

REGULAR MEETING
Chambers of the City Council
Tuesday, August 13, 2024

CITY COUNCIL
Municipal Building
7:00 p.m.

PRESENT: Council President Carney, Councillors Abreu, Burgo, Choquette, Giesta, Lopes, and Morad.

LATE: Councillors Baptiste and Gomes.
ABSENT: Councillors Pereira and Oliver.

Council President Carney called the meeting to order and presided.

Moment of Silence.

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

COMMUNICATION, Councillor Pereira, to Council President and Honorable Members of the City Council, informing that he is unable to attend the City Council Meeting of Tuesday, August 13, 2024, due to a prior commitment.

Received and Placed on File. (#1313)

COMMUNICATION, Councillor Oliver, to City Council President and Honorable Members of the City Council, informing that he is unable to attend the City Council Meeting of Tuesday, August 13, 2024, due to a prior commitment.

Received and Placed on File. (#1314)

CITY OF NEW BEDFORD
CITY COUNCIL
AUGUST 13, 2024

**RESOLUTION RECOGNIZING AUGUST 21ST AS
FENTANYL PREVENTION AND AWARENESS DAY**

WHEREAS, the City of New Bedford recognizes the devastating impact of fentanyl on our community and the need for heightened awareness and prevention efforts to combat this crisis; and

WHEREAS, fentanyl, a powerful synthetic opioid, is significantly more potent than heroin and morphine, contributing to a dramatic increase in opioid-related overdoses and deaths; and

WHEREAS, according to the Massachusetts Department of Public Health, fentanyl was present in 93% of all opioid-related deaths in Massachusetts in 2023, highlighting the pervasive nature of this substance in our state; and

WHEREAS, the City of New Bedford has experienced a substantial rise in opioid-related deaths, with the New Bedford Health Department reporting a 27% increase in overdose deaths from 2022 to 2023, many of which involved fentanyl; and

WHEREAS, the impact of fentanyl is felt across all demographics, affecting individuals and families from all walks of life, and exacerbating the public health crisis in our city and state; and

WHEREAS, raising awareness about the dangers of fentanyl and promoting preventive measures is crucial to protecting the health and safety of our community; and

WHEREAS, the City of New Bedford is committed to supporting education, outreach, and intervention programs that address the opioid crisis and save lives;

NOW, THEREFORE, BE IT RESOLVED, That the New Bedford City Council hereby recognizes August 21st, 2024, as **FENTANYL PREVENTION AND AWARENESS DAY**.

BE IT FURTHER RESOLVED, that the City of New Bedford supports ongoing efforts to provide resources and support to individuals and families affected by opioid addiction, and to work collaboratively with local, state, and federal agencies to combat the opioid crisis.

Adopted. (#1315)

HEARING, Verizon New England, Inc for location of underground Conduit line in ACUSHNET AVENUE, this work is necessary to bring service to a pedestrian bridge shelter/building in connection with the New Bedford Commuter Rail project.

Hearing Continued until Thursday, September 12, 2024 at 7:00 pm in the City Council Chamber.
(#1316)

AN ORDER,

Hearing Continued until Thursday, September 12, 2024 at 7:00 pm in the City Council Chamber.
(#1317)

HEARING, NSTAR Electric Company d/b/a Eversource Energy for location of approximately 35' of Conduit in NORTH STREET, this work is necessary to provide electric service to 449 North Street, a New Bedford Public Schools property.

Hearing Held.
Petition Placed on File. (#1318)

AN ORDER,

Adopted and ordered recorded.
Presented to the Mayor for approval August 15, 2024.
Approved August 23, 2024. (#1319)

COMMUNICATION, Mayor Mitchell to City Council, submitting a request to approve the emergency appointment of JOSE GOUVEIA, Warren, RI, as the ACTING DIRECTOR of the Personnel Department for sixty days.

Rule 38 Waived, Appointment Confirmed as Acting Director of the Personnel Department for 60 days and Rule 40 Waived – Yeas 9, Nays 0. (#1320)

COMMUNICATION, Mayor Mitchell to City Council, submitting the APPOINTMENT of JOSE GOUVEIA, Warren, RI, as DIRECTOR of the Personnel Department.

Referred to the Committee on Appointments and Briefings. (#1321)

COMMUNICATION, Mayor Mitchell, to City Council, submitting an Ordinance, Amending Chapter 9, Section 20, Accessory Dwelling Units (ADUs).

Referred to the Committee on Ordinances and the Planning Board. (#1322)

AN ORDINANCE,

Referred to the Committee on Ordinances and the Planning Board. (#1323)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of CELEINE M. SARAIVA, New Bedford, MA, to the COUNCIL ON AGING; this term will expire in June 2027.

Rule 38 Waived, Reappointment Confirmed and Rule 40 Waived – Yeas 9, Nays 0.
(#1324)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of ELAINE SAFIOLEAS, New Bedford, MA, as a PARK COMMISSIONER; this term will expire in May 2029.

Rule 38 Waived, Reappointment Confirmed and Rule 40 Waived – Yeas 9, Nays 0.
(#1325)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of CYNTHIA EDWARDS, New Bedford, MA to the HOUSING AUTHORITY; this term will expire in December 2026.

Rule 38 Waived, Reappointment Confirmed and Rule 40 Waived – Yeas 9, Nays 0.
(#1326)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of STORMI MONTEIRO, New Bedford, MA, to the HOUSING AUTHORITY. Ms. Monteiro will be replacing the late Melvin Davis; this term will expire in December 2026.

Referred to the Committee on Appointments and Briefings. (#1327)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of DAWN ESTABROOKS SALERNO, New Bedford, MA, to the HISTORICAL COMMISSION; this term will expire in August 2027.

Referred to the Committee on Appointments and Briefings. (#1328)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of JAY AVILA, New Bedford, MA, to the HISTORICAL COMMISSION; this term will expire in August 2027.

Referred to the Committee on Appointments and Briefings. (#1329)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of DANIEL TURPIN, New Bedford, MA, AS AN ALTERNATE MEMBER to the HISTORICAL COMMISSION; this term will expire in August 2027.

Referred to the Committee on Appointments and Briefings. (#1330)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of BRIAN S. LYONS, New Bedford, MA, as a CONSTABLE.

Received and Placed on File. (#1331)

AN APPLICATION,

Reappointment Confirmed. (#1332)

CITY OF NEW BEDFORD

CITY COUNCIL

May 23, 2024

A BOND ORDER TO AUTHORIZE A BORROWING TO PAY THE COSTS OF CAPITAL PLANNING AND CONSTRUCTION OF WATER DISTRIBUTION AND TREATMENT SYSTEMS IMPROVEMENTS INCLUDING A LEAD SERVICE ABATEMENT PROGRAM, AND GENERAL SYSTEM IMPROVEMENTS.

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

That \$34,800,000 is appropriated for the purpose of financing the capital planning, construction and all associated costs for implementation of water distribution and treatment systems improvements including but not limited to a Lead Service Line Abatement program to replace lead services and water mains in the City for public health purposes, and general system improvements, including all costs thereof as defined in 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 \$34,800,000 and issue bonds or notes therefore 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 systems 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 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 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 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 – May 23, 2024.

Passed to a Second Reading – June 27, 2024

Adopted – Yeas 9, Nays 0.

Rule 40 Waived – Yeas 9, Nays 0.

Presented to the Mayor for approval August 14, 2024.

Approved August 14, 2024. (#0758)

REPORT, Committee on Appointments & Briefings, recommending that the City Council GRANT the 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 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.

Recommendation Followed. (#1333)

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 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 to the Committee on Appointments and Briefings – June 13, 2024.

Demolition Granted – Yeas 8, Nays 1. (Councillor Morad OPPOSED.)

Presented to the Mayor for approval August 15, 2024.

Approved August 23, 2024. (#1012)

REPORT, Committee on Appointments & Briefings, recommending to the City Council APPROVAL of the PETITION, on behalf of **Kevin Sousa, Bridgewater, MA d/b/a Games to Gold, 105 Nauset Street, New Bedford, MA**, requesting, that he be granted a Waiver of Residency in accordance with Section 15-38 of the City Code, to obtain a **LICENSE TO DEAL IN JUNK, OLD METALS OR ANY OTHER SECONDHAND ARTICLES**.

Recommendation Followed. (#1334)

PETITION, **Kevin Sousa, Bridgewater, MA d/b/a Games to Gold, 105 Nauset Street, New Bedford, MA**, requesting that he be granted a Waiver of Residency in accordance with Section 15-38 of the City Code, to obtain a **LICENSE TO DEAL IN JUNK, OLD METALS OR ANY OTHER SECONDHAND ARTICLES**.

Referred to the Committee on Appointments and Briefings – May 07, 2024.

Residency Waiver Granted – Yeas 9, Nays 0.

Presented to the Mayor for approval August 15, 2024.

Approved August 23, 2024 (#0655)

REPORT, Committee on Appointments & Briefings, recommending 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 d/b/a NEW BEDFORD TRANSPORTATION LLC, 308 Mill Street, New Bedford, MA. (Term of License – July 01, 2024 – June 30, 2025.)**

Recommendation Followed. (#1335)

COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of **KHALIL ARSANIOS, 1220 Pleasant Street, New Bedford, MA d/b/a NEW BEDFORD TRANSPORTATION LLC, 308 Mill Street, New Bedford, MA**, 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 to the Committee on Appointments and Briefings – June 13, 2024.

Livery License Granted.

Presented to the Mayor for approval August 15, 2024.

Approved August 23, 2024. (#1011)

REPORT, Committee on Appointments & Briefings, recommending 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.

Recommendation Followed. (#1336)

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 to the Committee on Appointments and Briefings – June 13, 2024.

Appointment Confirmed and Rule 40 Waived – Yeas 9, Nays 0. (#0956)

REPORT, Committee on Appointments & Briefings, recommending to the City Council APPROVAL of the APPOINTMENT of JUSTIN OHLSON, New Bedford, MA, to the CEMETERY BOARD, this term will expire in April 2027.

Recommendation Followed. (#1337)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of JUSTIN OHLSON, New Bedford, MA, 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 to the Committee on Appointments and Briefings – May 07, 2024.

Appointment Confirmed and Rule 40 Waived – Yeas9, Nays 0. (#0641)

REPORT, Committee on Appointments & Briefings, recommending to the City Council APPROVAL of the APPOINTMENT of REVEREND DR. SANDRA GATLIN WHITLEY, New Bedford, MA, to the COUNCIL ON AGING, this term will expire in December 2025.

Recommendation Followed. (#1338)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of REVEREND DR. SANDRA GATLIN WHITLEY, New Bedford, MA, to the COUNCIL ON AGING, Reverend Whitley will be replacing Zachary R. Boyer, who has resigned; this term will expire in December 2025.

Referred to the Committee on Appointments and Briefings – June 27, 2024.

Appointment Confirmed and Rule 40 Waived – Yeas 9, Nays 0. (#1102)

REPORT, Committee on Appointments & Briefings, recommending to the City Council APPROVAL of the APPOINTMENT of JAMES R. GAGNON, a United States NAVY Vietnam Veteran, New Bedford, MA, to the VETERANS ADVISORY BOARD, this term will expire in December 2026.

Recommendation Followed. (#1339)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of JAMES R. GAGNON, a United States Air Force NAVY Vietnam Veteran, New Bedford, MA, to the VETERANS ADVISORY BOARD, Mr. Gagnon will be replacing Anthony Resendes, who has resigned; this term will expire in December 2026.

Referred to the Committee on Appointments and Briefings – June 27, 2024.

Appointment Confirmed and Rule 40 Waived – Yeas 9, Nays 0. (#1103)

REPORT, Committee on Appointments & Briefings, recommending to the City Council APPROVAL of the APPOINTMENT of WILLIAM COMEAU, a United States Army Veteran, New Bedford, MA, to the VETERANS ADVISORY BOARD, this term will expire in December 2026.

Recommendation Followed. (#1340)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of WILLIAM COMEAU, a United States Army Veteran, New Bedford, MA, to the VETERANS ADVISORY BOARD, Mr. Comeau is replacing Elizabeth C. McNamara, who has resigned; this term will expire in December 2026.

Referred to the Committee on Appointments and Briefings – June 27, 2024.

Appointment Confirmed and Rule 40 Waived – Yeas 9, Nays 0. (#1104)

REPORT, Committee on Ordinances, recommending that the City Council, follow the Planning Board's recommendation to deny the request on behalf of property owner John Kyriakidis and Petitioner Gerald Willis, that Plot 011/Lot 0053 (308 W. Rodney French Boulevard) be rezoned from RESIDENTIAL "B" TO MIXED-USE BUSINESS.

Recommendation Followed. (#1341)

WRITTEN MOTION, Councillor Pereira, requesting, on behalf of property owner John Kyriakidis and petitioner Gerald Willis, that Plot 011 Lot 0053 (308 W. Rodney French Boulevard) be rezoned from RESIDENTIAL B to MIXED-USE BUSINESS.

Referred to the Committee on Ordinances and the Planning Board - May 23, 2024.

Rezoning Request DENIED – Yeas 7, Nays 0. (Councillors Abreu and Baptiste not present for vote.) (#0847)

REPORT, Committee on Finance, recommending to the City Council APPROVAL of the CPA annual budget for fiscal year 2025, for Committee Administrative expenses and Community Preservation Projects in fiscal year 2025.

Recommendation Followed. (#1342)

COMMUNICATION, Community Preservation Committee submitting the CPA annual budget for fiscal year 2025, for Committee Administrative expenses and Community Preservation Projects in fiscal year 2025.

Referred to the Committee on Finance – June 13, 2024.

CPA Budget Approved. (#1013)

REPORT, Committee on Finance, recommending to the City Council ADOPTION of the RESOLUTIONS for a 10-year Tax Increment Financing Agreement for Horacio’s Inc. and a 5-year Special Tax Agreement for WildFish LLC dba Red’s Best.

Referred to the Committee on Finance – June 13, 2024.

CPA Budget Approved. (#1343)

CITY OF NEW BEDFORD

CITY COUNCIL

JUNE 27, 2024

**RESOLUTION APPROVING CERTIFIED PROJECT APPLICATION
AND TAX INCREMENT FINANCING AGREEMENT WITH HORATIO'S INC.**

WHEREAS, Horacio's Inc., applied for designation as a Certified Project under the Massachusetts Economic Development Incentive Program created by Chapter 23A of Massachusetts General Laws; within an Economic Opportunity Area ("EOA") within the New Bedford Economic Target Area ("ETA") for a period of Ten (10) years ending June 30, 2034 pursuant to the authority granted by and meeting the requirements of 402 C.M.R. 2.10(3).

WHEREAS, Horacio's Inc., meets the minimum standards and is consistent with the Economic Development Incentive Program and the local economic development goals and criteria established as part of the documents creating the Greater New Bedford Economic Target Areas shall be expected to benefit significantly from inclusion in said ETA:

WHEREAS, the proposed Certified Project is located at 64 Vertente Blvd., New Bedford, MA and shown on the City of New Bedford's real property assessment database as Parcel ID 133 037 on April 29, 2024;

WHEREAS, the project, together with all other projects previously certified and located in the same expansion project EOA will not overburden the City's infrastructure and utilities servicing the EOA;

WHEREAS, the City of New Bedford as agreed to offer Horacio's Inc., a Tax Increment Financing Agreement for the project described in the application proposal that will have a reasonable chance of increasing employment opportunities for residents of the expansion project area, ETA. Said Agreement is hereby approved by the City Council and the TIF Plan is incorporated by reference herein;

WHEREAS, Horacio's Inc., is going to invest at least \$3 Million in the construction of an addition, equipment, and other expenses associated with the project, and will create 7 permanent full time jobs over a period of one (1) year;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of New Bedford approves the Certified Project application of Horacio's Inc. and forward said application for certification to the Massachusetts Economic Assistance Coordinating Council for its approval and endorsement.

FURTHER, the City Council of the City of New Bedford authorizes the Mayor to enter into a Tax Increment Financing agreement between the City of New Bedford and Horacio's Inc., Said Agreement will provide for an exemption on property taxes on the assessed valuation of improvements to the property at 100% for year one, 90% for year two, 80% for year three, 70% for year four, 60% for year five, 50% for year six, 40% for year seven, 30% for year eight, 20% for year nine, and 10% for year ten of a ten-year Agreement according to the requirements and regulations established which govern the implementation of such Tax Increment Financing Agreements. The Agreement will be in effect as of FY 2025 through FY2034.

Referred to the Committee on Finance – June 27, 2024.

Adopted Yeas 9, Nays 0.

Rule 40 Waived – Yeas 9, Nays 0.

Presented to the Mayor for approval August 14, 2024.

Approved August 14, 2024.

(#1161)

CITY OF NEW BEDFORD

CITY COUNCIL

JUNE 27, 2024

**RESOLUTION APPROVING CERTIFIED PROJECT APPLICATION
AND SPECIAL TAX AGREEMENT WITH WILDFISH LLC AND SS HASSEY LLC**

WHEREAS, WildFish LLC and SS Hassey LLC, applied for designation as a Certified Project under the Massachusetts Economic Development Incentive Program created by Chapter 23A of Massachusetts General Laws; within an Economic Opportunity Area (“EOA”) within the New Bedford Economic Target Area (“ETA”) for a period of Five (5) years ending June 30, 2034 pursuant to the authority granted by and meeting the requirements of 402 C.M.R. 2.10(3).

WHEREAS, WildFish LLC and SS Hassey LLC, meets the minimum standards and is consistent with the Economic Development Incentive Program and the local economic development goals and criteria established as part of the documents creating the Greater New Bedford Economic Target Areas shall be expected to benefit significantly from inclusion in said ETA:

WHEREAS, the proposed Certified Project is located at 11 Hassey Street, New Bedford, MA and shown on the City of New Bedford’s real property assessment database as Parcel ID 031 0269 on April 30, 2024;

WHEREAS, the project, together with all other projects previously certified and located in the same expansion project EOA will not overburden the City’s infrastructure and utilities servicing the EOA;

WHEREAS, the City of New Bedford as agreed to offer WildFish LLC and SS Hassey LLC, a Special Tax Agreement for the project described in the application proposal that will have a reasonable chance of increasing employment opportunities for residents of the expansion project area, ETA. Said Agreement is hereby approved by the City Council and the TIF Plan is incorporated by reference herein;

WHEREAS, WildFish LLC is going to invest at least \$2,7000,000 in the purchase, renovation, equipment, and other expenses associated with the project, and will retain thirty-nine (39) and create thirty (30) permanent full time jobs over a period of five (5) years;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of New Bedford approves the Certified Project application of WildFish LLC and SS Hassey LLC and forward said application for certification to the Massachusetts Economic Assistance Coordinating Council for its approval and endorsement.

FURTHER, the City Council of the City of New Bedford authorizes the Mayor to enter into a Special Tax Agreement between the City of New Bedford and WildFish LLC and SS Hassey LLC. Said Agreement will provide for an exemption on property taxes on the assessed valuation of improvements to the property at 195% for year one, 75% for year two, 50% for year three, 25% for year four, and 5% for year five, of the Agreement according to the requirements and regulations established which govern the implementation of such Special Tax Agreements. The Agreement will be in effect as of FY2025 through FY2029.

Referred to the Committee on Finance – June 27, 2024.

Adopted Yeas 9, Nays 0.

Rule 40 Waived – Yeas 9, Nays 0.

Presented to the Mayor for approval August 14, 2024.

Approved August 14, 2024. (1162)

REPORT, Committee on Finance, recommending to the City Council APPROVAL of the TAX INCREMENT EXEMPTION AGREEMENT, between the City and Franklin Hospitality Corp and ADOPTION of the RESOLUTION, Approving the Tax Increment Exemption Housing Development Incentive Program and Agreement for Franklin Hospitality Corporation re: 89 North Water Street.

Recommendation Followed. (1344)

TAX INCREMENT EXEMPTION AGREEMENT, between the City and Franklin Hospitality Corp.

Referred to the Committee on Finance – July 18, 2024.

Approved – Yeas 9, Nays 0.

Rule 40 Waived – Yeas 9, Nays 0. (1209)

CITY OF NEW BEDFORD

CITY COUNCIL

JULY 18, 2024

**RESOLUTION APPROVING THE TAX INCREMENT EXEMPTION HOUSING
DEVELOPMENT INCENTIVE PROGRAM AND AGREEMENT FOR FRANKLIN
HOSPITALITY CORPORATION re: 89 NORTH WATER STREET**

WHEREAS, Franklin Hospitality Corporation has submitted a Housing Development Incentive Program (HDIP) application and is seeking certification under the Massachusetts Housing Development Incentive Program created by Chapter 40V of Massachusetts General Laws and promulgated thereunder at 760 CMR 66.00, and

WHEREAS, Franklin Hospitality Corporation proposes to develop 18 residential units and plans to invest an estimated \$7.9 million in said development located at 89 North Water Street, “Elmwater Landing,” and

WHEREAS, the project proposed by Franklin Hospitality Corporation meets the minimum requirements of the Housing Development Incentive Program and the local objectives of the City of New Bedford’s Housing Development Zone Plan;

WHEREAS, the proposed project is located at 89 North Water Street, New Bedford, Massachusetts, which is within the boundaries of the City of New Bedford’s designated Housing Development Zone;

WHEREAS, Franklin Hospitality Corporation is seeking a Local Tax Increment Exemption as part of the Certified Project approval and Housing Development Tax Credit and meets the minimum requirements of 760 CMR 66.00, and

WHEREAS, approval of the Franklin Hospitality Corporation Housing Development Incentive Program Application in accordance with the above referenced laws, rules, and regulations of the Commonwealth of Massachusetts is hereby accepted by the City Council.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of New Bedford approves the Certified Project application of Franklin Hospitality Corporation and forward said application for certification to the Massachusetts Economic Assistance Coordinating Council for its approval and endorsement.

FURTHER, the City Council of the City of New Bedford authorizes the Mayor to execute the Tax Increment Exemption Agreement between the City of New Bedford and Franklin Hospitality Corporation. Said Agreement will provide for an exemption on property taxes based on the growth portion in the residential assessed valuation of the property at 80% the first five years, then 50% in year six, then decrease by 10% every year afterward for a total term of 10 years according to the requirements and regulations established which govern the implementation of such Tax Increment Exemption Agreements. The Exemption will take effect starting July 1 following the Commonwealth’s Final Certification, which includes issuance of a Certificate of Occupancy, anticipated in 2026.

Referred to the Committee on Finance – July 18, 2024.

Approved – Yeas 9, Nays 0.

Rule 40 Waived – Yeas 9, Nays 0. (#1210)

REPORT, Committee on Public Safety and Neighborhoods, recommending that the City Council take “**NO FURTHER ACTION**” on the WRITTEN MOTION, Councillors Gomes and Oliver, on behalf of the parents and faculty of children attending Nazarene Christian Academy, 764 Hathaway Road, requesting, that the Traffic Commission and the City, install solar powered School Zone signage on Hathaway Road, and that the signage be placed a quarter mile from the school, in an easterly and westerly direction, reading “School Zone Ahead, 20 miles per hour between the hours of 7:00 am and 9:00 am and 2:00 pm and 4:00 pm”; and requesting that speed radar patrols are conducted in this area by the Police Department; and further, that a letter be sent to the Dartmouth Police Department asking for their assistance in slowing traffic around the school during these implemented school zone hours.

Recommendation Followed. (#1345)

WRITTEN MOTION, Councillors Gomes and Oliver, on behalf of the parents and faculty of children attending Nazarene Christian Academy, 764 Hathaway Road, requesting, that the Traffic Commission and the City, install solar powered School Zone signage on Hathaway Road, and that the signage be placed a quarter mile from the school, in an easterly and westerly direction, reading “School Zone Ahead, 20 miles per hour between the hours of 7:00 am and 9:00 am and 2:00 pm and 4:00 pm”; and requesting that speed radar patrols are conducted in this area by the Police Department; and further, that a letter be sent to the Dartmouth Police Department asking for their assistance in slowing traffic around the school during these implemented school zone hours.

Referred to the Committee on Public Safety and Neighborhoods, the Traffic Commission and the Dartmouth Police Department – October 26, 2023.

NO FURTHER ACTION. (#1789)

REPORT, Committee on Finance, recommending that the City Council take **“NO FURTHER ACTION”** on the COMMUNICATION, Dennis W. Farias, City Clerk/Clerk of the City Council, submitting a request from New City America, Inc. regarding the establishment of a New Downtown New Bedford Business Improvement District.
Recommendation Followed. (#1346)

COMMUNICATION, Dennis W. Farias, City Clerk/Clerk of the City Council, submitting a request from New City America, Inc. regarding the establishment of a New Downtown New Bedford Business Improvement District.
Referred to the Committee on Finance – February 22, 2024.
NO FURTHER ACTION. (#0267)

REPORT, Committee on Finance, recommending that the City Council take **“NO FURTHER ACTION”** on the ORDER, for the TRANSFER out of the FREE CASH ACCOUNT to PURCHASING, SALARIES AND WAGES in the amount of \$72,631.00.
Recommendation Followed. (#1347)

AN ORDER,
Referred to the Committee on Finance – April 11, 2024.
NO FURTHER ACTION. (#0466)

REPORT, Committee on Finance, recommending that the City Council take **“NO FURTHER ACTION”** on the ORDER, for the TRANSFER out of the FREE CASH ACCOUNT to FISCAL YEAR 2025 GENERAL FUND BUDGET in the amount of \$1,000,000.00.
Recommendation Followed. (#1348)

AN ORDER,
Referred to the Committee on Finance – April 11, 2024.
NO FURTHER ACTION. (#0467)

REPORT, Committee on Finance, recommending that the City Council take **“NO FURTHER ACTION”** on the ORDER, for the TRANSFER out of the FREE CASH ACCOUNT to POLICE, CAPITAL OUTLAY in the amount of \$332,777.00.
Recommendation Followed. (#1349)

AN ORDER,
Referred to the Committee on Finance – April 11, 2024.
NO FURTHER ACTION. (#0469)

REPORT, Committee on Finance, recommending that the City Council take **“NO FURTHER ACTION”** on the ORDER, for the TRANSFER out of the FREE CASH ACCOUNT to FIRE/EMA, SUPPLIES AND MATERIALS in the amount of \$76,200.00 and TRAFFIC, SUPPLIES AND MATERIALS in the amount of \$23,820.00.
Recommendation Followed. (#1350)

AN ORDER,
Referred to the Committee on Finance – April 11, 2024.
NO FURTHER ACTION. (#0471)

REPORT, Committee on Finance, recommending that the City Council take **“NO FURTHER ACTION”** on the ORDER, for the TRANSFER out of the FREE CASH ACCOUNT to TOURISM, CHARGES & SERVICES in the amount of \$37,500.00.

Recommendation Followed. (#1351)

AN ORDER,
Referred to the Committee on Finance – April 11, 2024.)
NO FURTHER ACTION.

(#0472)

REPORT, Committee on Finance, recommending that the City Council take **“NO FURTHER ACTION”** on the ORDER, for the TRANSFER of \$20,400.00 from SNOW to RESILIENCE AND ENVIRONMENTAL STEWARDSHIP, CHARGES & SERVICES.

Recommendation Followed. (#1352)

AN ORDER,
Referred to the Committee on Finance – May 23, 2024.
NO FURTHER ACTION.

(#0770)

REPORT, Committee on Finance, recommending that the City Council take **“NO FURTHER ACTION”** on the ORDER, for the TRANSFER of \$7,925.00 from SNOW to LABOR RELATIONS, CHARGES & SERVICES.

Recommendation Followed. (#1353)

AN ORDER,
Referred to the Committee on Finance – May 23, 2024.
NO FURTHER ACTION.

(#0772)

REPORT, Committee on Finance, recommending that the City Council take **“NO FURTHER ACTION”** on the ORDER, for the TRANSFER of \$4,960.00 from TOURISM, CHARGES AND SERVICES to TOURISM, SALARIES AND WAGES.

Recommendation Followed. (#1354)

AN ORDER,
Referred to the Committee on Finance – June 13, 2024.)
NO FURTHER ACTION.

(#0994)

REPORT, Committee on Finance, recommending that the City Council take **NO FURTHER ACTION”** on the REPORT, Committee on Finance, recommending to the City Council ADOPTION of the ORDER for the TRANSFER of \$2,750,000.00, from WASTEWATER RETAINED EARNINGS to WASTEWATER OTHER FINANCING USES and AN ORDER, for the TRANSFER of \$2,750,000.00, from WASTEWATER RETAINED EARNINGS to WASTEWATER OTHER FINANCING USES.

Recommendation Followed. (#1355)

REPORT, Committee on Finance, recommending to the City Council ADOPTION of the ORDER for the TRANSFER of \$2,750,000.00, from WASTEWATER RETAINED EARNINGS to WASTEWATER OTHER FINANCING USES.

Tabled – June 27, 2024.

Removed from the Table.

Referred to the Committee on Finance – July 8, 2024

NO FURTHER ACTION. (#1139)

AN ORDER,

Referred to the Committee on Finance – June 13, 2024

Tabled – June 27, 2024.

Removed from the Table.

Referred to the Committee on Finance - July 8, 2024.

NO FURTHER ACTION. (#0988)

WRITTEN MOTION, Councillor Gomes, requesting, that the Committee on Public Safety & Neighborhoods meet with downtown merchants, property owners and business owners to discuss their concerns and ideas on improvements in the downtown and historical areas, and use this discussion as an opportunity to work together on strategies that can be taken to address the need for increased police presence, cleaning and trash pickup, and other public safety issues in the area; and further, that the Police Chief, Fire Chief, Tourism Director, and a representative from the Mayor's Office and Department of Infrastructure be invited to said meeting.

Referred to the Committee on Public Safety & Neighborhoods. (#1356)

WRITTEN MOTION, Councillors Morad, Gomes, Giesta and Lopes, requesting that Chief Financial Officer Robert Ekstrom, City Solicitor Eric Jaikes and a representative of the Administration appear before the Committee on Finance to discuss options regarding the \$3.5 million settlement to be received from the MBTA; said discussion shall include but not be limited to appropriating the monies to the Stabilization Fund or to a newly created Revolving Fund account with the intention of restricting the funds to create a revenue stream dedicated to paying for ongoing maintenance of the pedestrian bridge currently being constructed across Route 18 that the City of New Bedford will be required to maintain after construction is completed.

Referred to the Committee on Finance. (#1357)

WRITTEN MOTION, Councillors Morad and Giesta, requesting that Chief Financial Officer Robert Ekstrom and Airport Director Scot Servis appear before the Committee on Finance to discuss the source of funding for a recently issued Request for Proposal for a consultant contract for "Air Service Investigation"; said contract not to exceed \$65,000; since it would appear that funding for this proposal is not within the recently approved FY2025 Airport Enterprise Fund budget.

Referred to the Committee on Finance. (#1358)

WRITTEN MOTION, Councillors Morad and Pereira, requesting that Purchasing Director Molly Gilfeather Rodriguez provide to the Audit Committee monthly - by the 5th of each month - reports detailing the previous month's Request for Proposals issued by the City of New Bedford.

Referred to the Audit Committee. (#1359)

WRITTEN MOTION, Councillor Gomes, requesting, that the City Council go on record once more, against Massachusetts House Bill S.1242, which would authorize safe injection sites in Cities and Towns across the Commonwealth, the United States Department of Justice states under Federal law 21USC, Section 856, that injection sites are illegal, and further; that letters be sent to our State Legislative Delegation to include the Senate and House speakers to inform them of our opposition to any injection site being located in the City in New Bedford, and to go on record against this Bill, and further; that the New Bedford Board of Health consider a NO vote on implementation of any sites in the City. (Requesting that Rule 40 be Waived.)

Rule 17 Waived, Adopted and Rule 40 Waived– Yeas 8, Nays 1. (Councillor Burgo OPPOSED.)

Presented to the Mayor for approval August 15, 2024.

RETURNED UNSIGNED September 09, 2024. (#1360)

WRITTEN MOTION, Councillor Gomes, requesting, that the City devise a plan to address the homeless issue in New Bedford, and further; that the City call a summit to include the New Bedford Health Department, the Administration, the State Health Department, our State Legislative representation along with every drug and health agency that is available with local offices and officials to assist with a plan of action to address the issue that is becoming a crisis in the City of New Bedford.

Referred to the Committee on Affordable Housing and Homeless Affairs. (#1361)

COMMUNICATION, Councillor Baptiste, submitting a DRAFT ORDINANCE, AMENDING Chapter 9, Sections 2210 and 2200, and Table “D. Industrial” of “Appendix A – The Table of Principal Use Regulations” relating to Uses in the Waterfront Industrial District and Facilities for Maritime Industrial Training.

Referred to the Committee on Ordinances and the Planning Board. (#1362)

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 Ashley Park (400 Rivet Street or Swift Street) in honor of RODOLFO & MARIA AMELIA ALMEIDA.

Referred to the Special Committee on Memorials & Dedications. (#1363)

COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of **Franklin E. Lobo, 2220 Acushnet Avenue, New Bedford, MA d/b/a FRANK’S TRANSPORT SERVICES, 2220 Acushnet Avenue, New Bedford, MA** hereby submitting a copy of the Applications requesting a **NEW PRIVATE LIVERY LICENSE**. (Term of License – July 01, 2024 - June 30, 2025.)

Referred to the Committee on Appointments and Briefings. (#1364)

COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of **Diego A. Arango, 155 Holly Street #3, New Bedford, MA d/b/a ARANGO LUXURY SERVICE LLC, 155 Holly Street #3, New Bedford, MA** hereby submitting a copy of the Applications requesting a **NEW PRIVATE LIVERY LICENSE**. (Term of License – July 01, 2024 - June 30, 2025.)

Referred to the Committee on Appointments and Briefings. (#1365)

PETITION, **Elizabeth Silva, Westport, MA d/b/a Dewey’s Finds, 52 Brigham Street, Suite #7, New Bedford, MA** requesting that he be granted a Waiver of Residency in accordance with Section 15-38 of the City Code, to obtain a **LICENSE TO DEAL IN JUNK, OLD METALS OR ANY OTHER SECONDHAND ARTICLES**.

Referred to the Committee on Appointments and Briefings. (#1366)

COMMUNICATION, City Clerk/Clerk of the City Council Dennis W. Farias, submitting a copy of Tighe&Bond’s Expanded Environmental Notification Form for the MacArthur Drive Area Redevelopment Plan. (Copy all Councillors via email 07/18/2024.)

Received and Placed on File. (#1367)

COMMUNICATION, City Clerk/Clerk of the City Council Dennis W. Farias, submitting a copy of Tighe&Bond’s Expanded Environmental Notification Form for the Hicks Logan Area Redevelopment Plan. (Copy all Councillors via email 07/18/2024.)

Received and Placed on File. (#1368)

COMMUNICATION, Manny DeBrito, Board of Elections Commissioner, to City Council, submitting the Election Warrant for the Tuesday, September 03, 2024, State Primary, the Warrant needs to be signed by the majority of the City Council and must be posted on the 7th day prior to the Election date as mandated by M.G.L. C43, §44A, a copy of this warrant will be posted at each polling location.

Received and Placed on File. (#1369)

CITATIONS, Councillors Gomes and Morad, honoring CASSIE WHITE, NOAH BRUM, ORLANDO FRANCO, MATTHEW COSTA, JOSE VELEZ, JONATHAN ANDREWS and MATTHEW CARON, in recognition of their Appointments as New Bedford Police Officers.

Adopted, to be presented at a later date. (#1370)

CITATION, Councillors Gomes and Morad, honoring New Bedford Police Officer ERIC BOULAY, in recognition of his heroic and lifesaving rescue efforts on March 31, 2024, and with heartfelt gratitude for his dedication to the safety of the Citizens of the City of New Bedford.

Adopted, to be presented at a later date. (#1371)

CITATION, Councillors Morad and Oliver, honoring HARRISON LETOURNEAU, in recognition of the Eagle Court of Honor ceremony acknowledging his leadership as an Eagle Scout and to thank him for his commitment to the protection of beautiful green spaces in our community.

Adopted, to be presented at a later date. (#1372)

CITATION, Council President Carney and Councillor Gomes, honoring, SHAWNTE PARIS, in recognition of her becoming a new emerging community leader who stepped up to chair the West End Neighborhood Association along with her community engagement through the North Star Heal Program.

Adopted, to be presented at a later date. (#1373)

CITATION, Council President Carney and Councillor Gomes, honoring, SCOTT PEMBERTON, in recognition of his community outreach in chairing two neighborhood associations, North End Neighborhood Association and Friends of Brooklawn Park and as the Chair of Joe Jesus 50’s Night Downtown.

Adopted, to be presented at a later date. (#1374)

CITATION, Council President Carney and Councillor Gomes, honoring, LEE CHARLTON, in recognition of his being a community leader and activist and one of the founding leaders of National Night Out and introducing the City of New Bedford to it through the program “Put Your Lights On” in support of NBPD – Residents were encouraged to put blue lights in their porch lights.

Adopted, to be presented at a later date. (#1375)

WRITTEN MOTION, Councillor Baptiste, requesting that the following street(s) be CLOSED: SYCAMORE STREET, from Ash Street to Cedar Street, ON SATURDAY, AUGUST 10, 2024, AT 2:00 P.M. TO 8:00 P.M., for the purpose of a NEIGHBORHOOD BLOCK PARTY.
GRANTED PROVISIONALLY BY THE 2024 CITY COUNCIL PRESIDENT NAOMI R.A. CARNEY ON THURSDAY, AUGUST 08, 2024, TO BE RATIFIED BY THE CITY COUNCIL ON TUESDAY, AUGUST 13, 2024.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval August 15, 2024.

Adopted August 23, 2024. (#1376)

WRITTEN MOTION, Councillor Baptiste, requesting, that the following street(s) be CLOSED: WILLIAM STREET, from Johnny Cake Hill to North Water Street; UNION STREET, from North Water Street to Route 18 AND NORTH WATER STREET, from Rodman Street to Union Street (With Hamilton Street, Front Street, Centre Street and Rose Alley CLOSED), ON THURSDAY, SEPTEMBER 12, 2024, AT 3:00 P.M. TO 10:00 P.M., for the purpose of AHA! NEW BEDFORD 25th ANNIVERSARY.

Permission Granted.
Presented to the Mayor for approval August 15, 2024.
Adopted August 23, 2024. (#1377)

WRITTEN MOTION, Councillor Lopes, requesting, on behalf of Mr. Allen Decker, that the following street(s) be CLOSED: ARNOLD PLACE, from Arnold Street to Orchard Street, ON SATURDAY, SEPTEMBER 21, 2024, FROM 2:00 P.M. TO 10:00 P.M., for the purpose of a Block Party. **PLEASE NOTE: RAIN DATE OF SUNDAY, SEPTEMBER 22, 2024.**

Permission Granted.
Presented to the Mayor for approval August 15, 2024.
Adopted August 23, 2024. (#1378)

WRITTEN MOTION, Councillor Giesta, requesting, on behalf of Global Learning Charter Public School, that the following street(s) be CLOSED: NYE STREET, from Acushnet Avenue to Ashley Boulevard, ON TUESDAY, AUGUST 20, 2024, FROM 3:00 P.M. TO 7:30 P.M., for the purpose of Back to School Night.

Permission Granted.
Presented to the Mayor for approval August 15, 2024.
Adopted August 23, 2024. (#1379)

WRITTEN MOTION, Councillor Pereira, requesting, on behalf of Legacy Barbers, that the following street(s) be CLOSED: RIVET STREET, from Bonney Street to Crapo Street, ON WEDNESDAY, AUGUST 28, 2024, FROM 12:00 (NOON) TO 4:00 P.M., for the purpose of Cuts for School.

Permission Granted.
Presented to the Mayor for approval August 15, 2024.
Adopted August 23, 2024. (#1380)

WRITTEN MOTION, Councillor Lopes, requesting, on behalf of Roy Saulnier, 25 Stephen Street, that the Traffic Commission install one (1) “HANDICAP PARKING” space in front of said address. (Handicap placards and property owner’s letter enclosed.)

Referred to the Traffic Commission. (#1381)

COMMUNICATION, Councillor Morad, submitting a copy of a letter to Tony Linhares, Our Lady of Mt. Carmel Parish Feast Committee President, stating she is unable to accept their invitation to participate in the Church’s annual parish festival and procession due to a previously scheduled family commitment.

Received and Placed on File. (#1382)

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 Community Preservation Committee for a meeting held on June 11, 2024; the Board of Health for meetings held on May 23, 2024 and July 24, 2024; the Licensing Board for a meeting held on June 24, 2024; the Planning Board for a meeting held on June 12, 2024; and the GNB Regional Refuse Management District for a meeting held on June 13, 2024.

Received and Placed on File. (#1383)

APPLICATIONS, **D.F. Pray, Inc.**, for permission to maintain a STREET OBSTRUCTION, provisionally granted by the City Clerk on July 25, 2024, subject to ratification by the Mayor and City Council as follows:

133 Union Street to North Second Street and Union Street to Barker’s Lane (#1384)
278 Union Street, from Eighth Street to Spring Street – one way (#1385)
Presented to the Mayor for approval August 15, 2024.
Approved July 25, 2024.

APPLICATION, **R.J. Canessa Excavating Co.**, for permission to maintain a STREET OBSTRUCTION at **25, 29, 31, 33, 35, 39, 41, 45, 47 & 51 Brock Avenue (condo project)**, provisionally granted by the City Clerk on July 17, 2024, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval August 15, 2024.
Approved August 23, 2024. (#1386)

APPLICATIONS, **Mike Andrade Excavation, LLC**, for permission to maintain a STREET OBSTRUCTION, provisionally granted by the City Clerk on July 18, 2024, subject to ratification by the Mayor and City Council as follows:

138 Robeson Street (#1387)
105 Thompson Street (#1388)
Presented to the Mayor for approval August 15, 2024.
Approved July 25, 2024.

APPLICATION, **MSR Utility Maintenance Corp.**, for permission to maintain a STREET OBSTRUCTION at **Walnut Street, between Acushnet Avenue and South Second Street**, provisionally granted by the City Clerk on July 19, 2024, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval August 15, 2024.
Approved August 23, 2024. (#1389)

APPLICATION, **JLC CONSTRUCTION**, for permission to maintain a STREET OBSTRUCTION at **49 North Street**, provisionally granted by the City Clerk on July 19, 2024, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval August 15, 2024.
Approved August 23, 2024. (#1390)

APPLICATION, **Mike Andrade Excavation, LLC**, for permission to maintain a STREET OBSTRUCTION at **383 Wood Street**, provisionally granted by the City Clerk on July 26, 2024, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval August 15, 2024.
Approved August 23, 2024. (#1391)

APPLICATION, **Dupre Construction**, for permission to maintain a STREET OBSTRUCTION at **130 Heritage Drive**, provisionally granted by the City Clerk on July 26, 2024, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval August 15, 2024.
Approved August 23, 2024. (#1392)

APPLICATION, **Eversource Electric**, for permission to maintain a STREET OBSTRUCTION at **Ashley Boulevard, Coggeshall Street to Nash Road**, provisionally granted by the City Clerk on August 06, 2024, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval August 15, 2024.

Approved August 23, 2024. (#1393)

APPLICATION, **R.J. Canessa Excavation Co.**, to DISTURB THE SURFACE, between **25, 29, 31, 33, 35, 39, 41, 45, 47 & 51 Brock Avenue (condo project)**, provisionally granted by the City Clerk on July 17, 2024, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval August 15, 2024.

Approved August 23, 2024. (#1394)

APPLICATIONS, **Mike Andrade Excavation LLC**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on July 18, 2024, subject to ratification by the Mayor and City Council as follows:

138 Robeson Street (#1395)

105 Thompson Street (#1396)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval August 15, 2024.

Approved August 23, 2024.

APPLICATION, **MSR Utility Maintenance Corp.**, to DISTURB THE SURFACE, of **Walnut Street, between Acushnet Avenue and South Second Street**, provisionally granted by the City Clerk on July 19, 2024, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval August 15, 2024.

Approved August 23, 2024. (#1397)

APPLICATION, **JLC Construction**, to DISTURB THE SURFACE, of **49 North Street**, provisionally granted by the City Clerk on July 19, 2024, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval August 15, 2024.

Approved August 23, 2024. (#1398)

APPLICATION, **Mike Andrade Excavation, LLC**, to DISTURB THE SURFACE, of **383 Wood Street**, provisionally granted by the City Clerk on July 26, 2024, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval August 15, 2024.

Approved August 23, 2024. (#1399)

APPLICATION, **Dupre, Inc.**, to DISTURB THE SURFACE, of **130 Heritage Drive**, provisionally granted by the City Clerk on July 26, 2024, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval August 15, 2024.

Approved August 23, 2024. (#1400)

APPLICATION, **Eversource Electric,** to DISTURB THE SURFACE, of **Ashley Boulevard, Coggeshall Street to Nash Road,** provisionally granted by the City Clerk on August 06, 2024, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval August 15, 2024.
Approved August 23, 2024. (#1401)

APPLICATIONS, **Eversource Gas,** to DISTURB THE SURFACE, provisionally granted by the City Clerk on July 29, 2024, subject to ratification by the Mayor and City Council as follows:

- Coral Street, working from West Rodney French Boulevard to Nautilus Street (including intersections) (#1402)
- Bream Street, working from West Rodney French Boulevard to Shell Street (including intersections) (#1403)
- Nautilus Street, working from Coral Street to Bream Street (including intersections) (#1404)

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval August 15, 2024.
Approved August 23, 2024.

APPLICATION, **Eversource Gas,** to DISTURB THE SURFACE, of **166 North Street, Spruce Street – Cedar Street,** provisionally granted by the City Clerk on July 31, 2024, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval August 15, 2024.
Approved August 23, 2024. (#1405)

APPLICATION, **Eversource Gas,** to DISTURB THE SURFACE, of **Grit Street (Regular Station), Rodney French Boulevard, working on Grit Street,** provisionally granted by the City Clerk on August 02, 2024, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval August 15, 2024.
Approved August 23, 2024. (#1406)

APPLICATIONS, **Eversource Gas,** to DISTURB THE SURFACE, provisionally granted by the City Clerk on August 06, 2024, subject to ratification by the Mayor and City Council as follows:

- Intersection of Shaw Street and King Street working on the Shaw Street side of intersection (#1407)
- 37 – 41 Union Street (#1408)
- 4 Waldo Street (#1409)
- 50 Garrison Road (#1410)
- 141 Earle Street (#1411)
- 490 – 494 County Street (#1412)
- 473 County Street (#1413)
- 4022 Acushnet Avenue (#1414)
- 1501 Acushnet Avenue (#1415)
- 113 Hillman Street (#1416)

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval August 15, 2024.
Approved August 23, 2024.

APPLICATION, **Capital Waste Services**, for permission to maintain a STREET OBSTRUCTION at **83 Walden Street**, provisionally granted by the City Clerk on July 23, 2024, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval August 15, 2024.

Approved August 23, 2024. (#1417)

PETITION, Verizon New England, Inc. & NSTAR Electric Company d/b/a Eversource Energy for location of one mid-span Pole, in BELLEVILLE AVENUE, between Kenyon Street and Washburn Street, this work is necessary to fulfill a request by Eversource Energy to support the installation of a primary riser.

Received and Hearing Ordered for Thursday, September 12, 2024.

PETITION, NSTAR Electric Company d/b/a Eversource Energy for location of approximately 140' of Conduit, one Manhole and one handhole in PLYMOUTH STREET, this work is necessary to provide electric service to 40 Plymouth Street.

Received and Hearing Ordered for Thursday, September 12, 2024.

On a motion, the Council then adjourned at 7:56 p.m.

ATTEST:

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