



CITY OF NEW BEDFORD, MASSACHUSETTS

MEETING: COMMITTEE ON APPOINTMENTS & BRIEFINGS
DATE: JULY 16, 2024
TIME: 7:01 P.M.
PLACE: CITY COUNCIL CHAMBER, ROOM 214

PRESENT: COUNCILLORS IAN ABREU, CHAIR; DEREK BAPTISTE; SHANE BURGO (8:42); NAOMI CARNEY; LEO CHOQUETTE; MARIA GIESTA; JOSEPH LOPES; SHAWN OLIVER; RYAN PEREIRA (7:10)

ABSENT: COUNCILLORS BRIAN GOMES; LINDA MORAD

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Councillor Abreu called the Appointments & Briefings Committee meeting to order, took attendance, and explained that the meeting was being recorded and live-streamed. The Clerk announced that he had received four communications and read them into the record: one from Councillor Burgo and one from Councillor Gomes explaining their tardiness, one from Councillor Morad explaining her absence, and one from an invitee, Ashley Payne, Director of Tourism, explaining her absence. The Communications were received and placed on file by Councillor Lopes, seconded by Councillor Choquette.

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PUBLIC HEARING, on an APPLICATION, Kholoud Swenson, d/b/a Mikos Auto Group, Inc., for a SPECIAL PERMIT for Motor Vehicle Sales and/or Rentals, at 319 Belleville Avenue, New Bedford, MA 02746. (Application Received May 06, 2024.) (Duly advertised in The Standard-Times on Tuesday, June 04, 2024 and Tuesday, June 11, 2024.)

The Chair stated that the applicant, Kholoud Swenson, approached him prior to the start of the meeting requesting a continuation of the Public Hearing as he is still in the process of some changes made to the proposed business and, therefore, application.

On motion by Councillor Lopes and seconded by Councillor Carney, the Committee VOTED: To continue the Public Hearing until Tuesday, September 17, 2024, at 7:00 p.m., in the City Council Chambers.

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PUBLIC HEARING on a COMMUNICATION/DEMOLITION, New Bedford Historical Commission, to City Council, re: BUILDING DEMOLITION REVIEW: – 989 PLEASANT STREET, (MAP 65/LOT 222) PARTIAL DEMOLITION, portion of a circa 1935, one story brick structure and a circa 1935 one-and one-half story brick connecting structure associated with the New Bedford Armory, advising that “the New Bedford Armory is a contributing resource to the North Bedford National Register District and in 2003 was found to be eligible for individual listing in the National Register of Historic Places; the New Bedford Armory is significant in its association with the development of the Massachusetts National Guard and the civic and military history of New Bedford, the New Bedford armory is an example of the medieval castle-influenced Gothic Revival-style armories constructed in Massachusetts in the early twentieth century; the New Bedford Armory is comprised of several adjoining structures which include the circa 1904 Head House and Drill Hall, along with the circa 1935 Garage, and Operations Maintenance Shop; the circa 1935 Garage structure and connecting structure are in poor condition due to their long-term vacancy and associated deferred maintenance; selective demolition of the Armory’s contemporary one-story brick Garage Structure and adjoining one-and one-half story brick connecting structure is proposed as part of the City’s pre-development planning to advantageously position the property for private sector redevelopment via a future Request for Proposals, “in light of these findings, the New Bedford Historical Commission has determined that the selective structures identified as portion of a circa 1935 one story brick structure and a circa 1935 one-and one-half story brick structure located at 989 Pleasant Street are Historically Significant but are not Preferably Preserved Structures”. (Referred – June 13, 2024.) (Matter ID #1012) (Advertised in The Standard-Times on Tuesday, July 09, 2024.)

On motion by Councillor Oliver and seconded by Councillor Giesta, the Committee VOTED: To open the public hearing.

The Chair recognized Ms. Anne Louro, Preservation Planner, who gave a presentation. She provided an overview of the proposed demolition and the need to demolish a small area of the structures. This partial demolition would accommodate on-site parking in order to facilitate the future redevelopment of the property and to ensure the desirability and value of the parcel for sale purposes. She explained the parcel was acquired by the City in April of 2022 and has remained vacant for two decades. During this time, the building has suffered significantly deferred maintenance. There are four adjoining buildings. The request is to demolish two of four buildings: one in its entirety, and one allowing the façade of the building to remain. She stated that the Historic Commission deemed these two structures to be historically significant but due to substantial damage, they are not preferably preserved structures.

Councillor Oliver had several questions. He asked if the structures marked for demolition were a part of the original construction, how many parking spots would be created in the demolished area, if there was any interest in the building at this time, and what the estimated cost is for the demolition. Ms. Louro stated that the structures were not part of the original construction, but later construction. She explained that the demolition would create approximately 24 on-site parking spots. The City is being proactive through creating the pre-development work to attract investors to the property, but as of yet, have no potential buyers. The building falls within what is to be known as the Transportation Area District, created through a MASS Works grant to include street and sidewalk improvements. She stated that those who choose to invest would most likely secure both Federal and State tax credits. She stated that the total cost for demolition and site-readiness would be \$400,000.

Councillor Lopes asked for confirmation of the structure locations. Ms. Louro reviewed the photos of the presentation and stated that the \$400,000 used for the demolition would be paid with ARPA funds.

Councillor Pereira asked about the environmental impact of the project in relation to the neighbors living so close to the property. Ms. Louro stated that the property certification in environmental removal would be filed and followed. Samples of the building have been taken to detect possible asbestos, etc., but as of yet, the results have not been reported back. She confirmed that if approved, the demolition of the building would go out to bid.

Councillor Giesta expressed concern for the number of parking spaces to be created. She does not want neighbors to suffer, and was distressed over the use of ARPA funds for this project.

Councillor Oliver asked if the City took possession of the property in 2022, when did the conversation to use ARPA funds for this project begin, and have the funds been committed yet. He was told the funds have not yet been pledged by the ARPA Committee.

Councillor Carney asked if the 24 parking spaces created would be off street parking. She was told that they would.

Councillor Pereira asked Atty. David Gerwatowski, Legal Counsel, if the Request for Proposal (RFP) would come before the City Council. Atty. Gerwatowski replied in the affirmative, but what the Committee was responsible for at this meeting was to determine if the structures were not preferably preserved and approval or disapproval of the demolition.

Councillor Pereira asked Mr. Danny Romanowicz, Commissioner, Department of Inspectional Services, what were some of the parameters that would be in place to track the demolition. Mr. Romanowicz answered that there would be very stringent requirements. The Department of Environmental Protection (DEP) would be involved in the project. If asbestos was detected, DEP would require a plan to conduct the removal and a monitor would be hired by the demolition company to oversee the removal.

The Chair asked if there was anyone present who wanted to speak and/or be recorded in favor of the demolition petition. There were none.

The Chair asked if there was anyone present who wanted to speak and/or be recorded in opposition of the demolition petition.

The Chair recognized Eric Johnson of 1027 Chaffee Street, Gayle Dayton of 38 Willard Street, Amelia Moore of 241 Purchase Street, and Carl Correia, Jr. of 1050 Pleasant Street, who all spoke in opposition of the petition.

Councillor Pereira asked that the demolition certificate issued by the Building Commission state that the work only be allowed to be conducted between 7:00 AM and 7:00 PM.

On motion by Councillor Lopes and seconded by Councillor Oliver, the Committee VOTED: To close the public hearing.

On motion by Councillor Oliver and seconded by Councillor Lopes, the Committee VOTED: To recommend that the City Council GRANT the PARTIAL DEMOLITION, of a portion of a circa 1935 one story brick structure and a circa 1935 one-and one-half story brick connecting structure associated with the New Bedford Armory at 989 Pleasant Street; and that it be stipulated in the demolition certificate, issued by the Building Commission, that the work only be allowed to be conducted between 7:00 AM and 7:00 PM.

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COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of ASSISTANT DEPUTY POLICE CHIEF SCOTT CAROLA as HARBORMASTER, for a term of five years in accordance with the provisions of Chapter 109 of the Acts of 2014, Assistant Deputy Carola is a longtime senior member of the New Bedford Police Department with 24 years of service, and is a resident of the City. (Referred – June 13, 2024.) (Matter ID #0956)

The Chair recognized Asst. Deputy Police Chief Scott Carola, who stated that the position of Harbormaster has been under the domain of the Police Department for some time. The Harbormaster is an official responsible for enforcing the regulations of a particular harbor or port in order to ensure the safety of navigation, the security of the harbor and the correct operation of the port facilities. As a law enforcement officer, he was asked to head this specific department. He stated that the current Assistant Harbor Masters would stay in place; and that he would simply be the Head of the Department.

Councillor Pereira asked if he had the ability to handle this position and additional responsibilities with his other duties. Deputy Chief Carola replied in the affirmative.

Councillor Carney stated that she felt the Head of the Department should be a New Bedford resident and initially had a problem with the Police Department taking over the role.

On motion by Councillor Pereira and seconded by Councillor Lopes, the Committee VOTED: To recommend to the City Council APPROVAL of the APPOINTMENT of ASSISTANT DEPUTY POLICE CHIEF SCOTT CAROLA as HARBORMASTER, for a term of five years in accordance with the provisions of Chapter 109 of the Acts of 2014.

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COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of JUSTIN OHLSON, New Bedford, MA, 02740, to the CEMETERY BOARD, Mr. Ohlson will be replacing Jonathan Carvalho, whose term expired in April 2024 and has requested not to be re-appointed; this term will expire in April 2027. (Referred – May 07, 2024.) (Matter ID #0641) (Remain in Committee – June 18, 2024.)

The Chair recognized Mr. Justin Ohlson, who explained that he was a previous employee of the City of New Bedford. Mr. Ohlson left City employment to work in the private sector. He stated that he still has a desire to serve the City and believes that serving as a member of the Cemetery Board would be an excellent fit.

Councillor Pereira asked Mr. Ohlson, if he is appointed, to commit to being compassionate as it relates to families using the cemetery; and that he keep local funeral directors informed as decisions and/or changes are made. Mr. Ohlson replied that he would.

Councillor Oliver asked, given the applicants current workload, if he would be able to successfully serve on the board. Mr. Ohlson replied that he would.

On motion by Councillor Pereira and seconded by Councillor Giesta, the Committee VOTED: To recommend to the City Council APPROVAL of the APPOINTMENT of JUSTIN OHLSON, New Bedford, MA, 02740, to the CEMETERY BOARD .

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COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of REVEREND DR. SANDRA GATLIN WHITLEY, New Bedford, MA, 02744, to the COUNCIL ON AGING, Reverend Whitley will be replacing Zachary R. Boyer, who has resigned; this term will expire in December 2025. (Referred – June 27, 2024.) (Matter ID #1102)

The Chair recognized Reverend Dr. Sandra Gatlin Whitley, who explained that she is a new resident of two years to New Bedford. She is the appointed pastor of the Bethel AME Church New Bedford on County Street. She is an Air Force retiree and has been a pastor for the past 18 years. She served as a pastor in Chelsea, MA for 14 of those years.

Councillor Pereira asked Reverend Dr. Whitley what would be one of her goals when serving on the Board. She replied that outreach would be a large part of her involvement while serving.

Councillors Giesta, Carney and Baptiste were recognized and spoke in favor of the appointee. Council Giesta offered praise for the work that the Council on Aging does.

On motion by Councillor Pereira and seconded by Councillor Lopes, the Committee VOTED: To recommend to the City Council APPROVAL of the APPOINTMENT of REVEREND DR. SANDRA GATLIN WHITLEY, New Bedford, MA, 02744, to the COUNCIL ON AGING.

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COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of JAMES R. GAGNON, a United States Air Force NAVY Vietnam Veteran, New Bedford, MA, 02740, to the VETERANS ADVISORY BOARD, Mr. Gagnon will be replacing Anthony Resendes, who has resigned; this term will expire in December 2026. (Referred – June 27, 2024.) (Matter ID #1103)

The Chair recognized Mr. James R. Gagnon, a Vietnam Veteran of the United States Navy, and not the United States Air Force, as was noted on the Committee meeting agenda. Mr. Gagnon explained that he is the Vice-President of the Vietnam Veterans 499 and has served as a chaplain. He was approached to serve on this board and agreed.

Councillor Pereira asked Mr. Gagnon about his concerns for elderly veterans. The applicant stated that he has always been there for his fellow veterans and will continue to be there, to simply listen if needed.

Councillor Oliver commended Mr. Gagnon on his wanting to serve; and based on his comments, he is truly a caring person and would be a perfect fit for this Board.

On motion by Councillor Lopes and seconded by Councillor Carney, the Committee VOTED: To recommend to the City Council APPROVAL of the APPOINTMENT of JAMES R. GAGNON, a United States Navy Vietnam Veteran, New Bedford, MA, 02740, to the VETERANS ADVISORY BOARD.

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COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of WILLIAM COMEAU, a United States Army Veteran, New Bedford, MA, 02745, to the VETERANS ADVISORY BOARD, Mr. Comeau is replacing Elizabeth C. McNamara, who has resigned; this term will expire in December 2026. (Referred – June 27, 2024.) (Matter ID #1104)

The Chair recognized Mr. William Comeau, a United States Army Veteran. Mr. Comeau is a lifelong resident of New Bedford and has been a veterans' advocate for 20 years with the Disabled American Veterans (DAV); and he is a member of the Veterans of Foreign Wars (VFW) in Acushnet.

Councillor Pereira asked Mr. Comeau about his concerns for elderly veterans. The applicant stated that he has served veterans in the past through the DAV and will look forward to serving on the Advisory Board.

On motion by Councillor Giesta and seconded by Councillor Oliver, the Committee VOTED: To recommend to the City Council APPROVAL of the APPOINTMENT of WILLIAM COMEAU, a United States Army Veteran, New Bedford, MA, 02745, to the VETERANS ADVISORY BOARD.

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PETITION, **Kevin Sousa, Bridgewater, MA 02324 d/b/a Games to Gold, 105 Nauset Street, New Bedford, MA 02746**, requesting that he be granted a Waiver of Residency in accordance with Section 15-38 of the City Code, to obtain a **LICENSE TO DEAL IN JUNK, OLD METALS OR ANY OTHER SECONDHAND ARTICLES**. (Referred – May 07, 2024.) (Matter ID #0655)

The Chair recognized Mr. Kevin Souza of Bridgewater, MA. Mr. Souza explained that he has been in the retail business for the past 13 years; and he runs the Games to Gold business on Nauset Street in New Bedford. He recently moved from Taunton to Bridgewater, which required him to seek out a residency waiver.

Councillor Lopes acknowledged that the business has been there for some years, and he has always been a good neighbor.

On motion by Councillor Oliver and seconded by Councillor Pereira, the Committee VOTED: To recommend to the City Council APPROVAL of the PETITION, on behalf of Kevin Sousa, Bridgewater, MA 02324 d/b/a Games to Gold, 105 Nauset Street, New Bedford, MA 02746, requesting, that he be granted a Waiver of Residency to obtain a LICENSE TO DEAL IN JUNK, OLD METALS OR ANY OTHER SECONDHAND ARTICLES.

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COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of **KHALIL ARSANIOS, 1220 Pleasant Street, New Bedford, MA 02740 d/b/a NEW BEDFORD TRANSPORTATION LLC, 308 Mill 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, 2024 – June 30, 2025.**) (Referred – June 13, 2024.) (Matter ID #1011)

Mr. Khalil Arsanios was recognized. He explained that he plans to open a livery company to conduct medical, hospital and airport transportation.

Councillor Baptiste asked the applicant if he had previous experience with the livery business. Mr. Arsanios explained that he has five to six years of experience in the livery business, but is looking to go out on his own. He plans on starting the business with two vehicles, and he has off-street parking to store the vehicles. Councillor Baptiste voiced his support for the request.

On motion by Councillor Baptiste and seconded by Councillor Carney, the Committee VOTED: To recommend to the City Council APPROVAL of the APPLICATION for a **NEW PRIVATE LIVERY LICENSE**, on behalf of **KHALIL ARSANIOS, 1220 Pleasant Street, New Bedford, MA 02740 d/b/a NEW BEDFORD TRANSPORTATION LLC, 308 Mill Street, New Bedford, MA 02740.**

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WRITTEN MOTION, Councillors Abreu and Pereira, requesting, that the Committee on Appointments and Briefings discuss the ongoing construction project on County Street; and further, that the Committee meet with local businesses to discuss the impact of the street disturbances. (Referred – May 07, 2024.) (Matter ID #0652)

The Chair recognized Ms. Carla Amaral, owner of Churrascaria Nova Mundo at 98C County Street. Ms. Amaral stated that the construction in the County Street area in December of 2023 resulted in numerous issues. One major issue she contended with was loss of business. Losing business for long stretches of time has left some business owners contemplating relocating their businesses to another town. She has reached out to the Mayor on numerous occasions with no response. She provided an overview of the streets and sidewalks being closed when Eversource Gas was working in that area, preventing customers from visiting her restaurant.

The Chair recognized Ms. Deolinda Brum, owner of the Restaurante Algarve at 128 County Street. Ms. Brum stated that the initial opening of the restaurant happened a month before COVID shut them down. Unfortunately, once they reopened for business, Eversource Gas was in the area doing projects which resulted in street and sidewalk closings and detours directing traffic away from her restaurant. They closed the business on some days due to the inability to get into the restaurant parking area. She stated that she felt the project was poorly organized, and is looking to move the restaurant elsewhere.

The Chair recognized Michael and Debra Amaral, owners of Paradise Jewelry at 71 County Street. They explained how their business was also affected by the construction. They were frustrated that many calls to the Mayor went unreturned.

The Chair recognized Joe and Renee Sebastian, owners of Sebastian Café & Sports Bar at 110 County Street. They expressed the same frustrations as the previous business owners had, as did Amelia Moore of 241 Purchase Street.

The Chair recognized Mr. Jamie Ponte, Director, Department of Public Infrastructure. Mr. Ponte explained that the project on County Street is a 3-phase plan. The City portion of the project has yet to be completed; and the work that businesses are complaining about was conducted by Eversource. The next phase of work in that area of County Street, which will be conducted by the City, will require that sidewalks remain open. He stated that he was disturbed by the comments from the business owners and was unaware of their problems. Eversource Gas should not have shut down the street unless there was a specific reason to do so. Access should have been allowed on one side of the street, and a police detail officer should have been responsible for directing and controlling traffic.

Councillor Oliver asked if Eversource Gas will be continuing their work travelling north on County Street in the future. He was told that they would.

Councillor Carney asked if the City oversees these projects. She was told Eversource Gas submits their plans, but that they are not monitored due to staffing shortages. Mr. Ponte stated that he would have a discussion with Eversource moving forward.

Councillor Lopes asked if one lane of traffic is supposed to be opened to allow for a continuous flow of traffic. He was told yes. The Councillor stated that this is not just a County Street issue; and he used the intersection of Allen and Rockdale Avenue as an example. The shutting down of the flow of traffic in both directions also affected businesses in that area.

Councillor Choquette expressed his frustration with the disrespect that Eversource has for the City. It is as if we are accommodating Eversource when it should be the reverse.

Councillor Pereira expressed his concerns for the past issues, as well as upcoming issues, as the improvement project moves forward. He suggested that another meeting be held prior to the City beginning their work on County Street.

On a RELATED MOTION by Councillor Pereira and seconded by Councillor Lopes, the Committee VOTED: That the Committee on Appointments and Briefings meet with the County Street business owners, Anthony Veilleux of Eversource, Mayor Mitchell, EDC Director Derek Santos, and Director of Tourism Ashley Payne, for a discussion regarding past project issues and possible resolutions.

On a RELATED MOTION by Councillor Pereira and seconded by Councillor Lopes, the Committee VOTED: That the Committee on Appointments and Briefings meet with the County Street business owners, a Representative from MassDOT, Mayor Mitchell, DPI Commissioner Jamie Ponte, State Representative Antonio F.D. Cabral, and State Senator Mark C. Montigny for a discussion regarding future projects, including the upcoming TIP project, and possible issues that may arise.

On motion by Councillor Pereira and seconded by Councillor Lopes, the Committee VOTED: To table this matter at this time.

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Councillor Pereira made a motion to adjourn, seconded by Councillor Choquette.

This meeting adjourned at 9:50 p.m.

ATTEST:

Denis Lawrence Jr.
Clerk of the Committees