mayor for approval July 24, 2023.

Approved July 27, 2023. (#1317)

WRITTEN MOTION, Councillor Baptiste, requesting, on behalf of the Zeiterion Center for the Performing Arts, that the following street(s) be CLOSED: PURCHASE STREET, from School Street to Union Street AND SPRING STREET, from Pleasant Street to Acushnet Avenue, ON SATURDAY, AUGUST 12, 2023 AT 12:00 A.M. (MIDNIGHT) 11:59 P.M. (NOON), for the purpose of a Party for the Zeiterion Center for the Performing Arts closing for renovations.

Permission Granted.

Presented to the Mayor for approval July 24, 2023.

Approved July 27, 2023. (#1318)

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 Board of Assessors for meetings held on May 25, 2023 and June 15, 2023; Community Preservation Committee for a meeting held on May 23, 2023; NB Cultural Council for a meeting held on May 21, 2023; Board of Health for a meeting held on March 29, 2023; Licensing Board for a meeting held on May 22, 2023; GNB Regional Refuse Management District for a meeting held on April 27, 2023; and the Zoning Board of Appeals for meetings held on August 18, 2022 and March 16, 2023.

Received and Placed on File. (#1319)

APPLICATION, **U-Haul (Americo et al)**, for permission to maintain a STREET OBSTRUCTION at **19 Emerson Street**, provisionally granted by the City Clerk on June 20, 2023, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval July 24, 2023.

Approved July 27, 2023. (#1320)

APPLICATION, **1-800-Pack- Rat**, for permission to maintain a STREET OBSTRUCTION at **26 James Street**, provisionally granted by the City Clerk on July 07, 2023, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval July 24, 2023.

Approved July 27, 2023. (#1321)

APPLICATION, **Jonathan Painting**, for permission to maintain a STREET OBSTRUCTION at **Corner of Spring Street and Pleasant Street**, provisionally granted by the City Clerk on July 12, 2023, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval July 24, 2023.

Approved July 27, 2023. (#1322)

APPLICATION, **FAB Inc./ProGroup**, for permission to maintain a STREET OBSTRUCTION at **360 Dartmouth Street**, provisionally granted by the City Clerk on July 13, 2023, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval July 24, 2023.

Approved July 27, 2023. (#1323)

APPLICATION, **KNB Realty Improvements, LLC**, for permission to maintain a STREET OBSTRUCTION at **305 Ashley Boulevard**, provisionally granted by the City Clerk on July 13, 2023, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval July 24, 2023.

Approved July 27, 2023. (#1324)

APPLICATIONS, **JLC Construction**, for permission to maintain a STREET OBSTRUCTION, provisionally granted by the City Clerk on June 20, 2023, subject to ratification by the Mayor and City Council as follows:

485 Summer Street (#1325)

1069 Marlborough Street (#1326)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval July 24, 2023.

Approved July 27, 2023.

APPLICATION, **Able Asphalt, Inc.**, for permission to maintain a STREET OBSTRUCTION at **1127 Beverly Street**, provisionally granted by the City Clerk on June 27, 2023, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval July 24, 2023.

Approved July 27, 2023. (#1327)

APPLICATION, **Sandstone Construction, Inc.**, for permission to maintain a STREET OBSTRUCTION at **422 South Second Street**, provisionally granted by the City Clerk on June 29, 2023, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval July 24, 2023.

Approved July 27, 2023. (#1328)

APPLICATION, **Cardoso Contracting, Inc.**, for permission to maintain a STREET OBSTRUCTION at **119 Osborne Street**, provisionally granted by the City Clerk on July 05, 2023, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval July 24, 2023.

Approved July 27, 2023. (#1329)

APPLICATIONS, **MSR Utility Maintenance Corp.**, for permission to maintain a STREET OBSTRUCTION, provisionally granted by the City Clerk on July 07, 2023, subject to ratification by the Mayor and City Council as follows:

Church Street (Brooklawn Avenue - Park Avenue) (#1330)

Social Street (Rodney French Boulevard - McGurk Street) (#1331)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval July 24, 2023.

Approved July 27, 2023.

APPLICATION, **Mirra Company**, for permission to maintain a STREET OBSTRUCTION at **227 Pope Street**, provisionally granted by the City Clerk on July 11, 2023, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval July 24, 2023.

Approved July 27, 2023. (#1332)

APPLICATION, **JLC Construction**, for permission to maintain a STREET OBSTRUCTION at **18 Wing Street**, provisionally granted by the City Clerk on July 12, 2023, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval July 24, 2023.

Approved July 27, 2023. (#1333)

APPLICATION, **Jives, LLC**, for permission to maintain a STREET OBSTRUCTION at **217 Grinnell Street**, provisionally granted by the City Clerk on July 14, 2023, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval July 24, 2023.

Approved July 27, 2023. (#1334)

APPLICATIONS, **Able Asphalt**, for permission to maintain a STREET OBSTRUCTION, provisionally granted by the City Clerk on July 17, 2023, subject to ratification by the Mayor and City Council as follows:

126 Duchaine Boulevard (#1335)

972 Phillips Road (#1336)

1015 Montrose Street (#1337)

87-89 Ellen Street (#1338)

1036 Victoria Street (#1339)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval July 24, 2023.

Approved July 27, 2023.

APPLICATION, **Morgado Company, Inc.**, for permission to maintain a STREET OBSTRUCTION at **294 Clifford Street**, provisionally granted by the City Clerk on July 17, 2023, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval July 24, 2023.

Approved July 27, 2023. (#1340)

APPLICATIONS, **JLC Construction**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on June 20, 2023, subject to ratification by the Mayor and City Council as follows:

485 Summer Street (#1341)

1069 Marlborough Street (#1342)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval July 24, 2023.

Approved July 27, 2023.

APPLICATION, **Able Asphalt**, to DISTURB THE SURFACE, of **1127 Beverly Street**, provisionally granted by the City Clerk on June 27, 2023, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval July 24, 2023.

Approved July 27, 2023. (#1343)

APPLICATION, **Sandstone Construction, Inc.**, to DISTURB THE SURFACE, of **433 South Second Street**, provisionally granted by the City Clerk on June 29, 2023, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval July 24, 2023.

Approved July 27, 2023. (#1344)

APPLICATION, **Cardoso Contracting, Inc.**, to DISTURB THE SURFACE, of **119 Osborne Street**, provisionally granted by the City Clerk on July 05, 2023, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval July 24, 2023.

Approved July 27, 2023. (#1345)

APPLICATIONS, **MSR Utility Maintenance Corp.**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on July 07, 2023, subject to ratification by the Mayor and City Council as follows:

Church Street (Brooklawn Avenue – Park Avenue) (#1346)

Social Street (Rodney French Boulevard – McGurk Street) (#1347)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval July 24, 2023.

Approved July 27, 2023.

APPLICATION, **Mirra Company**, to DISTURB THE SURFACE, of **227 Pope Street**, provisionally granted by the City Clerk on July 11, 2023, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval July 24, 2023.

Approved July 27, 2023. (#1348)

APPLICATION, **JLC Construction**, to DISTURB THE SURFACE, of **227 Wing Street**, provisionally granted by the City Clerk on July 12, 2023, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval July 24, 2023.

Approved July 27, 2023. (#1349)

APPLICATION, **Jives, LLC**, to DISTURB THE SURFACE, of **217 Grinnell Street**, provisionally granted by the City Clerk on July 14, 2023, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval July 24, 2023.

Approved July 27, 2023. (#1350)

APPLICATIONS, **Able Asphalt**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on July 17, 2023, subject to ratification by the Mayor and City Council as follows:

126 Duchaine Boulevard (#1351)

972 Phillips Road (#1352)

1015 Montrose Street (#1353)

87-89 Ellen Street (#1354)

1036 Victoria Street (#1355)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval July 24, 2023.

Approved July 27, 2023.

APPLICATION, **Jives, LLC**, to DISTURB THE SURFACE, of **294 Clifford Street**, provisionally granted by the City Clerk on July 17, 2023, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval July 24, 2023.

Approved July 27, 2023. (#1356)

APPLICATIONS, **Eversource Gas**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on June 21, 2023, subject to ratification by the Mayor and City Council as follows:

1245 Shawmut Avenue (#1357)

290 Shaw Street (#1358)

143-145 Robeson Street (#1359)

517 Prescott Street (#1360)

388 Hawthorn Street (#1361)

16 Hassey Street (#1362)

8-10 Emma Street (#1363)

615-689 Belleville Avenue (#1364)

5 Bay Street (#1365)

4026 Acushnet Avenue (#1366)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval July 24, 2023.

Approved July 27, 2023.

APPLICATIONS, **Eversource Gas**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on June 26, 2023, subject to ratification by the Mayor and City Council as follows:

Rockdale Avenue (Grape Street – Bluefield Street & Intersections) (#1367)

40 Washburn Street (#1368)

252 Brownell Street (#1369)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval July 24, 2023.

Approved July 27, 2023.

APPLICATIONS, **Eversource Gas**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on July 14, 2023, subject to ratification by the Mayor and City Council as follows:

1670-1672 Acushnet Avenue (#1370)

577 Belleville Avenue (#1371)

77-79 Belleville Road (#1372)

46-48 Branscomb Street (#1373)

27 Chestnut Street (#1374)

364 Coffin Avenue (Brook Street – Oneka Lane) (#1375)

117 Eugenia Street (Madeira Avenue – North Front Street) (#1376)

10 Florence Street (Morgan Street – Court Street) (#1377)

65 Forest Street (Bonney Street – County Street) (#1378)

5 Lincoln Street (Union Street – Arnold Street) (#1379)

65 Linden Street (County Street – Reynolds Street) (#1380)

1012 Pleasant Street (Campbell Street – Sycamore Street) (#1381)

144 Princeton Street (Arlington Street – Ashley Boulevard) (#1382)

526 Purchase Street (Russel Street – Madison Street) (#1383)

281 Raymond Street (Appleton Street – Maryland Street) (#1384)

392-394 Shaw Street (Brook Street – Church Street) (#1385)

Lot 37 Sylvia Court (Crapo Street – Dead End) (#1386)

14 Washburn Street (Belleville Avenue – North Front Street) (#1387)

81-83 Willard Street (West Rodney French Boulevard – Brock Avenue) (#1388)

1049-1059 Victoria Street (Ashley Boulevard – Wildwood Road) (#1389)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval July 24, 2023.

Approved July 27, 2023.

APPLICATION, **Long Roof LLC, Long Home Products**, for permission to maintain a STREET OBSTRUCTION at **12 Glover Street**, provisionally granted by the City Clerk on July 03, 2023, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval July 24, 2023.
Approved July 27, 2023. (#1390)

APPLICATIONS, **E.L. Harvey**, for permission to maintain a STREET OBSTRUCTION, provisionally granted by the City Clerk on July 10, 2023, subject to ratification by the Mayor and City Council as follows:

- | | |
|-----------------------|---------|
| 424 Park Street | (#1391) |
| 26 Crapo Street | (#1392) |
| 84 Clara Street | (#1393) |
| 1534 Acushnet Avenue | (#1394) |
| 494 Coggeshall Street | (#1395) |
| 46 Belleville Road | (#1396) |

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval July 24, 2023.
Approved July 27, 2023.

On a motion, the Council then adjourned at 9:12 p.m.

ATTEST:

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

