

REGULAR MEETING
Chambers of the City Council
Thursday, October 09, 2025

CITY COUNCIL
Municipal Building
7:00 p.m.

PRESENT: Councillors Carney, Abreu, Baptiste, Choquette, Giesta, Gomes, Lopes, Morad and Oliver.

LATE: Councillor Pereira (7:11)
ABSENT: Councillor Burgo.

Council President Burgo called the meeting to order and presided.

Prayer led by: Reverend Dr. Sandra Whitley, Bethel A.M.E. Church

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

COMMUNICATION, Council President Burgo, to Vice-President Carney and Honorable Members of the City Council, informing that he will not be attending tonight's Council Meeting on Thursday, October 09, 2025, due to a personal matter.

Received and Placed on File. (#1613)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDINANCE, amending Chapter 9, COMPREHENSIVE ZONING, Relative to Parking Requirements - Appendix C - Table of Parking and Loading Requirements.

Referred to the Committee on Ordinances and the Planning Board. (#1614)

AN ORDINANCE, Appendix C - Table of Parking and Loading Requirements
Referred to the Committee on Ordinances and the Planning Board. (#1615)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDINANCE, amending Chapter 9, COMPREHENSIVE ZONING, Relative to Parking Requirements - Appendix B – Table of Dimensional Regulations, Residential Infill Development, and Multiple building per lot.

Referred to the Committee on Ordinances and the Planning Board. (#1616)

AN ORDINANCE, Appendix B – Table of Dimensional Regulations and Residential Infill Development and Multiple building per lot.

Referred to the Committee on Ordinances and the Planning Board. (#1617)

COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDINANCE, amending Chapter 22 – Streets, Sidewalks and Other Public Ways, Public Works.

Referred to the Committee on Ordinances. (#1618)

AN ORDINANCE, Chapter 22, Section 22-43 – Driveways, curbing cuts, etc. – Filing petitions; granting etc.

Referred to the Committee on Ordinances. (#1619)

REPORT, Committee on Ordinances, recommending that Atty. David Gerwatowski, Legal Counsel, draft an Ordinance Amending Chapter 9 – Zoning – Appendix A: Table of Principal Use Regulations, reflecting changes to the following categories: Motor Vehicle Light Service Station, Wireless Communications Facilities, Batch Asphalt and Concrete Plants, Biomass Recycling Facility, Contractors Yard, Freight Terminal, Heavy Materials Sales and Distribution, Material Salvage and Recycling Facility, and Recycling Collection Facility.

Recommendation Followed. (#1620)

ORDINANCE (DRAFT),
Referred to the Committee on Ordinances and the Planning Board. (#1621)

REPORT, Committee on Ordinances, recommending that the City Council take “NO FURTHER ACTION” on the WRITTEN MOTION, Councillor Gomes, requesting, that the Committee on Ordinances review the mobile Food Truck Ordinance, Section 15-72, the locations where these trucks are allowed to operate, the use of their power generators and also the noise that affects the quality of life in the neighborhoods and areas that the food trucks are operating in.

Recommendation Followed. (#1622)

WRITTEN MOTION, Councillor Gomes, requesting, that the Committee on Ordinances review the mobile Food Truck Ordinance, Section 15-72, the locations where these trucks are allowed to operate, the use of their power generators and also the noise that affects the quality of life in the neighborhoods and areas that the food trucks are operating in.

Referred to the Committee on Ordinances – May 23, 2024.

NO FURTHER ACTION. (#0853)

WRITTEN MOTION, Councillors Lopes and Pereira, requesting on behalf of New Bedford residents that the City look into the possibility of placing two benches on the Cove Walk: one bench on the east side and one bench on the west side of the Cove Walk.

Referred to the Mitchell Administration and the Planning Department.

Presented to the Mayor for approval October 14, 2025.

RETURNED UNSIGNED October 30, 2025. (#1623)

COMMUNICATION, City Clerk/Clerk of the City Council, submitting an Application for a **NEW PRIVATE LIVERY LICENSE**, on behalf of Jailene M. Guzman Carrero, d/b/a **DJ TRANSPORTATION**, 458B Maxfield Street, New Bedford, MA. (**License to expire – June 30, 2026.**)

Referred to the Committee on Appointments and Briefings. (#1624)

COMMUNICATION, City Clerk/Clerk of the City Council, submitting an Application for a **NEW PRIVATE LIVERY LICENSE**, on behalf of Dulfeu Amado, d/b/a **GRACE TRANSPORTATION**, 837 Shawmut Avenue, New Bedford, MA. (**License to Expire – June 30, 2026.**)

Referred to the Committee on Appointments and Briefings. (#1625)

COMMUNICATION, City Clerk/Clerk of the City Council, submitting an Application for a **NEW PRIVATE LIVERY LICENSE**, on behalf of Joao M. Pires, d/b/a **BLUE LINE TRANSPORTATION**, 62 Upton Street, New Bedford, MA. (**License to expire – June 30, 2026.**)

Referred to the Committee on Appointments and Briefings. (#1626)

COMMUNICATION, Councillors Morad and Oliver, submitting a copy of an email from Lisa Dunaway, giving notice that she will not be seeking to be reappointed at the conclusion of her term on the Board of Election Commissioners.

Received and Placed on File. (#1627)

COMMUNICATION, Councillors Morad and Oliver, submitting a copy of letter from Mayor Mitchell to the Board of Election Commissioners, regarding the appointment Patricia Lareau as the temporary Republican member to fill the Board’s vacancy.

Received and Placed on File.

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

Reconsideration Adopted – All Ayes.

NO FURTHER ACTION. (#1628)

COMMUNICATION, Councillors Morad and Oliver, submitting a copy of a letter from Mayor Mitchell to the Board of Election Commissioners, regarding the appointment Daniel Higgins as the temporary Republican member to fill the Board's vacancy.

Received and Placed on File.

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

Reconsideration Adopted – All Ayes.

Tabled. (#1629)

COMMUNICATION, Department of Environmental Protection Waterways Regulation Program, submitting a Notice of a Waterway License Application, New Bedford Port Authority, New Bedford Harbor, 352 Herman Melville Boulevard, New Bedford, MA, to authorize a change in use of filled tidelands and a marine bulkhead for waterway dependent industrial and supporting uses at said address and the New Bedford Harbor.

Received and Placed on File. (#1630)

CITATION, Councillor Gomes, honoring STEVE MARSHALEK, Atty. General Chief of the Southeastern Massachusetts Division, in recognition of his 24 years of committed and dedicated service to the Office of the Massachusetts Attorney General.

Adopted, to be presented at a later date. (#1631)

WRITTEN MOTION, Councillor Baptiste, requesting, on behalf of Mr. Buddy Andrade, that the following street(s) be CLOSED: PURCHASE STREET, from Acushnet Avenue to Purchase Street, and MANNY COSTA WAY, from Acushnet Avenue to South Second Street, ON SATURDAY, OCTOBER 18, 2025, AT 7:00 A.M. TO 7:00 P.M., for the purpose of the GO GREEN CAMPAIGN "HARVEST FAMILY FUN DAY AND NEIGHBORHOOD CLEANUP." **PLEASE NOTE: RAIN DATE OF SUNDAY, OCTOBER 19, 2025.**

Permission Granted.

Presented to the Mayor for approval October 14, 2025.

Approved October 14, 2025. (#1632)

WRITTEN MOTION, Councillor Gomes, requesting, on behalf of Veteran's Day participants, that the following street(s) be CLOSED: ROCKDALE AVENUE, from Kempton Street to West Clinton Street; UNION STREET, from Rockdale Avenue to County Street; PLEASANT STREET, from Market Street to Elm Street; WILLIAM STREET, from County Street to Pleasant Street and COUNTY STREET, from Union Street to William Street, ON TUESDAY, NOVEMBER 11, 2025, FROM 8:00 A.M. TO 2:00 P.M., for the purpose of The Annual Veterans Day Parade and Ceremonies at the Reviewing Stand in front of the Downtown Main Public Library. (Parade Permit Enclosed.)

Permission Granted.

Presented to the Mayor for approval October 14, 2025.

Approved October 14, 2025. (#1633)

WRITTEN MOTION, Councillor Giesta, requesting, on behalf of Dee's Hot Dogs., that the following street(s) be CLOSED: BELLEVILLE AVENUE, from TARKILN HILL ROAD to JIREH STREET, ON FRIDAY, OCTOBER 17, 2025, FROM 8:00 A.M. TO 9:00 P.M., for the purpose of DEE'S HOT DOGS 40TH ANNIVERSARY BLOCK PARTY CELEBRATION.

Permission Granted.

Presented to the Mayor for approval October 14, 2025.

Approved October 14, 2025. (#1634)

CONSTABLE BOND, MICHAEL J. MCLUSKEY, Acushnet, MA, in the amount of \$5,000.00 with Western Surety Company.

Approved.

Presented to the Mayor for approval October 14, 2025.

Approved October 14, 2025. (#1635)

COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, notifying that the Office of the City Clerk has received Meeting Minutes from the Board of Assessors for meetings held on August 14 and September 04, 2025; the Board of Health for meetings held on May 29, June 30 and July 16, 2025; the Library Board of Trustees for meetings held on July 29 and August 13, 2025; the Park Board for a meeting held on July 16, 2025; the Planning Board for meetings held on April 09, and May 14, 2025; the Public Health Excellence Collaborative for a meeting held on September 17, 2025; the New Bedford Redevelopment Authority for a meeting held on August 18, 2025; the New Bedford Regional Refuse Management District for a meeting held on July 29, 2025 and the Zoning Board of Appeals for a meeting held on June 26, 2025.

Received and Placed on File. (#1636)

APPLICATIONS, **Pariseault Builders**, for permission to maintain a STREET OBSTRUCTION, provisionally granted by the City Clerk on October 01, 2025, subject to ratification by the Mayor and City Council as follows:

834 – 836 Purchase Street (#1637)

834 – 836 Purchase Street (#1638)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval October 14, 2025.

Approved October 14, 2025.

APPLICATION, **Ryco Excavating, Inc.**, for permission to maintain a STREET OBSTRUCTION at **4543 Acushnet Avenue**, provisionally granted by the City Clerk on September 24, 2025, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval October 14, 2025.

Approved October 14, 2025. (#1639)

APPLICATION, **D.W. White Construction, Inc.**, for permission to maintain a STREET OBSTRUCTION at **80 Wright Street**, provisionally granted by the City Clerk on September 25, 2025, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval October 14, 2025.

Approved October 14, 2025. (#1640)

APPLICATION, **Arne Excavating LLC**, for permission to maintain a STREET OBSTRUCTION at **136 Winterville Road – Dartmouth to City of New Bedford water and sewer**, provisionally granted by the City Clerk on September 26, 2025, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval October 14, 2025.

Approved October 14, 2025. (#1641)

APPLICATION, **Aqua Line Utility, Inc.**, for permission to maintain a STREET OBSTRUCTION at **680 Purchase Street**, provisionally granted by the City Clerk on September 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 October 14, 2025.

Approved October 14, 2025. (#1642)

APPLICATION, **John Oliveira & Sons Stamp Concrete**, for permission to maintain a STREET OBSTRUCTION at **116 Charles Street**, provisionally granted by the City Clerk on September 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 October 14, 2025.

Approved October 14, 2025. (#1643)

APPLICATION, **JLC Construction**, for permission to maintain a STREET OBSTRUCTION at **146 - 148 Court Street**, provisionally granted by the City Clerk on September 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 October 14, 2025.

Approved October 14, 2025. (#1644)

APPLICATION, **Danella Line Services**, for permission to maintain a STREET OBSTRUCTION at **County Street @ North Street**, provisionally granted by the City Clerk on September 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 October 14, 2025.

Approved October 14, 2025. (#1645)

APPLICATION, **Roto Rooter**, for permission to maintain a STREET OBSTRUCTION at **283 Cedar Street**, provisionally granted by the City Clerk on September 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 October 14, 2025.

Approved October 14, 2025. (#1646)

APPLICATION, **R.J. Canessa Excavating**, for permission to maintain a STREET OBSTRUCTION at **Blaze Road, NS 230E. x Briarwood Drive**, provisionally granted by the City Clerk on October 03, 2025, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval October 14, 2025.

Approved October 14, 2025. (#1647)

APPLICATION, **JLC Construction**, for permission to maintain a STREET OBSTRUCTION at **39 Foster Street**, provisionally granted by the City Clerk on October 03, 2025, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval October 14, 2025.

Approved October 14, 2025. (#1648)

APPLICATION, **Morgado Company**, for permission to maintain a STREET OBSTRUCTION at **39 Foster Street**, provisionally granted by the City Clerk on October 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 October 14, 2025.

Approved October 14, 2025. (#1649)

APPLICATION, **Ryco Excavating, Inc.**, to DISTURB THE SURFACE, of **4543 Acushnet Avenue**, provisionally granted by the City Clerk on September 24, 2025, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval October 14, 2025.

Approved October 14, 2025. (#1650)

APPLICATION, **D.W. White Construction, Inc.**, to DISTURB THE SURFACE, of **80 Wright Street**, provisionally granted by the City Clerk on September 25, 2025, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval October 14, 2025.

Approved October 14, 2025. (#1651)

APPLICATION, **Arne Excavating, LLC**, to DISTURB THE SURFACE, of **136 Winterville Road, Dartmouth to City of New Bedford water and sewer**, provisionally granted by the City Clerk on September 26, 2025, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval October 14, 2025.

Approved October 14, 2025. (#1652)

APPLICATION, **Aqua Line Utility, Inc.**, to DISTURB THE SURFACE, of **80 680 Purchase Street**, provisionally granted by the City Clerk on September 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 October 14, 2025.

Approved October 14, 2025. (#1653)

APPLICATION, **John Oliveira & Sons Stamp Concrete**, to DISTURB THE SURFACE, of **116 Charles Street**, provisionally granted by the City Clerk on September 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 October 14, 2025.

Approved October 14, 2025. (#1654)

APPLICATION, **JLC Construction**, to DISTURB THE SURFACE, of **146 - Court Street**, provisionally granted by the City Clerk on September 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 October 14, 2025.

Approved October 14, 2025. (#1655)

APPLICATION, **Danella Line Services**, to DISTURB THE SURFACE, of **County Street @ North Street**, provisionally granted by the City Clerk on September 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 October 14, 2025.

Approved October 14, 2025. (#1656)

APPLICATION, **Roto-Rooter**, to DISTURB THE SURFACE, of **283 Cedar Street**, provisionally granted by the City Clerk on September 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 October 14, 2025.

Approved October 14, 2025. (#1657)

APPLICATION, **R.J. Canessa Excavating**, to DISTURB THE SURFACE, of **Blaze Road, NS 230E. x Briarwood Road**, provisionally granted by the City Clerk on October 03, 2025, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval October 14, 2025.

Approved October 14, 2025. (#1658)

APPLICATION, **JLC Construction**, to DISTURB THE SURFACE, of **39 Foster Street**, provisionally granted by the City Clerk on October 03, 2025, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval October 14, 2025.

Approved October 14, 2025. (#1659)

APPLICATION, **Morgado Company**, to DISTURB THE SURFACE, of **132 - 134 Butler Street**, provisionally granted by the City Clerk on October 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 October 14, 2025.
Approved October 14, 2025. (#1660)

APPLICATION, **Eversource Gas**, to DISTURB THE SURFACE, of **841 - 849 County Street**, provisionally granted by the City Clerk on September 23, 2025, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval October 14, 2025.
Approved October 14, 2025. (#1661)

APPLICATIONS, **Eversource Gas**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on September 24, 2025, subject to ratification by the Mayor and City Council as follows:

1911 Acushnet Avenue (#1662)
2620 Acushnet Avenue (#1663)
Intersection of East Clinton Street and Clinton Place (#1664)
Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval October 14, 2025.
Approved October 14, 2025.

APPLICATIONS, **Eversource Gas**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on September 26, 2025, subject to ratification by the Mayor and City Council as follows:

Union Street, JFK Boulevard - Route 18, street and street to house (#1665)
Union Street, JFK Boulevard - Route 18, street and street to house (#1666)
Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval October 14, 2025.
Approved October 14, 2025.

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

East Rodney French Boulevard, Ricketson Street to 1299 East Rodney French Boulevard, (#1667)
Forest Street, working on Forest Street from Bonney Street to County Street (#1668)
Belleville Avenue, working on Belleville Avenue from Kilburn Avenue to Washburn Street (#1669)

Received and Action of the City Clerk Ratified.
Presented to the Mayor for approval October 14, 2025.
Approved October 14, 2025.

APPLICATIONS, **Eversource Gas**, to DISTURB THE SURFACE, provisionally granted by the City Clerk on September 30, 2025, subject to ratification by the Mayor and City Council as follows:

48 Vine Street	(#1670)
149 Sylvia Street	(#1671)
88 - 90 Howard Street	(#1672)
436 Purchase Street	(#1673)
2036 Acushnet Avenue	(#1674)
40 Maywood Street	(#1675)
Conduit Street, working from Holden Street to Tarkiln Hill Road	(#1676)
Ricketson Street, working on Ricketson Street from East Rodney French Boulevard to Mina Street	(#1677)
132 - 134 Glennon Street	(#1678)
198 Eugenia Street	(#1679)
Salisbury Street, Cove Street to Ruth Street (including intersections & 50 ft. in all directions)	(#1680)
796 Mt. Pleasant Street	(#1681)
31 - 33 Edna Street	(#1682)
18 Johnny Cake Hill	(#1683)

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval October 14, 2025.

Approved October 14, 2025.

APPLICATION, **Harvey New Bedford**, for permission to maintain a STREET OBSTRUCTION at **181 - 183 State Street**, provisionally granted by the City Clerk on October 03, 2025, subject to ratification by the Mayor and City Council.

Received and Action of the City Clerk Ratified.

Presented to the Mayor for approval October 14, 2025.

Approved October 14, 2025. (#1684)

PETITION, Network Building and Consulting on behalf of Verizon New England, Inc., for location of one (1) 45- foot midspan Pole and one (1) Cable in Hathaway Road.

Received and Hearing Ordered for Thursday, October 23, 2025.

On a motion, the Council then adjourned at 7:24 p.m.

ATTEST:

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