



CITY OF NEW BEDFORD, MASSACHUSETTS

MEETING: COMMITTEE ON APPOINTMENTS & BRIEFINGS
DATE: SEPTEMBER 16, 2025
TIME: 7:02 P.M.
PLACE: CITY COUNCIL CHAMBER, ROOM 214

PRESENT: COUNCILLORS NAOMI CARNEY, CHAIR; DEREK BAPTISTE; SHANE BURGO; BRIAN GOMES; JOSEPH LOPES; SHAWN OLIVER; RYAN PEREIRA

ABSENT: COUNCILLORS IAN ABREU; LEO CHOQUETTE; MARIA GIESTA; LINDA MORAD

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Councillor Carney called the Appointments & Briefings Committee meeting to order, took attendance, and explained that the meeting was being recorded and live-streamed. The Clerk read Communications into the record from Councillors Abreu and Giesta explaining their tardiness and from Councillors Choquette and Morad explaining their absence. The Communications were received and placed on file by Councillor Oliver and seconded by Councillor Burgo.

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COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of HEATHER HAGGERTY, New Bedford, MA, to the NEW BEDFORD PORT AUTHORITY; Ms. Haggerty will be replacing Raymond J. Houtman who has resigned; this term will expire December 2026. (Matter ID #1348) (Referred – August 21, 2025.)

The Chair recognized the nominee, Heather Haggerty. Ms. Haggerty explained her family owns and operates Big G Seafood in New Bedford. It has been a family-owned business for over forty years. Since its inception, the business has ventured out into three different divisions to include a whole fish division and a biomedical division where they purchase horseshoe crabs and sell the blood to the pharmaceutical industry for the purpose of manufacturing testing kits that are used to detect gram negative bacteria in vaccines and IV drugs.

Councillor Baptiste was recognized and asked Ms. Haggerty with her experience and expertise, what strengths she would bring to the Board. She replied that in her time on the waterfront, she has become familiar with regulatory compliance and understands how this affects the fishing industry. She has also been involved in developing regulations as it relates to the conch industry.

On motion by Councillor Lopes and seconded by Councillor Baptiste, the Committee VOTED: To recommend to the City Council APPROVAL of the APPOINTMENT of HEATHER HAGGERTY, New Bedford, MA, to the NEW BEDFORD PORT AUTHORITY.

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COMMUNICATION, City Clerk/Clerk of the City Council, submitting an Application for a **NEW PRIVATE LIVERY LICENSE**, on behalf of Glenda B. Reyes, 68 Erin Court, New Bedford, MA d/b/a **GLEND A REYES TRANSPORTATION, LLC**, 68 Erin Court, New Bedford, MA. (**License to expire – June 30, 2026.**) (Matter ID #1264) (Referred – July 17, 2025.)

The Chair recognized the applicant, Glenda Reyes.

Councillor Oliver asked if this was her first venture into the livery business; he was told that it was. The applicant stated that she would have one vehicle, and the business would focus on transporting children to and from school. The Councillor asked if the applicant had a place to park the vehicle off street; he was told that they have a driveway.

On motion by Councillor Gomes and seconded by Councillor Burgo, the Committee VOTED: To recommend to the City Council APPROVAL of the APPLICATION for a **NEW PRIVATE LIVERY LICENSE**, on behalf of Glenda B. Reyes, 68 Erin Court, New Bedford, MA d/b/a **GLEND A REYES TRANSPORTATION, LLC**, 68 Erin Court, New Bedford, MA. **(License to expire – June 30, 2026.)**

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COMMUNICATION, City Clerk/Clerk of the City Council, submitting an Application for a **NEW PRIVATE LIVERY LICENSE**, on behalf of Rafaela Arita Gerra, 122 Frank Street, New Bedford, MA d/b/a **RAFAELA’S TRANSPORTATION**, 122 Frank Street, New Bedford, MA. **(License to expire – June 30, 2026.)** (Matter ID #1265) (Referred – July 17, 2025.)

The Chair recognized the applicant, Rafaela Arita Gerra.

Councillor Pereria asked where the livery vehicle would be parked; he was told that they owned a garage. He asked what type of vehicle would be used; he was told a minivan, and that the primary focus would be school transportation.

On motion by Councillor Pereira and seconded by Councillor Burgo, the Committee VOTED: To recommend to the City Council APPROVAL of the APPLICATION for a **NEW PRIVATE LIVERY LICENSE**, on behalf of Rafaela Arita Gerra, 122 Frank Street, New Bedford, MA d/b/a **RAFAELA’S TRANSPORTATION**, 122 Frank Street, New Bedford, MA. **(License to expire – June 30, 2026.)**

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COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, submitting an Application for a **NEW PRIVATE LIVERY LICENSE** on behalf of Sumaria Bokhari and Ali Bokhari, 3 Revolutionary Way, Apt. 110, Hopkinton, MA d/b/a **MAGIC WHEELS TRANSPORTATION, LLC**, 44 Liberty Street, New Bedford, MA. **(License to Expire – June 30, 2026.)** (Matter ID #1362) (Referred – August 21, 2025.)

The Chair recognized the applicants, Sumaria and Ali Bokhari.

The applicants explained that they have been conducting their livery business in New Bedford since 2016. A brief discussion ensued as to whether or not this was renewal or a new private livery license. It was determined that perhaps the original license expired and that the new livery license request was now before the Committee.

Councillor Oliver asked how many vehicles were in use; he was told three, currently. He asked where the vehicles were stored when not in use; he was told in garages, off the street.

On motion by Councillor Gomes and seconded by Councillor Burgo, the Committee VOTED: To recommend to the City Council APPROVAL of the APPLICATION for a **NEW PRIVATE LIVERY LICENSE**, on behalf of Sumaria Bokhari and Ali Bokhari, 3 Revolutionary Way, Apt. 110, Hopkinton, MA d/b/a **MAGIC WHEELS TRANSPORTATION, LLC**, 44 Liberty Street, New Bedford, MA. **(License to Expire – June 30, 2026.)**

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COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, submitting an Application for a **NEW PRIVATE LIVERY LICENSE** on behalf of Denise Affonseca, 240 County Street, Apt. 1, New Bedford, MA d/b/a **MISS DEE'S TRANSPORTATION**, 240 County Street, Apt. 1, New Bedford, MA. **(License to Expire - June 30, 2026.)** (Matter ID #1363) (Referred – August 21, 2025.)

The Chair recognized the applicant, Denise Affonseca.

Councillor Baptiste asked the applicant why she wanted to go into the livery business. Ms. Affonseca stated that she had wanted to go into this business for a while and is looking to provide transportation for students and airport shuttles. The Councillor asked if she had off street parking for her vehicle; he was told yes.

On motion by Councillor Baptiste and seconded by Councillor Gomes, the Committee VOTED: To recommend to the City Council APPROVAL of the APPLICATION for a **NEW PRIVATE LIVERY LICENSE**, on behalf of Denise Affonseca, 240 County Street, Apt. 1, New Bedford, MA d/b/a **MISS DEE'S TRANSPORTATION**, 240 County Street, Apt. 1, New Bedford, MA. **(License to Expire - June 30, 2026.)**

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COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, submitting an Application for a **NEW PRIVATE LIVERY LICENSE** on behalf of Rutilia Aguilar Orrego, 7 Phillips Avenue, Apt. 1, New Bedford, MA d/b/a **TRANSPORTATION CABRERA AGUILAR**, 7 Phillips Avenue, Apt. 1, New Bedford, MA. **(License to Expire - June 30, 2026.)** (Matter ID #1364) (Referred – August 21, 2025.)

The Chair recognized the applicant, Rutilia Aguilar Orrego, who had a translator present.

Councillor Oliver asked how many vehicles would be used; he was told one. He asked if the applicant had off street parking; he was told yes, and that the business focus was student transportation.

On motion by Councillor Oliver and seconded by Councillor Baptiste, the Committee VOTED: To recommend to the City Council APPROVAL of the APPLICATION for a **NEW PRIVATE LIVERY LICENSE**, on behalf of Rutilia Aguilar Orrego, 7 Phillips Avenue, Apt. 1, New Bedford, MA d/b/a **TRANSPORTATION CABRERA AGUILAR**, 7 Phillips Avenue, Apt. 1, New Bedford, MA. **(License to Expire - June 30, 2026.)**

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COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, submitting an Application for a **NEW PRIVATE LIVERY LICENSE** on behalf of Venancio Mendes, 35 Independent Street, New Bedford, MA d/b/a **VENANCIO TRANSPORTATION**, 35 Independent Street, New Bedford, MA. **(License to expire – June 30, 2026.)** (Matter ID #1365) (Referred – August 21, 2025.)

The Chair recognized the applicant, Venancio Mendes.

Councillor Pereira asked how many vehicles would be used; he was told one and that they had off street parking for the vehicle. The Councillor asked what the primary transportation would be; he was told it would be student transportation. The applicant stated they wanted to start a business of their own in the livery profession.

On motion by Councillor Pereira and seconded by Councillor Burgo, the Committee VOTED: To recommend to the City Council APPROVAL of the APPLICATION for a **NEW PRIVATE LIVERY LICENSE**, on behalf of Venancio Mendes, 35 Independent Street, New Bedford, MA d/b/a **VENANCIO TRANSPORTATION**, 35 Independent Street, New Bedford, MA. (License to expire – June 30, 2026.)

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COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, submitting an Application for a **NEW PRIVATE LIVERY LICENSE** on behalf of Thierry Uwizeye, 109 Robeson Street, New Bedford, MA d/b/a **MEL TRANSPORTATION**, 109 Robeson Street, New Bedford, MA. (License to expire – June 30, 2026.) (Matter ID #1366) (Referred – August 21, 2025.)

The Chair recognized the applicant, Thierry Uwizeye.

Councillor Baptiste asked the applicant where their vehicles would be parked; he was told there would be two vehicles, a minivan and a small car, and that they would be parked in their driveway, off the street. He was also told that transportation services would include school and medical transport.

On motion by Councillor Gomes and seconded by Councillor Baptiste, the Committee VOTED: To recommend to the City Council APPROVAL of the APPLICATION for a **NEW PRIVATE LIVERY LICENSE**, on behalf of Thierry Uwizeye, 109 Robeson Street, New Bedford, MA d/b/a **MEL TRANSPORTATION**, 109 Robeson Street, New Bedford, MA. (License to expire – June 30, 2026.)

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COMMUNICATION, Councillor Gomes, submitting a Host Community Agreement Proposal Application on behalf of Shamar James, Founder/CEO of THConnect, LLC, dba Houz of Diesel, seeking to operate a co-located adult-use marijuana retail and product manufacturing establishment at 301 Herman Melville Boulevard, New Bedford, MA 02740. (Matter ID #0116) (Referred – January 23, 2025.) (February 18, 2025 – tabled)

On motion by Councillor Gomes and seconded by Councillor Burgo, the Committee VOTED: To remove from the table.

On motion by Councillor Gomes and seconded by Councillor Burgo, the Committee VOTED: To receive and place on file an informational timeline packet submitted by the applicants.

Councillor Gomes was recognized and stated that he has asked the applicants to return and provide the Committee with a status on their application process to operate a retail marijuana and product manufacturing establishment in the City of New Bedford. He went on to say that according to the applicants, since the Committee last met, there has not been any progress made by the City in processing their application.

The Chair recognized Shamar James, Founder and CEO of THConnect, LLC, dba Houz of Diesel, who explained that to date, there has not been any progress made since the application was submitted two and a half years ago. He added that since the process began, they have had to continue to pay rent on a property that they are not able to use, because you need to have a location in place to reach an Agreement with the City and State.

Connie Souza, a partner in the business, was recognized and reiterated that to date, there has been no progress in the application process. For two and a half years, the company has been waiting on a decision by the City and it is bleeding their business financially. She emphasized that Houz of Diesel has done what they were required to do, but it appears they have been pushed aside by the City. She went on to say that at first, the City was friendly, but things seemed to have changed and something has to be done. She asked the Committee to vote for approval of the Host Community Agreement (HCA).

Tyrone Gomes, a consultant for Houz of Diesel, was recognized and informed the Committee that usually when you have a community outreach meeting, it should take two months to be able to move forward and submit an application to the State. It has been two years and two days since the applicant had their meeting. He echoed Ms. Souza's comments in asking that the Committee approve the HCA, stating that in the end, once it goes through the screening committee and is submitted to the Mayor, the Mayor in turn will send it on to the Council for approval. He believes that the Council is in a position to approve the HCA as is.

Councillor Carney was recognized and stated that she did not understand why the process has not moved forward. Mr. Gomes explained that they have attempted multiple times to submit the application and it was not accepted. The City informed them that they would be notified when they could submit the application. As of today, the City has received the application but has not properly reviewed it. Though the City accepted the application as a courtesy, they did not accept the required deposit that is submitted along with the application.

The Chair recognized Atty. Eric Jaikes, City Solicitor, who took the podium.

Councillor Gomes asked Atty. Jaikes to explain what the delay was in moving this application forward. The Solicitor responded that the initial period of delay happened because the City was handling changes with the five retail outlets currently operating in New Bedford. These businesses opened under the original version of the HCA, before the Cannabis Control Commission (CCC) significantly changed the terms of the agreements. The City was required to go back and negotiate amendments with the existing five entities as a result of the changes.

Atty. Jaikes went on to say that during that time, CCC inspectors reviewed the amended agreements and in some instances, took issue with specific items that needed to be readdressed. He stated that the City received inconsistent requirements from the CCC. Changes that were submitted a year ago have come back from the CCC requesting additional changes to the proposed renegotiated agreements. Other than that one issue, all of the amended HCAs are now in place. He stated that it took an extensive amount of time to complete this process.

With regard to the current applicant, Atty. Jaikes stated the City was required to create a Social Equity Policy (SEP), which was written by him and was approved by the Mayor on June 5, 2025. The City was then required to go through a licensing process related to the SEP. The application was submitted and is available on the CCC website. He went on to say that the first week of August 2025, prior to signing and submitting the application, he questioned how many applicants the City can have because as he understands it, you cannot accept an application unless the SEP has been approved and a license is issued by the CCC.

This is why, Atty. Jaikes explained, Houz of Diesel's application has not technically been accepted by the City. He stated that he received an answer from the CCC to his application question the first week of September. Once he received the answer, he completed the City's application and sent it to the CCC; it has been assigned to Daniel Huber, Investigative Manager for the CCC. He has not yet heard back as to whether or not the City's application has been approved. He stated that he reached out to Mr. Huber prior to this meeting and left a message.

Councillor Gomes asked why the applicants were not notified of this process. Atty. Jaikes stated he received an email from the applicant mid-August wanting to confirm that the City had submitted their SEP application, to which he replied yes. The Councillor asked if the holdup was the CCC's approval of the SEP; he was told that that was correct. The Solicitor explained that once approved, the City can move forward and the Mayor can reopen the application process.

Councillor Gomes asked if the Solicitor's Office received a reply as to what the timespan would be to initiate the process. Atty. Jaikes replied that once they receive approval of the application and the Mayor tells his Office to move forward, then the process can start.

Councillor Pereria was recognized and expressed frustration that if the applicant was coming to the Committee saying "hey, it's been six months" he would understand that, but he does not understand why this process has taken more than two years. The Solicitor acknowledged there has been some delay and added that it is not directly associated to the applicant.

Councillor Baptiste asked how long the process took to amend the existing HCAs. He was told approximately a year and a half and that of the five current businesses operating, there is one issue on one HCA that remains open. The Councillor asked Atty. Jaikes why he was not able to put forward the SEP requests while redoing the existing HCAs, adding that at the very least, the Solicitor's Office could have kept the applicant in the loop as to what was going on and why the process was being delayed. The Solicitor reiterated the reason for the delay as previously divulged.

Councillor Carney asked if the reason for the delay was communicated to the applicant. The Solicitor said he believes he communicated when he was going to file the SEP and when it would be completed with the CCC. The Councillor stated that a letter should have been sent explaining the delay and that it was the result of changes made by the State. The Solicitor stated that he would certainly reach out to the CCC and push them for an answer as to whether or not the City's SEP application has been approved.

Councillor Gomes asked if anyone was present from the State. The Chair said that it did not appear that anyone from the State was present. The Clerk informed the Committee that Mr. Huber, CCC Investigator, and Bruce Stebbins, Acting Chair and Commissioner of the CCC, were invited by both mail and email.

Councillor Gomes asked the Solicitor how many marijuana businesses were affected by the new CCC guidelines, and if it was throughout the Commonwealth. He was told yes, virtually every HCA out there would have been affected by this change. The old HCAs allowed municipalities to acquire significant financial gains by permitting a business to enter into an HCA Agreement. All of those gains, except for excise tax, have been removed by the CCC and the agreements had to be changed to reflect that. The Councillor asked if the Committee was to bring the Solicitor back in thirty days, would there be a definitive decision. Atty. Jaikes stated that although he could not promise because he could not speak for the State, he would hope so, and added that he would certainly make his best effort to do so.

Councillor Burgo was recognized and asked to hear from Michael McCarthy, Assistant City Planner, who was present.

The Chair recognized Mr. McCarthy, who informed the Committee that the Planning Office is in possession of the application from Houze of Diesel. He explained that the Planning Department is the department designated to do the intake for the screening committee, which happens at the start of the HCA process. During the intake, they review the materials and ensure that everything has been appropriately received; then it is forwarded on to the screening committee.

Mr. McCarthy shared that since the screening committee has not been convened by the Administration, because as the Solicitor explained, they were updating all of the City's HCAs, the Planning Office could not officially accept the application, because it would have nowhere to go afterward. He went on to say that once the screening committee is reconvened and has a date, his Office can officially accept HCA proposals.

Councillor Burgo asked if the Planning Office has made any recommendations after receiving the application. Mr. McCarthy said they had not, their role upon intake is simply to make sure the application is complete. The screening committee would then review the application.

Councillor Carney asked Mr. McCarthy to address the check not being accepted from the applicant. Mr. McCarthy explained that he could not accept the check because there was no screening committee in place to forward the application to. He stated that he sent them away with the check as he did not feel comfortable holding onto a check for an undetermined amount of time. Holding onto the check would be considered a liability. He reiterated that the application is in his Office, in a box on a shelf, and that when the screening committee calls a meeting they will forward the information to them.

Councillor Lopes asked Mr. McCarthy if the applicant would need to resubmit their application once the screening committee reconvenes, seeing that the application is over two years old. Mr. McCarthy said he would reach out to the applicant if the screening committee believes they are in need of any updated information and that they would accept that as a supplement to the original application.

Councillor Carney asked Atty. Jaikes if he would be able to find out when the screening committee would be reconvened and let the Committee know. Atty. Jaikes replied that he would certainly bring it up to the Mayor, since it is up to the Mayor to call for the screening committee to reconvene.

Councillor Burgo asked if it was the Chair's intent to include this item on her next meeting agenda. He was told that it was.

On a RELATED MOTION by Councillor Gomes and seconded by Councillor Oliver, the Committee VOTED: To send a letter to the staff of the Cannabis Control Commission that had received invites to the meeting asking why they did not attend; and further, request that the Mayor reconvene the Host Community Agreement Screening Committee as soon as possible. This motion passed by a voice vote.

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

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

This meeting adjourned at 8:26 p.m.

ATTEST:

Denis Lawrence, Jr.
Clerk of Committees