

REGULAR MEETING

CITY COUNCIL

Chambers of the City Council

Municipal Building

Thursday, February 13, 2025

7:00 p.m.

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

LATE: Councillors Baptiste (7:04 p.m.) and Pereira (7:07 p.m.)

ABSENT: No one.

Council President Burgo called the meeting to order and presided.

Prayer led by: Pastor Leona Fisher, In the Name of Jesus Church

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

HEARING, NSTAR Electric Company d/b/a Eversource Energy for location of approximately 775' of 4-4" temporary Conduit, and two new manholes in PURCHASE STREET, this work is necessary for MassDOT project 606527.

Public Hearing continued to Thursday, February 27, 2025, at 7:00 pm, in City Council Chambers.

(#0137)

AN ORDER,

Public Hearing continued to Thursday, February 27, 2025, at 7:00 pm, in City Council Chambers.

(#0138)

HEARING, NSTAR Electric Company d/b/a Eversource Energy for location of approximately 701' of 6-5" temporary Conduit, 230' of 1-5" temporary Conduit, 99' of 2-5" permanent Conduit, and 51' of 4-5" permanent Conduit, and two new manholes in BELLEVILLE AVENUE, this work is necessary for MassDOT project 606527.

Public Hearing continued to Thursday, February 27, 2025, at 7:00 pm, in City Council Chambers.

(#0139)

AN ORDER,

Public Hearing continued to Thursday, February 27, 2025, at 7:00 pm, in City Council Chambers.

(#0140)

HEARING, NSTAR Electric Company d/b/a Eversource Energy for location of approximately 149' of 6-5" temporary Conduit, 160' of 6-5" permanent Conduit, and two new manholes in WASHBURN STREET, this work is necessary for MassDOT project 606527.

Public Hearing continued to Thursday, February 27, 2025, at 7:00 pm, in City Council Chambers.

(#0141)

AN ORDER,

Public Hearing continued to Thursday, February 27, 2025, at 7:00 pm, in City Council Chambers.

(#0142)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of PETER CLARK, as Permanent District Fire Chief, effective immediately.

Rule 38 Waived, Appointment Confirmed and Rule 40 Waived.

(#0143)

COMMUNICATION, Mayor Mitchell, to City Council, submitting a request to waive the educational and experience requirement, Chapter 5 of the Acts of 1990, for the position of Administrative Assistant to the Board of Assessors.

Tabled.

(#0144)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of REVEREND LEONA FISHER, New Bedford, MA, to the HOUSING AUTHORITY this term will expire December 2029.

Rule 38 Waived, Reappointment Confirmed and Rule 40 Waived – Yeas 11, Nays 0.

(#0145)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the REAPPOINTMENT of ALEX J. WEINER, New Bedford, MA to the BOARD OF HEALTH, this term will expire February 2028.

Referred to the Committee on Appointments and Briefings – Yeas 9, Nays 2. (Council President Burgo and Councillor Morad OPPOSED.)

(#0146)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of JAMES P. DEE, New Bedford, MA, to the LICENSING BOARD, replacing Marcelino “Sonny” Almeida, who has resigned; this term will expire June 2028.

Referred to the Committee on Appointments and Briefings.

(#0147)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of SHAYNE TRIMBELL, New Bedford, MA, to the PLANNING BOARD, as a full member of the Board; Mr. Trimbell is currently serving as an Alternate Member and will be replacing Alexander J. Kalife, who has resigned; this term will expire October 2025.

Rule 38 Waived and Appointment Confirmed – Yeas 11, Nays 0.

(#0148)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of ROBYN BRANCO, New Bedford, MA, as an ALTERNATE MEMBER of the ZONING BOARD OF APPEALS, this term will expire December 2029.

Referred to the Committee on Appointments and Briefings – Yeas 7, Nays 4. (Councillors Baptiste, Choquette, Gomes and Lopes OPPOSED.)

(#0149)

COMMUNICATION, Mayor Mitchell, to City Council, submitting the recommendation that the 2025 Preliminary Election be held on Tuesday, September 16, 2025.

Referred to the Committee on Appointments and Briefings.

(#0150)

WRITTEN MOTION, Councillors Abreu, Choquette, Oliver and Lopes, requesting that a representative from the Tunnel to Towers Foundation appear before the Special Committee on Housing to discuss the “Veterans Villages” initiative, and how New Bedford could become a Northeast anchor City for said program, which helps build housing developments for America’s un-housed veteran population; said program provides Americas heroes by offering mortgage-free homes to Gold Star and fallen first responder families with young children and by building specially-adapted smart homes for catastrophically injured veterans and first responders, which may also include veteran homelessness.

Referred to the Special Committee on Housing.

(#0151)

WRITTEN MOTION, Councillor Oliver, requesting, that Fire Chief Scott Kruger and Fire Safety Educator Anthony Poente appear before the Committee on Public Safety and Neighborhoods, to discuss safety protocols and standard operating procedures in anticipation of the new fleet of electric school buses scheduled to be stored in close proximity to New Bedford High School and Keith Middle School, in response to the recent fire which involved 4 electric school buses in Wilbraham, Massachusetts, ensuring we are prepared to secure the safety of the neighborhood, students, faculty, general public and city buildings.

Referred to the Committee on Public Safety & Neighborhoods.

(#0152)

WRITTEN MOTION, Council President Burgo and Councillors Gomes, Morad and Pereira, requesting that the Committee on Ordinances meet to discuss removing the City Council as a Granting Authority for Special Permits as they pertain to Automotive Sales and/or Rentals, Body Repair, General Repair and Light Service, by amending Chapter 9, Appendix A, Section H – Commercial Motor Vehicle Uses.

Referred to the Committee on Ordinances and the Planning Board. (#0153)

WRITTEN MOTION, Councillor Gomes, Council President Burgo, Councillors Abreu, Choquette, Oliver, Lopes and Carney, requesting, on behalf of the City Residents and Businesses, that the Committee on Appointments and Briefings Committee meet with a representatives of Eversource to discuss the increasing energy cost; and further, that the Representative give an explanation and breakdown of the energy bill, but more importantly the delivery charge that customers are paying.

Referred to the Committee on Appointments in Briefings. (#0154)

WRITTEN MOTION, Councillor Choquette, requesting that Airport Manager Scot Servis appear before the Special Committee on Airport, to discuss the status of continuing upgrades to the New Bedford Municipal Airport in FY 2024-2025.

Referred to the Committee on Airport. (#0155)

WRITTEN MOTION, Councillor Gomes, requesting that once more, the City Council go on record in opposition to Governor Healey’s proposed 5% increase in excise, *gas, meals, lodging and car rental taxes*; and further, that letters of opposition be sent to our State Delegation and our House and Senate Leadership.

Rule 17 Waived – Yeas 11, Nays 0.

Councillor Pereira made a motion to amend by adding – gas, meals, lodging and car rental taxes – Adopted – All Ayes.

Adopted as Amended, and Rule 40 Waived – Yeas 11, Nays 0. (#0156)

COMMUNICATION, Anne Louro, Preservation Planner, to City Council, re: BUILDING DEMOLITION REVIEW: 1530 OLD PLAINVILLE ROAD, (MAP 124A/LOT 0014), Late 19th Century Wood Framed Barn, advising that “the structure is not located in a National Register Historic District; the structure is of no notable historic significance either recorded or found with the existing condition of the structure; the structure is in poor condition due to deferred maintenance and beyond reasonable rehabilitation “in light of these findings, the Preservation Planner has determined that the wood framed barn at 1530 Old Plainville Road is neither a Historically Significant nor a Preferably Preserved Building.”

Demolition Granted – Yeas 11, Nays 0.

Presented to the Mayor for approval February 18, 2025

Approved February 19, 2025 (#0157)

COMMUNICATION, City Clerk/Clerk of the City Council, Dennis W. Farias, submitting a copy of an email from Andrea Joy Campbell, Attorney General, acknowledging receipt of the filing of the Kings Highway Transit Oriented Development Overlay District Zoning Ordinance, dated November 26, 2024, and Adopted by the New Bedford City Council.

Received and Placed on File. (#0158)

COMMUNICATION, City Clerk/Clerk of the City Council, Dennis W. Farias, submitting a copy of an email from Andrea Joy Campbell, Attorney General, acknowledging receipt of the filing of six Zoning Ordinances, dated April 28, 2022; January 12, 2023; March 23, 2023; June 22, 2023; March 26, 2024 and October 24, 2024, Adopted by the New Bedford City Council.

Received and Placed on File. (#0159)

COMMUNICATION, City Clerk/Clerk of the City Council Farias, submitting a communication from Mayor Mitchell, regarding the appointment of Treasurer/Collector John Taziarchos as Tax Title Custodian, due to that the former Tax Title Custodian, Sherie Pinzino, has transitioned out of the Treasurer's Office and can no longer perform that role.

Referred to the Committee on Finance. (#0160)

CITATION, Councillors Baptiste, Morad and Abreu, honoring SERVEDWELL HOSPITALITY LLC, in recognition of the ribbon cutting celebration for the elegant culinary venture – Candela Cucina – serving delicious Italian cuisine to your faithful customers and for your generous support of many community activities and events.

Adopted, to be presented at a later date. (#0161)

CITATION, Councillor Gomes, honoring The Jeffrey Graham Community Room Dedication Ceremony at the NorthStar Learning Center Early Education Academy, in recognition of Jeffrey Graham's overall lifelong commitment and dedication to providing transportation and counseling to the NorthStar Learning Center.

Adopted, to be presented at a later date. (#0162)

COMMUNICATION, Councillor Baptiste, requesting, on behalf of DANIEL MCCARTHY, RACE COORDINATOR – **NEW BEDFORD HALF-MARATHON/FRIENDLY SONS OF SAINT PATRICK**, to City Council/City Clerk/ requesting the CLOSING/OBSTRUCTION OF: **WILLIAM STREET**, at Sixth Street, **MIDDLE STREET**, at Sixth Street, **MARKET STREET**, at Sixth Street, **PLEASANT STREET**, at Union Street, **ELM STREET**, at Acushnet Avenue and **SOUTH SECOND STREET**, from Union Street to School Street, **FROM: 8:00 A.M. TO: 3:30 P.M. ON SUNDAY, MARCH 16, 2025, FOR THE PURPOSE OF THE 2025 NEW BEDFORD HALF-MARATHON (COMMENCING AT 11:00 A.M.) ALSO REQUESTING:** - that they be allowed to place cones on the centerline of **HATHAWAY ROAD**, from Mt. Pleasant Street West to Rockdale Avenue, creating two-way traffic on the **WESTBOUND LANE**; that the Police close **ROCKDALE AVENUE**, from Hathaway Road South to Potter Street, for approximately **30 MINUTES**, or until the runners have passed; that two-way traffic on **ROCKDALE AVENUE**, South from Grape Street to Cove Road, be stopped, and cones be placed in the middle of **ROCKDALE AVENUE** and **COVE ROAD**, to create a lane for runners on South Side; that the **WEST LANE of WEST RODNEY FRENCH BOULEVARD** and the **EAST LANE of EAST RODNEY FRENCH BOULEVARD**, be blocked to traffic, except at intersections where autos must cross - horses, barrels, or cones will be placed at **WEST RODNEY FRENCH BOULEVARD** and Portland, Hudson, Seymour, Bayview, Rodney French Boulevard and Brock Avenue and **SOUTH-BOUND TRAFFIC** at **SEYMOUR STREET** will be **BLOCKED** to prevent autos from entering the racecourse; that **WESTBOUND** traffic on **COVE ROAD** be directed **NORTH** onto Orchard Street, then if they choose, be detoured **WEST** on **SWIFT STREET**, again detoured **SOUTH** onto **BOLTON STREET**, to eventually cross **ROCKDALE AVENUE** and continue **SOUTH**; that **COUNTY STREET** be closed to two-way traffic from **COVE STREET, NORTH** to Kempton Street; - that **KEMPTON STREET** be closed to all **EASTERLY** traffic, from County Street **EAST** to Pleasant Street, and cones be placed in the South corridor of the Octopus intersection, preventing traffic entrance to **SIXTH STREET**, and guiding runners to Pleasant Street; that **SIXTH STREET** be closed to traffic at Kempton Street; and that **DETOUR SIGNS** be installed directing **EASTERLY** traffic on **KEMPTON STREET** to detour traffic **NORTH** on **COUNTY STREET**, then **EAST** on **HILLMAN STREET**, then **SOUTH** on **PURCHASE STREET**, thus allowing **EASTERLY TRAFFIC** access to the New Bedford/Fairhaven Bridge.

Permission Granted.

Presented to the Mayor for approval February 18, 2025

Approved February 19, 2025 (#0163)

COMMUNICATION, City Clerk/Clerk of the City Council, to the City Council, submitting the 2024 Year-End Report to the City of New Bedford from the Commissioners of the Southeastern Regional Planning & Economic Development District (SRPEDD).

Received and Placed on File. (#0164)

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 January 02, 2025, January 09, 2025, January 16, 2025 and January 23, 2025; the Community Preservation Committee for meetings held on January 14, 2025 and January 23, 2025; the Board of Health for a meeting held on January 22, 2025; the Library Board for a meeting held on November 26, 2024 and the Park Board for a meeting held on November 20, 2024.

Received and Placed on File. (#0165)

APPLICATION, **JC Excavation**, for permission to maintain a STREET OBSTRUCTION at **494 Wood Street**, provisionally granted by the City Clerk on January 21, 2025, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval February 18, 2025.
Approved February 19, 2025. (#0166)

APPLICATIONS, **New England Boring Contractors**, for permission to maintain a STREET OBSTRUCTION, provisionally granted by the City Clerk on January 22, 2025, subject to ratification by the Mayor and City Council as follows:

229 Coffin Avenue (sidewalk) (#0167)
Logan Street, between Route 18 and the Railway Line (#0168)
2031 Purchase Street (front roadway) (#0169)
21 Penniman Street (front roadway); 70-78 Penniman Street; 100 Penniman Street (#0170)

Intersection of Cedar Grove St & Summer St; east of 495 Cedar Grove St; across from 397-399 Cedar Grove St (#0170)
54-56 Washburn Street (front roadway); 2 Washburn Street; East End of Washburn Street (#0172)

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval February 18, 2025.
Approved February 19, 2025.

APPLICATION, **JC Excavation**, for permission to maintain a STREET OBSTRUCTION at **765 Church Street**, provisionally granted by the City Clerk on January 28, 2025, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval February 18, 2025.
Approved February 19, 2025. (#0173)

APPLICATION, **Dirty Diggin' Construction LLC**, for permission to maintain a STREET OBSTRUCTION at **223 Wood Street**, provisionally granted by the City Clerk on January 29, 2025, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval February 18, 2025.
Approved February 19, 2025. (#0174)

APPLICATION, **Danella Line Services**, for permission to maintain a STREET OBSTRUCTION at **Corner of Kempton Street and Ilion Street (on the sidewalk)**, provisionally granted by the City Clerk on January 30, 2025, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval February 18, 2025.
Approved February 19, 2025. (#0175)

APPLICATION, **R.J. Canessa Excavating Co.**, for permission to maintain a STREET OBSTRUCTION at **Hapwell Street, Lots 1 and 2**, provisionally granted by the City Clerk on January 31, 2025, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval February 18, 2025.

Approved February 19, 2025. (#0176)

APPLICATION, **Dirty Diggin’ Construction LLC**, for permission to maintain a STREET OBSTRUCTION at **26 Union Street**, provisionally granted by the City Clerk on February 06, 2025, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval February 18, 2025.

Approved February 19, 2025. (#0177)

APPLICATION, **JC Excavation**, to DISTURB THE SURFACE, of **494 Wood Street** provisionally granted by the City Clerk on January 21, 2025, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval February 18, 2025.

Approved February 19, 2025. (#0178)

APPLICATIONS, **New England Boring Contractors**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on January 22, 2025, subject to ratification by the Mayor and City Council as follows:

229 Coffin Avenue (sidewalk)	(#0179)
Logan Street, between Route 18 and the Railway Line	(#0180)
2031 Purchase Street (front roadway)	(#0181)
21 Penniman Street (front roadway); 70 – 78 Penniman Street; 100 Penniman Street	(#0182)
Intersection of Cedar Grove and Summer Street; East of 495 Cedar Grove Street; across from 397 - 399 Cedar Grove Street	(#0183)
54 - 56 Washburn Street (front roadway); 2 Washburn Street; East End of Washburn Street	(#0184)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval February 18, 2025.

Approved February 19, 2025.

APPLICATION, **JC Excavation**, to DISTURB THE SURFACE, of **765 Church Street** provisionally granted by the City Clerk on January 28, 2025, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval February 18, 2025.

Approved February 19, 2025. (#0185)

APPLICATION, **Dirty Diggin’ Construction LLC**, to DISTURB THE SURFACE, of **233 Wood Street** provisionally granted by the City Clerk on January 29, 2025, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval February 18, 2025.

Approved February 19, 2025. (#0186)

APPLICATION, **Danella Line Services**, to DISTURB THE SURFACE, of **Corner of Kempton Street and Ilion Street (on the sidewalk)**, provisionally granted by the City Clerk on January 30, 2025, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval February 18, 2025.
Approved February 19, 2025. (#0187)

APPLICATION, **R.J. Canessa Excavating, Co.**, to DISTURB THE SURFACE, of **Hapwell Street, Lots 1 and 2**, provisionally granted by the City Clerk on January 31, 2025, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval February 18, 2025.
Approved February 19, 2025. (#0188)

APPLICATION, **Dirty Diggin’ Construction LLC**, to DISTURB THE SURFACE, of **26 Union Street** provisionally granted by the City Clerk on February 06, 2025, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval February 18, 2025.
Approved February 19, 2025. (#0189)

APPLICATIONS, **Eversource Gas**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on January 23, 2025, subject to ratification by the Mayor and City Council as follows:

447 Oliver Street, Lynn Street – Brockton Street (working in street and street to house)
(#0190)

225 – 227 Mount Pleasant Street, corner property with Adams Street (working street and sidewalk on Adams Street side)
(#0191)

169 Jenney Street, Hillman Street – North Street
(#0192)

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval February 18, 2025.
Approved February 19, 2025.

APPLICATIONS, **Eversource Gas**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on January 29, 2025, subject to ratification by the Mayor and City Council as follows:

Ricketson Street, East Rodney French Boulevard – Mina Street (street and street to house, including intersections & 50 feet in all directions)
(#0193)

Washburn Street, working between Belleville Avenue and 195 highway ramps
(#0194)

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval February 18, 2025.
Approved February 19, 2025.

APPLICATION, **Eversource Gas**, to DISTURB THE SURFACE, of **Westbrook Street (street & street to houses, including intersections & 50 feet in all directions)**, provisionally granted by the City Clerk on February 07, 2025, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval February 18, 2025.
Approved February 19, 2025. (#0195)

APPLICATIONS, **Always Available Bargain Cleanouts**, for permission to maintain a STREET OBSTRUCTION, provisionally granted by the City Clerk on January 31, 2025, subject to ratification by the Mayor and City Council as follows:

204 Sawyer Street (Bonneau Court)
(#0196)

126 Sycamore Street
(#0197)

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval February 18, 2025.
Approved February 19, 2025.

PETITION, Verizon New England, Inc. & NSTAR Electric Company d/b/a Eversource Energy,
for location of one jointly owned pole in NEMASKET STREET near the intersection of Robert Street.
Received and Hearing Ordered for Thursday, February 27, 2025.

On a motion, the Council then adjourned at 7:54 p.m.

ATTEST:

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