

CITY COUNCIL CALENDAR

Thursday, July 18, 2019

NOTE:

***THE MEETING IS HELD AT 7 P.M. CITY COUNCIL CHAMBERS - ROOM 214, CITY HALL,
133 WILLIAM STREET, NEW BEDFORD, MA. FOR OFFICIAL POSTING, PLEASE SEE
CITY'S WEBSITE***

OPENING OF SESSION BY:

CITY COUNCIL PRESIDENT LINDA M. MORAD

PRAYER LED BY:

***DAVID LIMA, EXECUTIVE MINISTER - INTER-CHURCH COUNCIL OF GREATER NEW
BEDFORD***

PLEDGE OF ALLEGIANCE

*

CITATIONS

1. CITATIONS, Councillor Gomes and Council President Morad, honoring JORGE BARBOSA, TREVOR BETTENCOURT, NUNO CUNHA, PATRICK KUSTKA and TYLER WHITE in recognition of their appointment as a NEW BEDFORD POLICE OFFICER.

HEARINGS

2. HEARING, NSTAR Electric Company d/b/a Eversource Energy and Verizon New England, Inc. for location of one (1) Pole in WINSOR STREET, West of Crapo Street.
- 2a. AN ORDER,
3. HEARING/APPLICATION of MIH1, LLC Christian A. Farland Manager, for a NEW license to keep, store and/or sell Products of crude petroleum at 2904 & 2914 Acushnet Avenue and ES Acushnet Avenue, being Plot 130D, Lots 117, 247, 248 and 447. Application is for TOTAL of 48,000 gallons; 42,000 gallons of gasoline and 6,000 gallons of diesel fuel.

MAYOR'S PAPERS

- M1. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the APPROPRIATION of \$153,443.00 from ORDINARY

REVENUE AND MUNICIPAL RECEIPTS, to EMS, SALARIES & WAGES in the amount of \$88,807.00; EMS, SUPPLIES & MATERIALS in the amount of \$10,300.00; EMS, CAPITAL OUTLAY in the amount of \$50,000.00 and GENERAL GOVERNMENT UNCLASSIFIED, CHARGES & SERVICES in the amount of \$4,336.00.

M1a. AN ORDER,

M2. COMMUNICATION, Mayor Mitchell, to City Council, submitting a ONE-YEAR WAIVER OF RESIDENCY for CHRISTOPHER G. GOMES, DIRECTOR OF VETERANS' SERVICES AND BENEFITS, who currently resides in Freetown, MA.

M3. COMMUNICATION, Mayor Mitchell, to City Council, submitting a ONE-YEAR WAIVER OF RESIDENCY for MELISSA BATCHILDER, Compliance Officer (Community Relations Specialist) for the New Bedford Police Department, who currently resides in Fairhaven, MA.

M4. COMMUNICATION, Mayor Mitchell, to City Council, submitting a WAIVER OF RESIDENCY for CAMDEN LAWTON, Lifeguard for the Department of Parks, Recreation and Beaches, who currently resides in Dartmouth, MA.

M5. COMMUNICATION, Mayor Mitchell, to City Council, submitting a salary request for DAVID ZANDER, who has been selected for the Training Position with EMS, at M-9, Step 7, which is \$71,656.00 per year.

M6. COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of ELIZABETH C. MCNAMARA, New Bedford, MA to the VETERANS ADVISORY BOARD; Ms. McNamara will be replacing Nelson Ostiguy whose term has expired; this term will expire December 2020.

M7. COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of KAREN AHERN, Stoughton, MA, as a SPECIAL POLICE OFFICER.

M7a. APPLICATION,

NEW BUSINESS

4. REPORT, Committee on Ordinances, recommending to the City Council ADOPTION of the Ordinance Rezoning Plot 93, Lot 169 (157 – 161 Coggeshall Street) and Plot 93, Lot 227 (171 Coggeshall Street) from Mixed-Use Business to Industrial "B".

4a. AN ORDINANCE,

5. REPORT, Committee on Ordinances, recommending to the City Council ADOPTION of the Ordinance Rezoning the East Side of Mitchell Street, Plot 93, Lot 275, from Mixed-Use Business to Industrial "B".

5a. AN ORDINANCE,

6. REPORT, Committee on Ordinances, recommending to the City Council to ADOPT the Planning Board's **UNFAVORABLE**

RECOMMENDATION of AN ORDINANCE amending Chapter 9, Section 4131B Paragraph (a) of Subsection (ii) – Location Requirements and Restrictions – by inserting after the words “Medical Marijuana Treatment Center” – “unless the Marijuana Establishment or Medical Marijuana Treatment Center is separated from said property in question by a roadway layout of 50 feet or more that contains at least 4 designated lanes of traffic.”

6a. AN ORDINANCE, (Referred to the Committee on Ordinances and the Planning Board – April 11, 2019.)

7. REPORT, Committee on Ordinances, recommending to the City Council to ADOPT the Planning Board’s **UNFAVORABLE RECOMMENDATION** of AN ORDINANCE amending Chapter 9, Section 4131B Paragraph (a) of Subsection (ii) – Location Requirements and Restrictions – by striking the last paragraph of subsection and inserting – “The distance under this provision shall be measured in a straight line from the nearest point of the property line in question to the primary entrance doorway into the structure where the Marijuana Establishment or Medical Marijuana Treatment Center will be located.”

7a. AN ORDINANCE, (Referred to the Committee on Ordinances and the Planning Board – April 11, 2019.)

8. REPORT, Committee on Public Safety and Neighborhoods, recommending to the City Council that the Administration allocates \$250,000 for the construction of a rear entrance to the Pulaski School to alleviate the traffic flow issues in the area.

9. REPORT, Committee on Appointments and Briefings, recommending to the City Council APPROVAL of the APPOINTMENT OF MELISSA CHESTER-LETENDRE, New Bedford, MA to the COMMUNITY PRESERVATION COMMITTEE, Ms. Chester-Letendre will be replacing Jessica Bailey whose term has expired; this term will expire April 2022.

9a. COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of MELISSA CHESTER-LETENDRE, New Bedford, MA to the COMMUNITY PRESERVATION COMMITTEE; Ms. Chester-Letendre will be replacing Jessica Bailey whose term has expired; this term will expire April 2022. (Referred to the Committee on Appointments and Briefings – June 13, 2019.)

10. REPORT, Committee on Appointments and Briefings, recommending to the City Council APPROVAL of the APPOINTMENT of MICHAEL J. MOTTA, as ADMINISTRATIVE ASSISTANT to the BOARD OF ASSESSORS, for a five (5) year term to expire June 27, 2024, and a ONE YEAR WAIVER OF RESIDENCY and approval for Mr. Motta’s salary at Step 4, Grade M-15 (\$91,436.00).

10a. COMMUNICATION, Mayor Mitchell, to City Council, submitting the

APPOINTMENT of MICHAEL J. MOTTA, as ADMINISTRATIVE ASSISTANT to the BOARD OF ASSESSORS, for a five (5) year term to expire June 27, 2024, a ONE YEAR WAIVER OF RESIDENCY and approval for Mr. Motta's salary at Step 4, Grade M-15. (\$91,436.00) is also requested.

11. REPORT, Committee on Appointments and Briefings, informing the City Council that the Committee on Appointments and Briefings held a Public Hearing on Monday, July 08, 2019, for a Building Demolition Review of 2405 Acushnet Avenue, Map 127E, Lot 179.

11a. COMMUNICATION/DEMOLITION, New Bedford Historical Commission, to City Council, re: BUILDING DEMOLITION REVIEW of 2405 ACUSHNET AVENUE, (MAP 127E/LOT 179), a Circa 1860 wood-framed residence, advising that "the structure has historic significance due to its relationship with the Spooner and Hawes families, the region's agricultural past, and the development of the northern section of the City near the Head of the River as a historic farming settlement, due to recent demolitions, there exist fewer of these property types in this area of the City; the applicant, through his agent, has stated that rehabilitation of the existing structure would have challenges and be more costly than demolition and the subsequent new construction; the applicant has not stated or demonstrated that the structure is in poor condition or structurally unsound and has stated that the demolition is primarily for financial purposes, in light of these findings, the New Bedford Historical Commission has determined that the structure at 2405 Acushnet Avenue is a Historically Significant and a Preferably Preserved Structure." (Referred to the Committee on Appointments and Briefings – June 13, 2019.)

12. REPORT, Committee on Appointments and Briefings, recommending to the City Council APPROVAL of the APPLICATION, Christian Farland D/B/A Cumberland Farms, Inc., for a SPECIAL PERMIT for Motor Vehicle Light Service at 2904 & 2914 Acushnet Avenue and ES Acushnet Avenue, New Bedford, MA 02745.

12a. SPECIAL PERMIT, Christian Farland d/b/a Cumberland Farms, Inc., for a SPECIAL PERMIT for Motor Vehicle Light Service at 2904 & 2914 Acushnet Avenue and ES Acushnet Avenue, New Bedford, MA 02745.

13. AN ORDINANCE, amending Chapter 20, Department of Planning and Community Development (Passed to a Second Reading - June 13, 2019.)

14. WRITTEN MOTION, Councillor Coelho, requesting, in the interest of public safety, that the Committee on Public Safety and Neighborhoods address what can be done with the matter of pocket parks that are being vandalized by overnight loiterers, the homeless and those engaging in illicit activity, also the trash and debris that is left behind; and further, that representatives from the Police Department and DPI be invited when this matter is heard before the Committee on Public Safety and Neighborhoods.

15. WRITTEN MOTION: Councillor Gomes, requesting as Chairman of the Committee on Public Safety Neighborhoods, that the Department of Public Infrastructure immediately install NO TRESPASSING signs from dusk to dawn in all pocket parks across the City; and further that the signage also include NO littering, drug dealing, alcohol and soliciting; and furthermore, once again that the

City Council request that the Director of Parks, Recreation and Beaches, Mary Rapoza install the same signage in all parks across the City and these regulations be strictly enforced in the best interest of public safety and the quality of life in the neighborhoods.

16. WRITTEN MOTION: Councillors Giesta, Abreu, Lopes and Rebeiro, requesting in the interest of public safety that the Department of Public Infrastructure, install signs at all Pocket Parks throughout the City with the following information:

Welcome. This beautiful public space is yours to enjoy for relaxation and recreation. Please respect others and keep the park clean.

This Park is open from Dawn to Dusk

Prohibited Activities:

Use of or possession of alcohol or illegal drugs

Use of vulgar or threatening language

Parking on public space

Bicycles on the public space

Dumping or littering

Vandalism of a tree, plant, or park structure

Unleashed animals

Fires, fireworks, or firearms of any kind

Feeding birds

Use of metal detectors without a permit

Smoking

Performances, solicitations, or commercial activity without license from the Department of Public Infrastructure

No Use of the park after it is closed for: Skateboarding or Sleeping

17. WRITTEN MOTION, Councillor Carney, requesting that the Committee on Appointments and Briefings meet with Board of Park Commissioners Chairman Peter Boswell, Director of Parks, Recreation and Beaches, Mary Rapoza, Chairman of the Conservation Commission, Craig Dixon, Representative of New Bedford Port Authority, Representative of the Mayor's Office and a Representative of the City Solicitor's Office, to discuss the procedure and permitting process that allowed the Trampoline Water Park to be placed in the water off East Beach, to ensure that all the proper permitting was acquired before the company was granted permission to open and also explain the insurance policy held by the vendor to ensure that the City of New Bedford is not liable, in accordance with Massachusetts Law for any legal action and all suits that may be brought against the water park vendor in the event to include but not limited to injury, death and etc.; and further requesting, that the Chairperson of the Committee on Appointments and Briefings schedule this matter to be heard at the next meeting.

18. COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of **Antonia Cruz, 89 Beetle Street, New Bedford, MA 02746, d/b/a TRANSPORTATION LA TRIXITA, 89 Beetle Street, New Bedford, MA 02746**, hereby submitting a copy of the Application requesting a **RENEWAL of a PRIVATE LIVERY LICENSE**, under the provisions of Massachusetts General Laws, Chapter 159A, Section 1, and amendments thereto,

and M.G.L. Chapter 270, Section 22 (Smoke Free Workplace Law) and all other laws applicable to such operation to carry passengers for hire over the streets of New Bedford. **(Term of License July 01, 2019 – June 30, 2020.)**

19. COMMUNICATION, Councillor Abreu, submitting an Application from the Department of Parks, Recreation & Beaches for a Bench and Plaque honoring the Sarah D. Clark Memorial Fund. (To be Referred to the Special Committee on Memorials and Dedications.)

TABLED BUSINESS

01/10/2019 WRITTEN MOTION, Councillor Gomes, requesting that the City Council forward a letter of request to the Commonwealth of Massachusetts' Cannabis Commission as to whether the City is following State Law regarding marijuana establishments in the City; and further, enclosed in the letter, please include a copy of the 11-page "Screening Form/Application for a Marijuana Establishment Host Community Agreement", and a copy of the City's zoning map that has been put forth by the Mayor's Review Committee, comprised of the City Solicitor, the City Planner, the Chief of Police, the Chief Financial Officer, the Director of Inspectional Services, the Director of Planning, Housing and Community Development and the City's Health Director; asking that the Cannabis Control Commission review the application and the zoning map and report back to the City Council as to whether this Application process and zoning map applies to the laws of the Commonwealth of Massachusetts' Cannabis Control Commission; and further, that Steven Hoffman, Chairman of the Massachusetts Cannabis Control Commission or a representative, meet with the Special Committee on Licensing and Zoning for Cannabis to discuss whether the City has followed Massachusetts Laws and policies regarding marijuana establishments in the City of New Bedford.

***In accordance with the Americans with Disabilities Act (ADA),
if any accommodations are needed, please contact the City Council Office at
508-979-1455. Requests should be made as soon as possible but at least 48
hours prior to the scheduled meeting.***



Item Title:

THE MEETING IS HELD AT 7 P.M. CITY COUNCIL CHAMBERS - ROOM 214, CITY HALL, 133 WILLIAM STREET, NEW BEDFORD, MA. FOR OFFICIAL POSTING, PLEASE SEE CITY'S WEBSITE

Item Detail:

Additional Information:



Item Title:
CITY COUNCIL PRESIDENT LINDA M. MORAD

Item Detail:

Additional Information:



Item Title:

DAVID LIMA, EXECUTIVE MINISTER - INTER-CHURCH COUNCIL OF GREATER NEW BEDFORD

Item Detail:

Additional Information:



Item Title:

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Item Detail:

Additional Information:



Item Title:

CITATIONS - NEWLY APPOINTED NEW BEDFORD POLICE OFFICERS: BARBOSA, BETTENCOURT, CUNHA, KUSTKA AND WHITE

Item Detail:

1. CITATIONS, Councillor Gomes and Council President Morad, honoring JORGE BARBOSA, TREVOR BETTENCOURT, NUNO CUNHA, PATRICK KUSTKA and TYLER WHITE in recognition of their appointment as a NEW BEDFORD POLICE OFFICER.

Additional Information:



Item Title:

HEARING - WINSOR STREET, WEST OF CRAPO STREET

Item Detail:

2. HEARING, NSTAR Electric Company d/b/a Eversource Energy and Verizon New England, Inc. for location of one (1) Pole in WINSOR STREET, West of Crapo Street.

2a. AN ORDER,

Additional Information:



Item Title:

HEARING - NEW PETROLEUM STORAGE - 2904 & 2914 ACUSHNET AVENUE & ES ACUSHNET AVENUE

Item Detail:

3. HEARING/APPLICATION of MIH1, LLC Christian A. Farland Manager, for a NEW license to keep, store and/or sell Products of crude petroleum at 2904 & 2914 Acushnet Avenue and ES Acushnet Avenue, being Plot 130D, Lots 117, 247, 248 and 447. Application is for TOTAL of 48,000 gallons; 42,000 gallons of gasoline and 6,000 gallons of diesel fuel.

Additional Information:

ATTACHMENTS:

Description	Type
APPLICATION	Cover Memo



FP-002A
(Rev. 1.1.2015)

The Commonwealth of Massachusetts
City/Town of New Bedford

Application For License

Massachusetts General Law, Chapter 148 §13

☒ New License ☐ Amended License

GIS Coordinates

LAT. _____

LONG. _____

License Number _____

Application is hereby made in accordance with the provisions of Chapter 148 of the General Laws of Massachusetts for a license to store flammables, combustibles or explosives on land in buildings or structures herein described.

Location of Land: 2904 & 2914 Acushnet Avenue, ES Acushnet Avenue (Map 130D, Lots 117, 247, 248 & 447)
Number, Street and Assessor's Map and Parcel ID

Attach a plot plan of the property indicating the location of property lines and all buildings or structures.

Owner of Land: MIH1, LLC, Christian A. Farland, Manager

Address of Land Owner: 401 county Street, New Bedford, MA 02740

Use and Occupancy of Buildings and Structures: current structures to be razed, new construction convenience store, fuel island

If this is an application for amendment of an existing license, indicate date of original license and any subsequent amendments

N/A
Attach a copy of the current license

Flammable and Combustible Liquids, Flammable Gases and Solids

Complete this section for the storage of flammable and combustible liquids, solids, and gases; see 527 CMR 1.00 Table 1.12.8.50; Attach additional pages if needed. All tanks and containers are considered full for the purposes of licensing and permitting.

PRODUCT NAME	CLASS	MAXIMUM QUANTITY	UNITS gal., lbs, Cubic feet gal	CONTAINER UST, AST, IBC, drums UST
gasoline		42,000	gal	UST
diesel		6,000	gal	UST

Total quantity of all flammable liquids to be stored: 48,000 gal

Total quantity of all combustible liquids to be stored: 48,000 gal

Total quantity of all flammable gases to be stored: 0

Total quantity of all flammable solids to be stored: 0

LP-gas (Complete this section for the storage of LP-gas or propane)

Indicate the maximum quantity of LP-gas to be stored and the sizes and capacities of all storage containers. (See 527 CMR 1.00 Table 1.12.8.50)

❖ Maximum quantity (in gallons) of LP-gas to be stored in aboveground containers: N/A

List sizes and capacities of all aboveground containers used for storage: N/A

❖ Maximum quantity (in gallons) of LP-gas to be stored in underground containers: _____

List sizes and capacities of all underground containers used for storage: N/A

Total aggregate quantity of all LP-gas to be stored: N/A

Fireworks (Complete this section for the storage of fireworks)

Indicate classes of fireworks to be stored and maximum quantity of each class. (See 527 CMR 1.00 Table 1.12.8.50)

❖ Maximum amount (in pounds) of Class 1.3G: _____ Type/class of magazine used for storage: _____

❖ Maximum amount (in pounds) of Class 1.4G: N/A Type/class of magazine used for storage: _____

❖ Maximum amount (in pounds) of Class 1.4: N/A Type/class of magazine used for storage: _____

Total aggregate quantity of all classes of fireworks to be stored: _____

Explosives (Complete this section for the storage of explosives)

Indicate classes of explosive to be stored and maximum quantity of each class. (See 527 CMR 1.00 Table 1.12.8.50)

❖ Maximum amount (in pounds) of Class 1.1: N/A Number of magazines used for storage: _____

❖ Maximum amount (in pounds) of Class 1.2: _____ Number of magazines used for storage: _____

❖ Maximum amount (in pounds) of Class 1.3: _____ Number of magazines used for storage: _____

❖ Maximum amount (in pounds) of Class 1.4: _____ Number of magazines used for storage: _____

❖ Maximum amount (in pounds) of Class 1.5: _____ Number of magazines used for storage: _____

❖ Maximum amount (in pounds) of Class 1.6: _____ Number of magazines used for storage: _____

I, MICHAEL A. KENGE, hereby attest that I am authorized to make this application. I acknowledge that the information contained herein is accurate and complete to the best of my knowledge and belief. I acknowledge that all materials stored pursuant to any license granted hereunder must be stored or kept in accordance with all applicable laws, codes, rules and regulations, including but not limited to Massachusetts Chapter 148, and the Massachusetts Fire Code (527 CMR 1.00). I further acknowledge that the storage of any material specified in any license granted hereunder may not exceed the maximum quantity specified by the license.

Signature [Signature] Date 5/11/19 Name MICHAEL A. KENGE, ESO
774-206-8200

Fire Department Use Only

I, Paul N. Corcoran, Jr., Head of the New Bedford Fire Department endorse this application with my

☒ Approval ☐ Disapproval

Signature of Head of the Fire Department [Signature]

Date 6/4/19

Recommendations: _____

Owner Information

Map #1300, Lots 117, 247, 248, 447

MIH1, LLC
401 County Street
New Bedford, MA 02740

Kevin Burgess
2904 Acushnet Avenue
New Bedford, MA 02745

Neil Meunier
Erica Meunier
2914 Acushnet Avenue
New Bedford, MA 02745

BK 8991 PG 270
03/31/08 10:42 DOC 7752
Bristol Co. S.D.

Quitclaim Deed

I, Robert Raymond Chapdelaine, of 532 Faunce Corner Rd., Dartmouth, Massachusetts 02747

in consideration of One Hundred Eighty-Five Thousand and 00/100 Dollars (\$185,000.00)

grant to Neil A. Meunier and Erica S. Meunier, Husband and Wife, as tenants by the entirety, of 2914 Acushnet Avenue, New Bedford, Massachusetts 02745

with **QUITCLAIM COVENANTS**

the land in said New Bedford, Bristol County, Massachusetts, bounded and described as follows:

BEGINNING at the southwest corner thereof at a point in the easterly line of Acushnet Avenue and the northwest corner of Parcel B as shown on plan of land hereinafter mentioned;

thence North 6 degrees 53' 00" EAST in said easterly line of Acushnet Avenue eighty-one (81) feet to a drill hole;

thence North 89 degrees 09' 00" EAST eighty-seven and 78/100 (87.78) feet to a drill hole and land now or formerly of Alfred Thomas;

thence South 14 degrees 06' 00" EAST by last named land eighty-two and 46/100 (82.46) feet to said Parcel B; and

thence South 89 degrees 09' 00" WEST by last named parcel one hundred seventeen and 55/100 (117.55) feet to said easterly line of Acushnet Avenue and the point of beginning.

Containing 8,241 square feet, more or less, and being Parcel A on plan entitled "Subdivision of Land in New Bedford, Massachusetts belonging to Odelle Chapdelaine, Scale 1" 40', November 10, 1975 and recorded with Bristol County (S.D.) Registry of Deeds in Plan Book 96, Page 23.

Also note that part of the barn presently located on said premises and shown on the aforesaid plan is subject to an agreement between the grantee herein and George Ernest Chapdelaine such that said barn is considered personalty. A copy of said agreement is on file with the Board of Appeals for the City of New Bedford.

REG OF DEEDS
REG #07
BRISTOL S
03/31/08 10:42M
03/31/08 10:42
FEE \$843.60
CRK \$843.60

Being the same premises conveyed to the grantor by deed dated February 13, 1976 and recorded with the Bristol South Registry of Deeds at Book 1714 Page 303.

Property Address: 2914 Acushnet Avenue, New Bedford, Massachusetts 02745

©1996-2008 Standard Solutions, Inc. 781-324-0550

Deed

BK 8991 PG 271

Executed as a sealed instrument this 31st day of March, 2008.

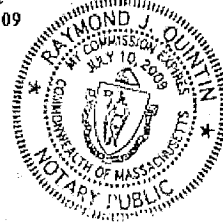
Robert Raymond Chapdelaine
Robert Raymond Chapdelaine

Commonwealth of Massachusetts

Bristol, ss:

On this 31st day of March, 2008, before me, the undersigned notary public, personally appeared Robert Raymond Chapdelaine, proved to me through satisfactory evidence of identification, which were ☐ Driver's License; ☐ State ID; ☐ Passport; ☐ Other Government Issued ID; ☐ Other, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she/they signed it voluntarily for its stated purpose.

Raymond J. Quintin
Raymond J. Quintin, Notary Public
My Commission Expires: July 10, 2009



Property Address: 2914 Acushnet Avenue, New Bedford, Massachusetts 02745
©1986-2008 Standard Solutions, Inc. 781-324-0550

Deed

QUITCLAIM DEED

, BROOKE A. ASULEY, formerly known as Brooke A. Burgess, of 4208 Acushnet Avenue,
New Bedford, Massachusetts 02745

for consideration paid, and in full consideration of One Dollar (\$1.00)

grant to KEVIN BURGESS, of 2904 Acushnet Avenue, New Bedford, Massachusetts 02745,

with QUITCLAIM COVENANTS

the land, with any building(s) thereon, located in New Bedford, Bristol County, Massachusetts,
more particularly bounded and described as follows:

BEGINNING at northwest corner thereof at a point in the easterly line of Acushnet Avenue and
at the southwest corner of Parcel A as shown on a plan of land hereinafter mentioned;
Thence NORTH 89° 09' 00" EAST by last named parcel one hundred seventeen and 55/100
(117.55) feet to land now or formerly of Alfred Thomas;
Thence SOUTH 14° 06' 00" EAST by last named land eighty-two and 78/100 (82.78) feet to
Parcel C on said plan;
Thence SOUTH 89° 09' 00" WEST by last named parcel one hundred forty-seven and 52/100
(147.52) feet to said easterly line of Acushnet Avenue;
Thence NORTHERLY and EASTERLY in said easterly line of Acushnet Avenue in an arc of a
circle having a radius of four hundred (400) feet, a distance of thirty-two and 02/100 (32.02)
feet to a point; and
Thence NORTH 6° 53' 00" EAST still in said easterly line of Acushnet Avenue forty-eight and
92/100 (48.92) feet to said Parcel A and the point of beginning.

CONTAINING 10,663 square feet, more or less, and being **Parcel B** on plan entitled
Subdivision of Land in New Bedford, Massachusetts Belonging to Odell Chapdelaine, Scale
1" = 40', November 10, 1975, and recorded at the Bristol County (S.D.) Registry of Deeds in
Plan Book 96, Page 23.

Also note that part of a barn presently located on said premises and shown on the aforesaid plan
is subject to an agreement between George Ernest Chapdelaine and Robert Raymond
Chapdelaine such that said barn is considered personalty. A copy of said agreement is on file
with the Board of Appeals for the City of New Bedford.

Property Address: 2904 Acushnet Avenue, New Bedford, Massachusetts 02745.

The grantor herein hereby releases any and all homestead rights that she may have in the above-
described property.

Being Parcel One in a deed conveyed to the Grantor herein by deed of Sarah Chapdelaine and Joan S. Burgess dated March 11, 1999, and recorded at the Bristol County (S.D.) Registry of Deeds in Book 4360, Page 342.

WITNESS my hand and seal this 26 day of June, 2014.


Witness

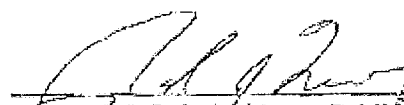

BROOKE A. ASHLEY

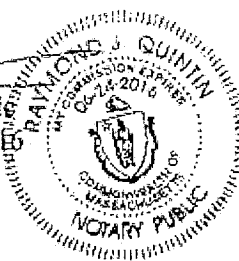
COMMONWEALTH OF MASSACHUSETTS

BRISTOL, ss.

June 26, 2014

Then personally appeared the above-named BROOKE A. ASHLEY, who proved to me through satisfactory evidence of identification which was M.P. & K. to be the person whose name is signed on this document, and acknowledged to me that she signed it voluntarily for its stated purpose before me,


Raymond J. Quintin, Notary Public
My commission expires: 6/24/2016





2017 00030778

Bk: 12304 Pg: 200 Pg: 1 of 5 BS
 Doc: DEED 12/14/2017 11:33 AM

MASSACHUSETTS EXCISE TAX
 Bristol ROD|South 001
 Date: 12/14/2017 11:33 AM
 Ctr# 023915 31056 Doc# 00030778
 Fee: \$2,822.64 Cons: \$619,000.00

QUITCLAIM DEED

NEW BEDFORD COUSINS LLC, a Massachusetts limited liability company having a usual place of business at P.O. Box 36, Scituate, Massachusetts 02066 (hereinafter "Grantor") for consideration paid in the sum of SIX HUNDRED NINETEEN THOUSAND and 00/100 (\$619,000.00) DOLLARS,

Grants to

MIH1, LLC, a Massachusetts limited liability company having a usual place of business at 30 No. Water Street, New Bedford, Massachusetts 02740 (hereinafter "Grantee")

With QUITCLAIM COVENANTS

a certain parcel of land on the easterly side of Acushnet Avenue and on the southerly side of Phillips Road, New Bedford, Massachusetts, comprising approximately 528,127 square feet of land, shown on a set of plans entitled "Definitive Subdivision Plan Stoney Brook Farm New Bedford, MA 02745" dated 5/11/17 by Cavanaro Consulting, Owner/Applicant New Bedford Cousins LLC, recorded herewith, and more particularly bounded and described as set forth on Exhibit A hereto.

This conveyance is made subject to, and with the benefit of, an Easement Agreement granted by the Grantor to Southern Mass Credit Union dated August 12, 2009 recorded with said Deeds in Book 9473, Page 284.

For Grantor's title, see deed of Shaw's Realty Trust dated July 27, 2005, recorded with Bristol County South District Registry of Deeds in Book 7693, Page 340, Confirmatory Deed dated August 29, 2005 recorded with said Deeds in Book 7734, Page 340, and deed of Ronald Frenette et als dated February 6, 2007 recorded with said Deeds in Book 8526, Page 124.

Key to...
MATHIEU & MATHIEU
 168 Eighth Street
 New Bedford, MA 02740

4/26/20

Executed under seal this 30th day of November, 2017.

NEW BEDFORD COUSINS LLC

By: Terrence C. Tedeschi

Terrence C. Tedeschi, Manager

By: Robert W. Lally, Jr.

Robert W. Lally, Jr., Manager

COMMONWEALTH OF MASSACHUSETTS

PLYMOUTH, ss.

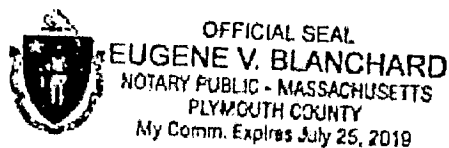
On this 30th day of November, 2017, before me, the undersigned notary public, personally appeared Terrence C. Tedeschi, personally known to me to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose, as Manager of New Bedford Cousins LLC.

Eugene V. Blanchard

Eugene V. Blanchard

Notary Public

My Commission Expires: July 25, 2019

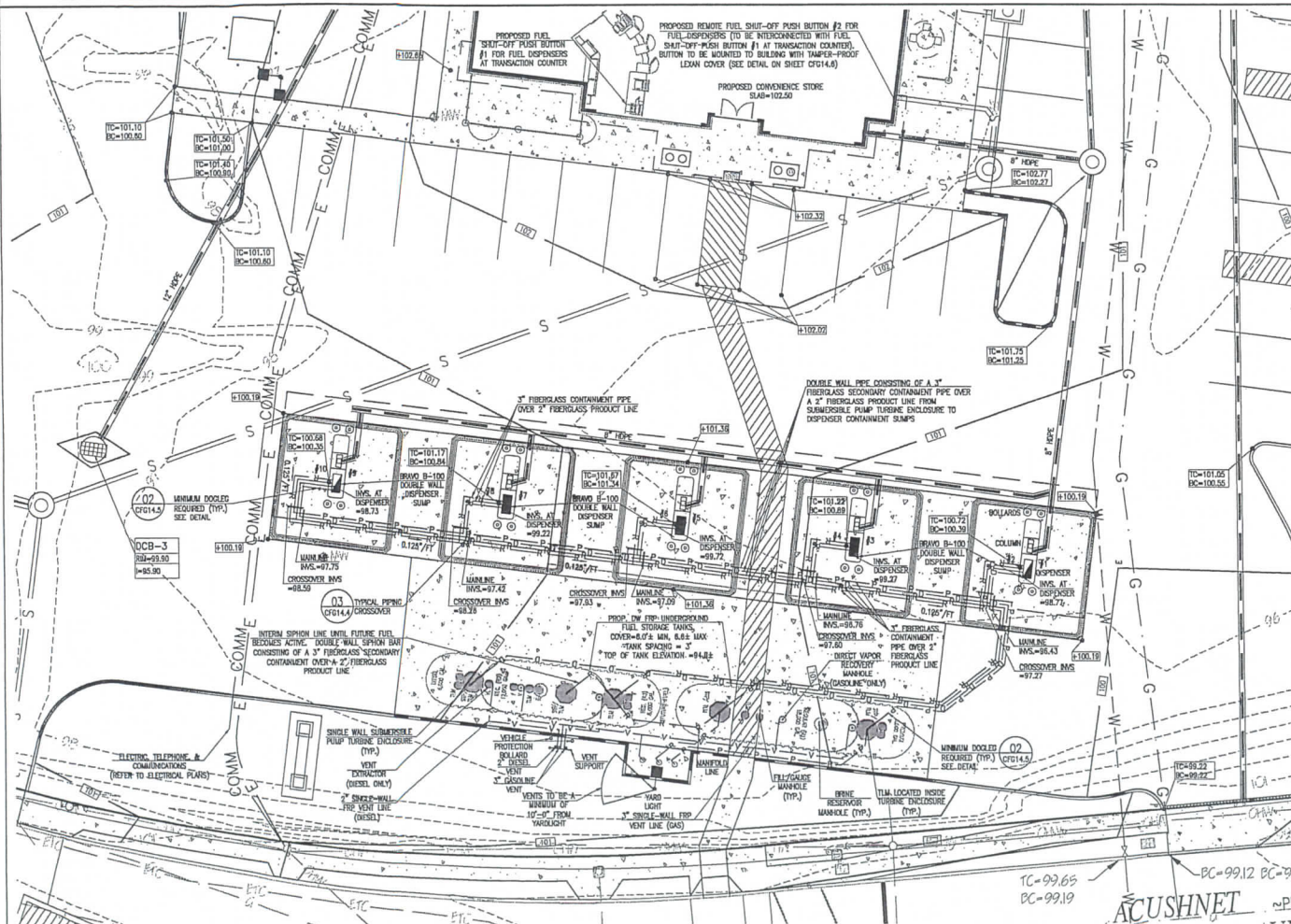




FUEL GUIDELINES

CSI - ONE (1) 24,000 (18/6 SPLIT) & ONE (1) 24,000 (6/12/6 SPLIT) GALLON TANKS

SHEET INDEX	DWG. NO
UST COVER SHEET	CFG14.0
MATERIAL LIST	CFG14.1
TANK INSTALLATION DETAILS	CFG14.2
TANK INSTALLATION DETAILS	CFG14.3
SUMP & PIPING DETAILS	CFG14.4
TANK INSTALLATION DETAILS	CFG14.5
TANK INSTALLATION DETAILS	CFG14.6
REMOTE FILL DETAILS	CFG14.7



01 TYPICAL TANK & PIPING LAYOUT
SCALE: 1"=10'

LEGEND
— NEW EXISTING PRODUCT LINE
— NEW EXISTING PRODUCT LINE
— NEW VENT LINE
— .125" DIA. URBAN PIPING SLOPE BACK TO TANK
STP = SUBMERGED TURBINE PUMP
V = VENT EXTRACTOR
F = FILL
B = BROWNE RESERVOIR
TLM = TANK LEVEL MONITOR



REVISIONS		
NO.	DATE	REV. BY

V# n/a
Store# n/a
Gas Station# n/a

CSI - DOUBLE WALL FIBERGLASS TANK INSTALLATION FOR:
ONE (1) 24,000 (18/6 SPLIT) & ONE (1) 24,000 (6/12/6 SPLIT) GAL TANKS

Cumberland Farms
100 Drawing Boulevard
Framingham, MA 01702

SCALE: AS NOTED
DATE: 08/01/19
FILE: 17-1134
DRAWN BY: DSA

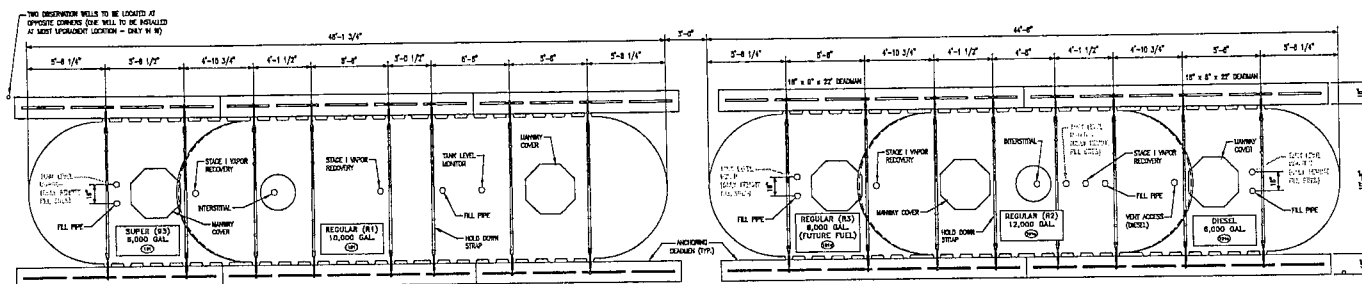
UST COVER SHEET
CFG14.0

GENERAL UST SYSTEM NOTES:

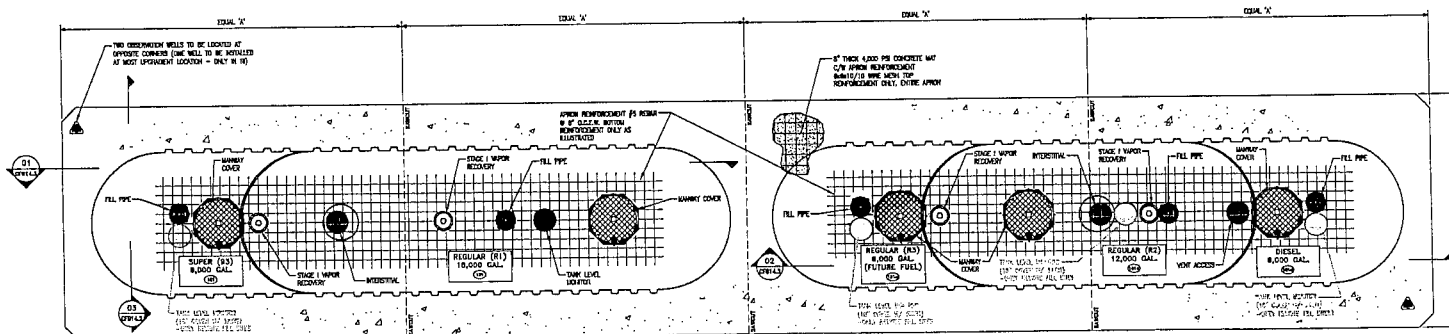
1. THE UNDERGROUND STORAGE SYSTEM WILL BE TESTED BY THE CERTIFIED TANK INSTALLER PRIOR TO BACKFILLING AS FOLLOWS:
A. HYDROSTATIC TEST SHALL BE CERTIFIED BY THE INSTALLER PRIOR TO BACKFILLING AND COPIES OF THE RESULTS SHALL BE PROVIDED TO THE OWNER AT THE TIME OF BACKFILLING.
B. THE CONTRACTOR SHALL PROVIDE A COPY OF THE CONTRACTOR'S UST SYSTEM TO THE OWNER PRIOR TO BACKFILLING.
C. THE CONTRACTOR SHALL PROVIDE A COPY OF THE CONTRACTOR'S UST SYSTEM TO THE OWNER PRIOR TO BACKFILLING.
D. THE CONTRACTOR SHALL PROVIDE A COPY OF THE CONTRACTOR'S UST SYSTEM TO THE OWNER PRIOR TO BACKFILLING.
E. THE CONTRACTOR SHALL PROVIDE A COPY OF THE CONTRACTOR'S UST SYSTEM TO THE OWNER PRIOR TO BACKFILLING.
F. THE CONTRACTOR SHALL PROVIDE A COPY OF THE CONTRACTOR'S UST SYSTEM TO THE OWNER PRIOR TO BACKFILLING.
G. THE CONTRACTOR SHALL PROVIDE A COPY OF THE CONTRACTOR'S UST SYSTEM TO THE OWNER PRIOR TO BACKFILLING.
H. THE CONTRACTOR SHALL PROVIDE A COPY OF THE CONTRACTOR'S UST SYSTEM TO THE OWNER PRIOR TO BACKFILLING.
I. THE CONTRACTOR SHALL PROVIDE A COPY OF THE CONTRACTOR'S UST SYSTEM TO THE OWNER PRIOR TO BACKFILLING.
J. THE CONTRACTOR SHALL PROVIDE A COPY OF THE CONTRACTOR'S UST SYSTEM TO THE OWNER PRIOR TO BACKFILLING.
K. THE CONTRACTOR SHALL PROVIDE A COPY OF THE CONTRACTOR'S UST SYSTEM TO THE OWNER PRIOR TO BACKFILLING.
L. THE CONTRACTOR SHALL PROVIDE A COPY OF THE CONTRACTOR'S UST SYSTEM TO THE OWNER PRIOR TO BACKFILLING.
M. THE CONTRACTOR SHALL PROVIDE A COPY OF THE CONTRACTOR'S UST SYSTEM TO THE OWNER PRIOR TO BACKFILLING.
N. THE CONTRACTOR SHALL PROVIDE A COPY OF THE CONTRACTOR'S UST SYSTEM TO THE OWNER PRIOR TO BACKFILLING.
O. THE CONTRACTOR SHALL PROVIDE A COPY OF THE CONTRACTOR'S UST SYSTEM TO THE OWNER PRIOR TO BACKFILLING.
P. THE CONTRACTOR SHALL PROVIDE A COPY OF THE CONTRACTOR'S UST SYSTEM TO THE OWNER PRIOR TO BACKFILLING.
Q. THE CONTRACTOR SHALL PROVIDE A COPY OF THE CONTRACTOR'S UST SYSTEM TO THE OWNER PRIOR TO BACKFILLING.
R. THE CONTRACTOR SHALL PROVIDE A COPY OF THE CONTRACTOR'S UST SYSTEM TO THE OWNER PRIOR TO BACKFILLING.
S. THE CONTRACTOR SHALL PROVIDE A COPY OF THE CONTRACTOR'S UST SYSTEM TO THE OWNER PRIOR TO BACKFILLING.
T. THE CONTRACTOR SHALL PROVIDE A COPY OF THE CONTRACTOR'S UST SYSTEM TO THE OWNER PRIOR TO BACKFILLING.
U. THE CONTRACTOR SHALL PROVIDE A COPY OF THE CONTRACTOR'S UST SYSTEM TO THE OWNER PRIOR TO BACKFILLING.
V. THE CONTRACTOR SHALL PROVIDE A COPY OF THE CONTRACTOR'S UST SYSTEM TO THE OWNER PRIOR TO BACKFILLING.
W. THE CONTRACTOR SHALL PROVIDE A COPY OF THE CONTRACTOR'S UST SYSTEM TO THE OWNER PRIOR TO BACKFILLING.
X. THE CONTRACTOR SHALL PROVIDE A COPY OF THE CONTRACTOR'S UST SYSTEM TO THE OWNER PRIOR TO BACKFILLING.
Y. THE CONTRACTOR SHALL PROVIDE A COPY OF THE CONTRACTOR'S UST SYSTEM TO THE OWNER PRIOR TO BACKFILLING.
Z. THE CONTRACTOR SHALL PROVIDE A COPY OF THE CONTRACTOR'S UST SYSTEM TO THE OWNER PRIOR TO BACKFILLING.

PARTS LEGEND

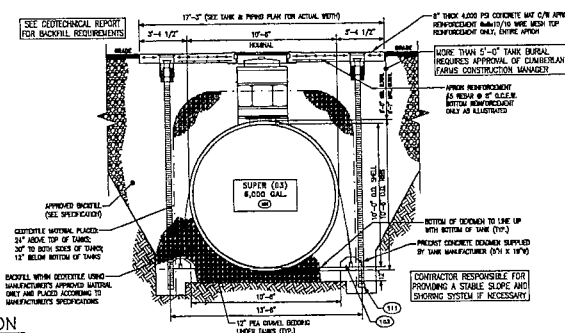
SECTION 100 – UNDERGROUND TANKS			SECTION 400 – VEEDER ROOT EQUIPMENT			SECTION 800 – BRAVO BOXES		
101 – 24,000 GALLON TWO-COMPARTMENT (126" DIA. X 45'-1 3/4") DOUBLE-WALL FIBERGLASS UNDERGROUND FUEL STORAGE TANK (CONTAINMENT SOLUTIONS, INC.) 18,000 / 6,000 SPLIT WITH 42" SUMP RISER			401 – 305XPA-1200AQ EVR MORRISON BROTHERS ATG PROBE 4" ALUMINUM CAP AND BRASS ADAPTER W/ 1.2" THREAD PORT HOLE AND CABLE CONNECTION			801 – CF-1250-030-C030 WITH VALVE ASSEMBLY BRAVO 1000 SERIES WAYNE OVATION NON VAC B-12 FIBERGLASS DISPENSER SUMP W/ INTERCHANGEABLE ELECTRIC OFFSET FRAME, (2) FACTORY INSTALLED PRODUCT SHEAR VALVE STABILIZER BRACKETS, AND (3) F-32U-T BONDED ENTRY FITTING FACTORY INSTALLED		
101a – 24,000 GALLON THREE-COMPARTMENT (126" DIA. X 44'-6") DOUBLE-WALL FIBERGLASS UNDERGROUND FUEL STORAGE TANK (CONTAINMENT SOLUTIONS, INC.) 6,000 / 12,000 / 6,000 SPLIT WITH 42" SUMP RISER			402 – 848290-022 VEEDER ROOT TLS350 PLUS CONSOLE W/ INTEGRAL PRINTER			802 – CF-1250-030-C040 WITH VALVE ASSEMBLY BRAVO 1000 SERIES WAYNE OVATION NON VAC B-23 FIBERGLASS DISPENSER SUMP W/ INTERCHANGEABLE ELECTRIC OFFSET FRAME, (3) FACTORY INSTALLED PRODUCT SHEAR VALVE STABILIZER BRACKETS, AND (4) F-32U-T BONDED ENTRY FITTING FACTORY INSTALLED		
102 – 10 GA. STEEL WEAR PLATE			403 – 329356-002 VEEDER ROOT TLS350R / TLS350 PLUS 4 INPUT PROBE INTERFACE MODULE			803 – N/A		
103 – CONTAINMENT SOLUTIONS PRECAST CONCRETE DEADEND			404 – 329358-001 VEEDER ROOT TLS350R / TLS350 PLUS 8 INPUT INTERSTITIAL/LIQUID SENSOR INTERFACE MODULE			804 – N/A		
104 – HOLD DOWN STRAPS BY TANK MANUFACTURER.			405 – 794380-208 VEEDER ROOT PIPING SUMP SENSOR W/ 12" CABLE INSTALLED AT LOWEST POINT OF ALL SUMPS			805 – N/A		
105 – 18" GALVANIZED TURNBUCKLE ASSEMBLY W/ HOOK ENDS.			406 – 794380-303 VEEDER ROOT DUAL FLOAT HYDROSTATIC SENSOR			806 – FSMS120150 HOSE MASTER FIRE-SHIELD 1.5" X 12" BRADED STAINLESS STEEL FLEX CONNECTOR COUPLED 1.5" MALE X 1.5" MALE SWIVEL		
106 – N/A			407 – 330020-012 VEEDER ROOT UNIVERSAL SENSOR MOUNTING KIT					
107 – 8" THICK CONC. PAD W/ 6 X 6 – W1.4 X W1.4 WIRE REINFORCEMENT, (H-20 LOADING)			408 – 846390-109 VEEDER ROOT 10" 0.1-GPH MAG PLUS PROBE					
108 – #5 REBARS @ 8" O.C.E.W. (TYP.)			409 – 886100-023 VEEDER ROOT 4" PHASE SEPARATION DETECTING FLOAT KIT W/ 5' 5" CABLE					
109 – PEA GRAVEL BACKFILL AROUND TANKS TO EXTEND 12" BELOW BOTTOM OF TANKS (TYP.) MUST HAVE MIN. DIA. OF 1/8" AND MAX. DIA. OF 3/4" (PER CONTAINMENT SOLUTIONS GUIDELINES)			410 – 848400-001 VEEDER ROOT DIESEL MAG PLUS PROBE INSTALLATION KIT W/ 5' CABLE AND 4" FLOAT					
110 – 1" THICK COMPRESSIBLE FOAM BOARD (TYP.)			411 – 330010-425 VEEDER ROOT TLS350R / TLS350 PLUS ETHERNET TCP/IP COMMUNICATIONS INTERFACE MODULE					
111 – 4" SLOTTED P.V.C. PIPE OBSERVATION WELL CAP OBSERVATION WELL C/W LOCKING GRIPPER CAP. MINIMUM OF TWO WELLS TO BE INSTALLED AT OPPOSITE CORNERS (ONE WELL AT MOST UPGRADIENT LOCATION –RI ONLY). SEE TANK & PIPING LAYOUT FOR LOCATION.			412 – 847490-001 VEEDER ROOT INTERFACE MODULE EXPANSION BOARD					
			413 – OMNI-G11802 OMNI 18/2 GREY 2-CONDUCTOR WIRE – 1000' REEL – (COMMUNICATIONS)					
			414 – 848480-001 VEEDER ROOT (PLD) W/O SWITCHECK					
			415 – N/A					
			416 – 330843-001 VEEDER ROOT 6 INPUT PRESSURE LEAK DETECTOR MODULE					
			417 – 847490-001 VEEDER ROOT INTERFACE MODULE EXPANSION BOARD					
SECTION 200 – ISLANDS & BOLLARDS								
201 – RIVERSIDE STEEL 3"W X 12"L X 9"H STAINLESS STEEL ISLAND FORM W/6" RADIUS CORNERS								
202 – 6" OD X 7'-0" LONG 20 GA. STEEL BOLLARD FILLED W/ CONCRETE, WITH WHITE PVC BOLLARD COVER W/ GREEN (PVS #378) REFLECTOR TAPE @ TOP								
SECTION 300 – TANK TOP EQUIPMENT			SECTION 500 – SUBMERSIBLE PUMPS & COMPONENTS			SECTION 900 – GENERAL		
301 – 65-8012-WC UNIVERSAL 8" ROUND LIMITED ACCESS MONITOR WELL MANHOLE			501 – 402731915 FE PETRO ISMIR2-15 2HP VARIABLE SPEED AND LENGTH SUBMERGED TURBINE PUMP – RANGE 90" – 151"					
302 – A0716-018CJP EMCO WHEATON 18" COMPOSITE CAM-LOCK MANHOLE W/ 18" POWDER COATED SKIRT			502 – 4X1550NRC 4" X 15" BLACK NIPPLE – REAM AND CHAMFER					
303 – A0716-044C EMCO WHEATON 44" COMPOSITE MANHOLE, 10" SKIRT, CAMLOCK. COMPOSITE COVERS TO BE SUPPLIED WITH FACTORY COLORED FINISH AS FOLLOWS: WHITE "REGULAR" = A0716-044C-R RED "PREMIUM" = A0716-044C-U YELLOW "ULTRA LOW SULFUR DIESEL" = A0716-044C-D COLOR TBD BY CFG "ETHANOL-FREE" = A0716-004C – WITH "TD" FUEL GRADE ID MARKER			503 – 5874202800 FE PETRO NEW STYLE MAG VFC VER 1.22 CONTROLLER – WITH VERSION 1.22 SOFTWARE					
304 – 120-12WTD FAIRFIELD INDUSTRIES 12" WATER TIGHT MANHOLE W/ 12" SKIRT			504 – 402804801 FE PETRO STIPR150-VL2 1.5HP FIXED SPEED, FIXED LENGTH SUBMERGED TURBINE PUMP RANGE 89"-152" (PREMIUM)					
305 – GALVANIZED SCH. 40 RISER (FOR FUTURE FUEL TANK USE STAINLESS STEEL)			505 – 403592915 FE PETRO STIPAPR150-VL2-15 1.5HP FIXED SPEED (ADV, PROTECTION), FIXED LENGTH SUBMERGED TURBINE PUMP RANGE 89"-152" (DIESEL)					
306 – A1004EVR-3175S EMCO WHEATON 5 GALLON DOUBLE WALL, NPT, NO DRAIN, CAST IRON COVER MANHOLE PHASE I EVR APPROVED. CAST IRON COVERS TO BE SUPPLIED WITH FACTORY POWDER COATED COLOR FINISH AS FOLLOWS: WHITE "REGULAR" = A1004EVR-3175S-R – WITH PRODUCT ID TAG (PART #TC-03) –R1, R2 & R3 RED "PREMIUM" = A1004EVR-3175S-U – WITH PRODUCT ID TAG (PART #TC-04) YELLOW "ULTRA LOW SULFUR DIESEL" = A1004EVR-3175S-D – WITH PRODUCT ID TAG (PART #TC-07) ORANGE "VAPOR" = A1004EVR-3175S-V – WITH PRODUCT ID TAG (PART #TC-21) BRONZE "EBS ETHANOL" = A1004EVR-3175S-E ORANGE/BRONZE "EBS VAPOR" = A1004EVR-3175S-EV COLOR TBD BY CFG "ETHANOL-FREE" = A1004EVR-3175S – WITH PRODUCT ID TAG (PART# TBD)			506 – 5800100215 FE PETRO STP-SCI 120 VAC ISOLATION RELAY					
307 – TANK FUEL ID TAG FASTENED TO FILL PIPE RISER WITH CLAMP-MASTER REGULAR ONLY (T-1)			507 – 400137937 FE PETRO A/G COMPATIBLE SIPHON CHECK VALVE ASSEMBLY					
308 – A0717-722 WMC EMCO WHEATON VAULT LIFT ASSIST BOLT-DOWN WATER RESISTANT WITH HANDLE (ONLY FOR TANK LEVEL MONITORS ON REMOTE FILL SITES)			508 – 184-2500MB MORRISON BROTHERS 4" X 2" X 2" CAST IRON DOUBLE TAP BUSHING					
309 – FSMS120200 HOSE MASTER FIRE-SHIELD 2" X 12" BRADED STAINLESS STEEL FLEX CONNECTOR COUPLED MALE X MALE SWIVEL			509 – 402728915 FE PETRO ISMIR-V54-VL2-15 4HP VARIABLE SPEED AND LENGTH SUBMERGED TURBINE PUMP – RANGE 90" – 151"					
310 – C/738 X 50 F.W. WEBB 3/8" X 50" COPPER TUBING			510 – 2" GALV. PIPE FOR SIPHON STUBS					
311 – A1100EVR-056C7 EMCO WHEATON GUARDIAN 4" 2-POINT CABO APPROVED ENHANCED OVERFILL PREVENTION VALVE, PHASE I EVR APPROVED W/85" EXTENDED LENGTH UPPER TUBE AND 107" EXTENDED LENGTH LOWER TUBE								
312 – 10P-0152 OPW 1.5" DOUBLE POPPET EMERGENCY SHEAR VALVE								
313 – A0030-124S EMCO WHEATON 4" BRASS SWIVEL FILL ADAPTER								
314 – 634T1-708S-EVR OPW 4" ENHANCED TOP SEAL FUEL CAP								
315 – A0078-124S EMCO WHEATON 4" BRASS VAPOR SWIVEL ADAPTER								
316 – 1711T-708S-EVR OPW 3" ENHANCED VAPOR RECOVERY VAPOR TOP SEAL CAP								
317 – 233-4420 OPW 4" X 2" EXTRACTOR FITTING W/O CAGE								
318 – 233-4430 OPW 4" X 3" EXTRACTOR FITTING W/O CAGE								
319 – A1004EVR-216SJ EMCO WHEATON 15 GALLON DOUBLE WALL, NPT, NO DRAIN W/ JACKS, CAST IRON COVER SPILL CONTAINER PHASE I EVR APPROVED (WE & VT ONLY). CAST IRON COVERS TO BE SUPPLIED WITH FACTORY POWDER COATED COLOR FINISH AS FOLLOWS: WHITE "REGULAR" = A1004EVR-216SJ-R – WITH PRODUCT ID TAG (PART #TC-03) –R1, R2, & R3 TAGS RED "PREMIUM" = A1004EVR-216SJ-U – WITH PRODUCT ID TAG (PART #TC-04) YELLOW "ULTRA LOW SULFUR DIESEL" = A1004EVR-216SJ-D – WITH PRODUCT ID TAG (PART #TC-07) ORANGE "VAPOR" = A1004EVR-216SJ-V – WITH PRODUCT ID TAG (PART #TC-21) BRONZE "EBS ETHANOL" = A1004EVR-216SJ-E ORANGE/BRONZE "EBS VAPOR" = A1004EVR-216SJ-EV COLOR TBD BY CFG "ETHANOL-FREE" = A1004EVR-216SJ – WITH PRODUCT ID TAG (PART# TBD)								
320 – 723V-3230PW 3" EVR PRESSURE VAC VENT W/2.5" TO 6" WATER COLUMN PRESSURE/6" TO 10" WATER COLUMN VACUUM								
321 – 23-0033 OPW 2" ALUMINUM TANK VENT-ATMOSPHERIC								
322 – 116-708S OPW 4" DURATUFF PIPE CAP								
323 – C0M38 X 14MM F.W. WEBB 3/8" COMPRESSION X 1/4" MALE NPT BRASS FITTING								
324 – 691-08001V MORRISON BROTHERS 2" BRASS BALL VALVE								
325 – A1005-5175F EMCO WHEATON 5 GALLON REMOTE FILL DOUBLE WALL, GLASS-ON, NO DRAIN, CAST IRON COVER MANHOLE. SS SPILL CONTAINER CAST IRON COVERS TO BE SUPPLIED WITH FACTORY POWDER COATED COLOR FINISH AS FOLLOWS: WHITE "REGULAR" = A1005-5175F-R – WITH PRODUCT ID TAG (PART #TC-03) –R1, R2 & R3 TAGS RED "PREMIUM" = A1005-5175F-U – WITH PRODUCT ID TAG (PART #TC-04) YELLOW "ULTRA LOW SULFUR DIESEL" = A1005-5175F-D – WITH PRODUCT ID TAG (PART #TC-07) ORANGE "VAPOR" = 5175F3SW-V – WITH PRODUCT ID TAG (PART #TC-21) BRONZE "EBS ETHANOL" = A1005-5175F-E ORANGE/BRONZE "EBS VAPOR" = A1005-5175F-EV COLOR TBD BY CFG "ETHANOL-FREE" = A1005EVR-5175F – WITH PRODUCT ID TAG (PART# TBD)								
326 – 61J5K-48MT OPW JACK SCREW KIT (INCLUDES TRAP DOOR AND JACK SCREW)								
327 – A0079-444 EMCO WHEATON 4"x4"x4" TEE NPT BODY								
328 – 201478 OPW 62M CAP AND ADAPTOR KIT								
329 – 484086 EMCO RISER SEAL (PHASE I EVR APPROVED)								
330 – FSA-400-(S) OPW 4" SHORT FACE SEAL ADAPTOR FOR CAST IRON BASE								
331 – S3870-040MD MORRISON BROTHERS 4" OPEN TELESCOPIC DIFFUSER								
332 – A7901-006S EMCO WHEATON 4"x6" NIPPLE WITH MACHINED END								
333 – 723-401S UNIVERSAL 4"x15" CONVENTIONAL DROP TUBE FOR STICK PORT RISER								



01 TANK DEADMAN ANCHORING PLAN
SCALE: 1/4" = 1'-0"



02 TANK TOP APRON - PLAN VIEW
SCALE: 1/4" = 1'-0"



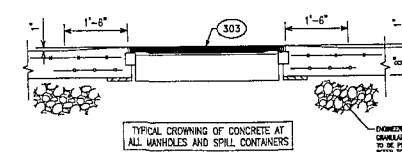
MANUFACTURER'S APPROVED BACKFILL BETWEEN GEOTEXTILE AND TANKS:

NO PARTICLES LESS THAN 1/8" SIZE. SEE MANUFACTURER'S INSTRUCTIONS FOR ADDITIONAL DETAILS AND COMPACTION SPECIFICATIONS.

3/4" 1/8" 1/2" 1/4"

PEA GRAVEL 1/8" TO 3/4"

CRUSHED GRAVEL 1/8" TO 1/2"



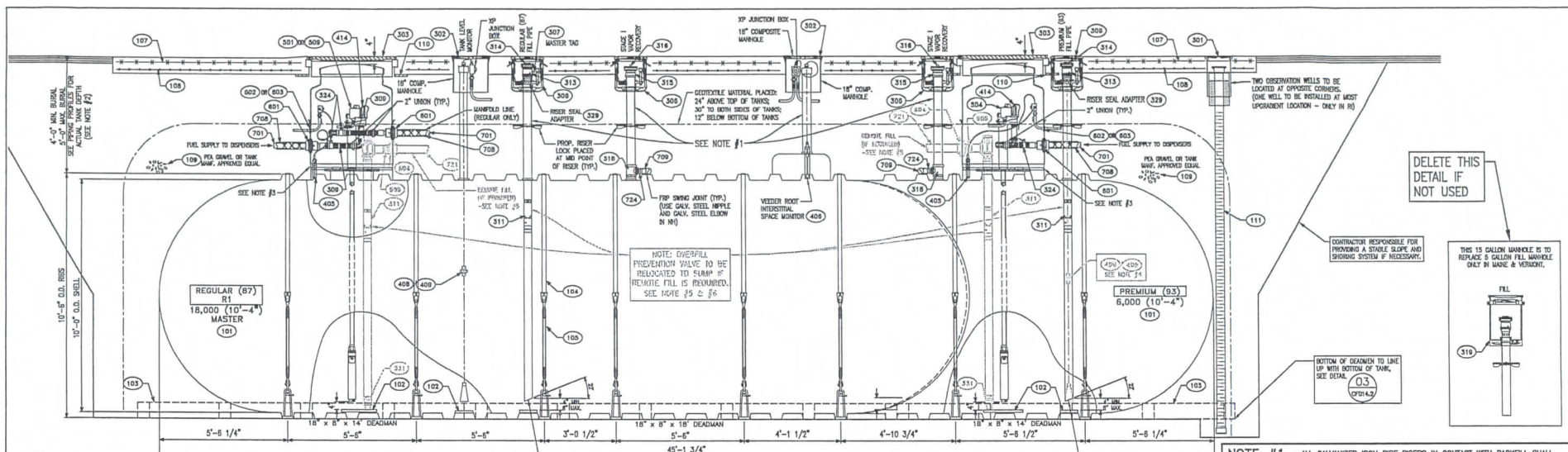
04 TYPICAL CROWNING DETAIL
SCALE: 3/4" = 1'-0"

03 TANK FIELD CROSS SECTION
SCALE: 1/4" = 1'-0"

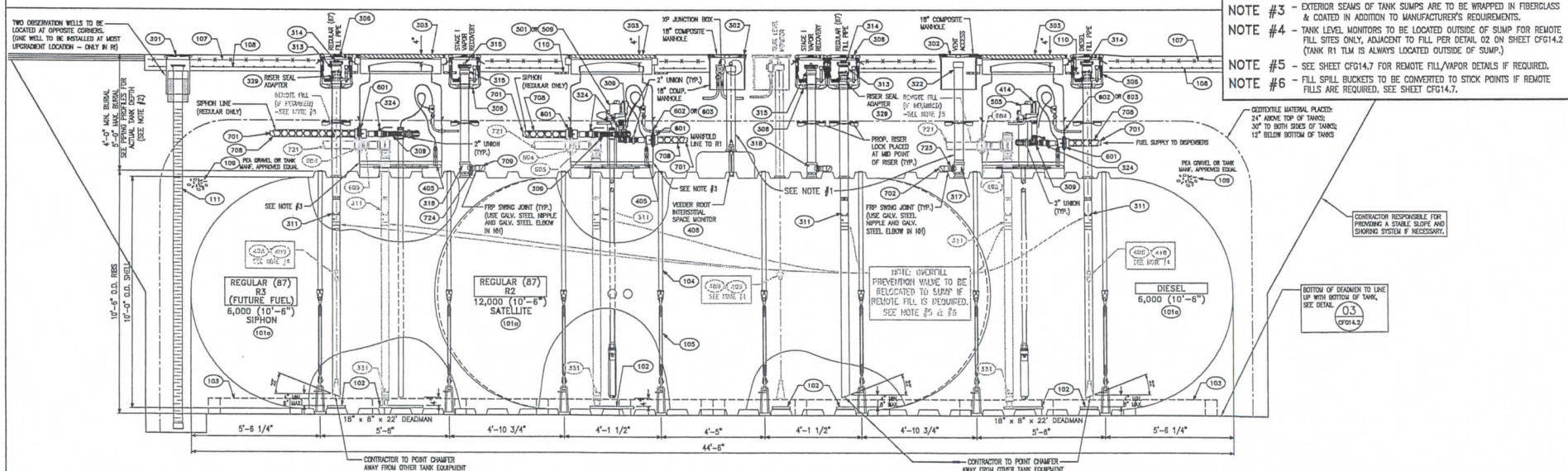
REVISIONS			V# n/a
NO.	DATE	REV. BY	DESCRIPTION
			Store# n/a
			Gas Station# n/a

END TO END TANK OPTION	
ONE (1) 24,000 (18/6 SPLT)/ONE (1) 24,000 (6/12/5 SPLT) GAL. TANKS	
CUMBERLAND PARKS, INC.	SCALE: AS NOTED
100 Cumberland Boulevard	DATE:
Franklinville, NC 27032	FILE: 19-08
TANK INSTALLATION DETAILS	DRAWN BY: DSA

CFG14.2



01 24,000 GAL. TANK ELEVATION - 18,000 REGULAR / 6,000 PREMIUM
SCALE: 1/2" = 1'-0"



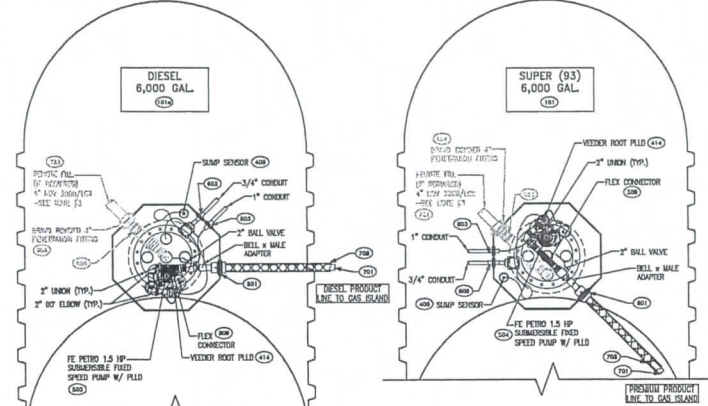
02 24,000 GAL. TANK ELEVATION - 6,000 REGULAR / 12,000 REGULAR / 6,000 DIESEL
SCALE: 1/2" = 1'-0"

- NOTE #1** - ALL GALVANIZED IRON PIPE RISERS IN CONTACT WITH BACKFILL SHALL BE COATED WITH 1/8" MIN. EPOXY RESIN COATING (TYP.)
- NOTE #2** - MORE THAN 5'-0" TANK BURIAL REQUIRES APPROVAL OF CUMBERLAND FARMS CONSTRUCTION MANAGER.
- NOTE #3** - EXTERIOR SEAMS OF TANK SLEEVES ARE TO BE WRAPPED IN FIBERGLASS & COATED IN ADDITION TO MANUFACTURER'S REQUIREMENTS.
- NOTE #4** - TANK LEVEL MONITORS TO BE LOCATED OUTSIDE OF TANK FOR REMOTE FILL SITES ONLY, ADJACENT TO FILL. PER DETAIL 02 ON SHEET CFG14.2 (TANK R1 TLM IS ALWAYS LOCATED OUTSIDE OF SUMP.)
- NOTE #5** - SEE SHEET CFG14.7 FOR REMOTE FILL/VAPOR DETAILS IF REQUIRED.
- NOTE #6** - FILL SPILL BUCKETS TO BE CONVERTED TO STICK POINTS IF REMOTE FILLS ARE REQUIRED. SEE SHEET CFG14.7.

REVISIONS			
NO.	DATE	REV. BY	DESCRIPTION

V# n/a
Store# n/a
Gas Station# n/a

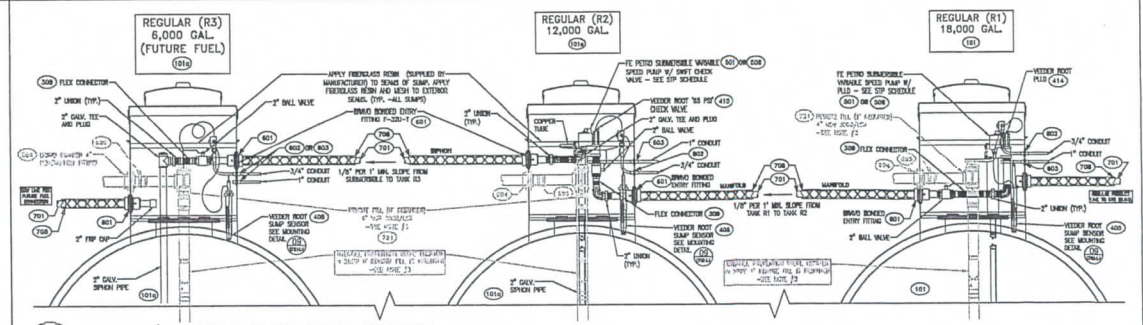
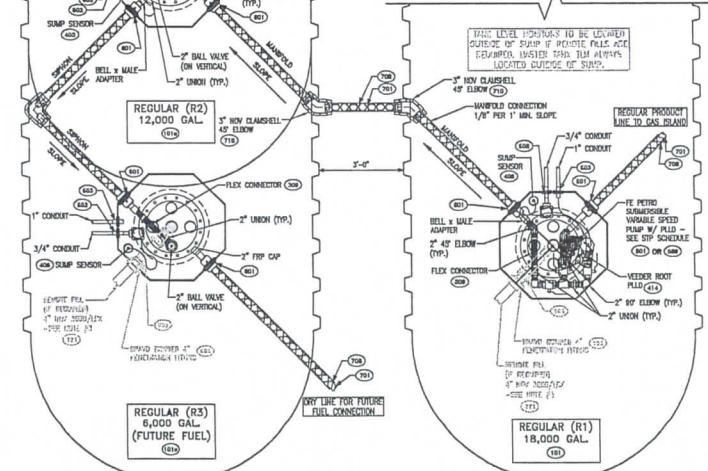
CUMBERLAND FARMS, INC. 100 Downing Boulevard Franklin, MA 01702			
SCALE: AS NOTED	DATE: 11/10/14	FILE: 11-1014	DRAWN BY: DSA
TANK INSTALLATION DETAILS		CFG14.3	



STP SCHEDULE

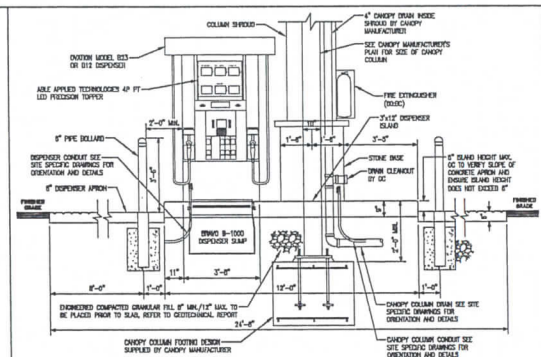
# DISPENSERS	STP#	HP	STP#	HP
	(R1)	(R2)	(R3)	(R4)
5 OR LESS	1 (R1)	2 HP	1 (R2)	1.5 HP
6 OR MORE	1 (R1)	4 HP	1 (R2)	1.5 HP

- NOTES:**
- LOCATION OF FITTINGS AS SHOWN FOR PRODUCT PIPING, SIPHON BAR AND REMOTE FILLS (IF REQUIRED) ARE ILLUSTRATIVE ONLY. SEE SITE SPECIFIC PIPING PLAN FOR ACTUAL PIPING LAYOUT.
 - QUANTITY OF FE PETRO SUBMERSIBLE PUMPS TO BE PROVIDED PER STP SCHEDULE. EACH PUMP WILL BE INSTALLED WITH A PULD TRANSDUCER IN ACCORDANCE WITH THE VEEDEER-ROOT INSTALLATION GUIDE. THE PULD SHALL BE CAPABLE OF DETECTING A LINE LEAKAGE RATE OF 3 GALLONS PER HOUR AT 10 PSI, AND EACH PUMP WILL SHUT OFF OR RESTRICT PRODUCT FLOW IF THE LEAKAGE RATE IS EXCEEDED. THE TANK R2 STP WILL HAVE A 65 PSI CHECK VALVE INSTALLED IN PLACE OF A PULD.
 - IF SITE LAYOUT REQUIRES REMOTE FILLS, REFER TO SHEET CFB14.7 FOR ADDITIONAL REMOTE FILL DETAILS.



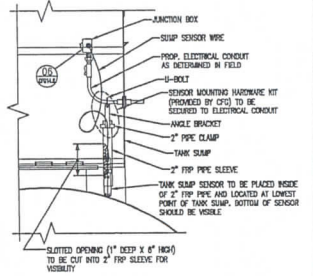
02 SIPHON/MANIFOLD TANK SUMP PROFILE

SCALE: N.T.S.



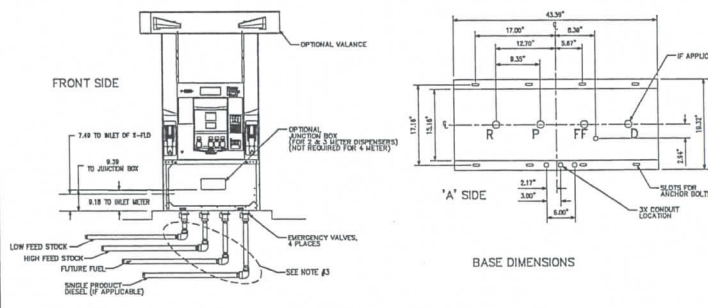
03 DISPENSER ELEVATION LABELS & DIMENSIONS

SCALE: N.T.S.



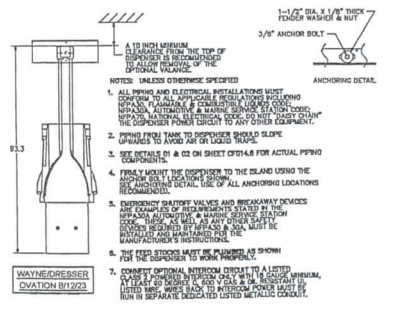
05 TANK SUMP SENSOR MOUNTING DETAIL

SCALE: N.T.S.



04 DISPENSER FOOTING DETAIL

SCALE: N.T.S.

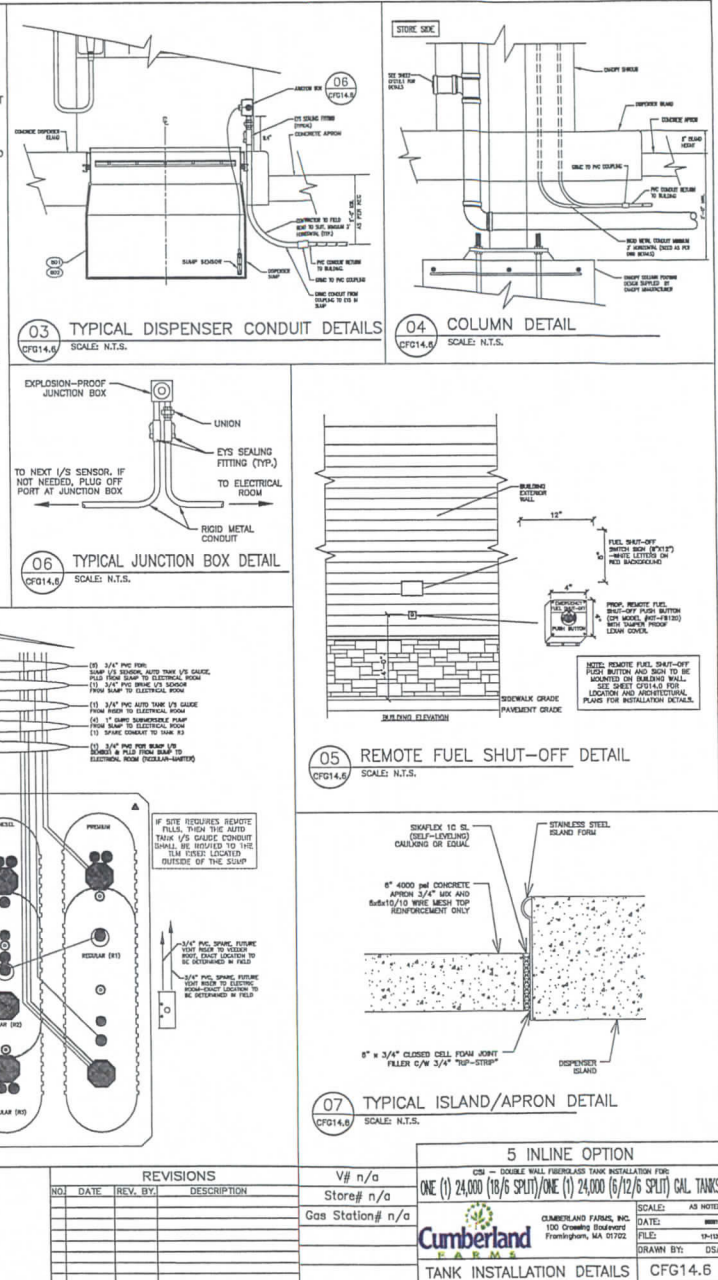
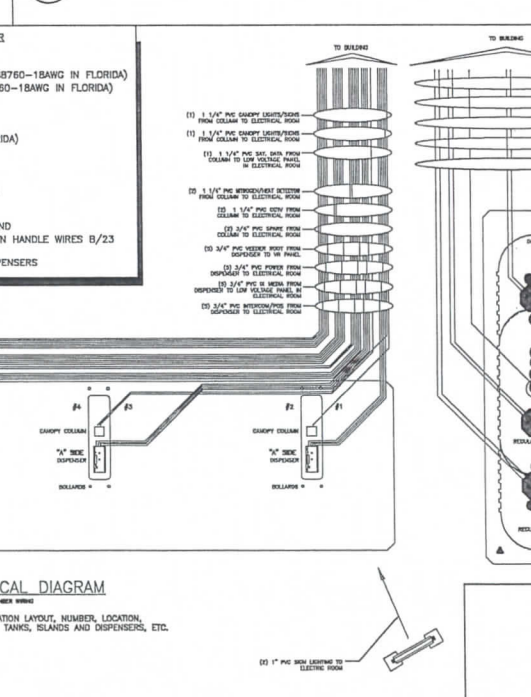
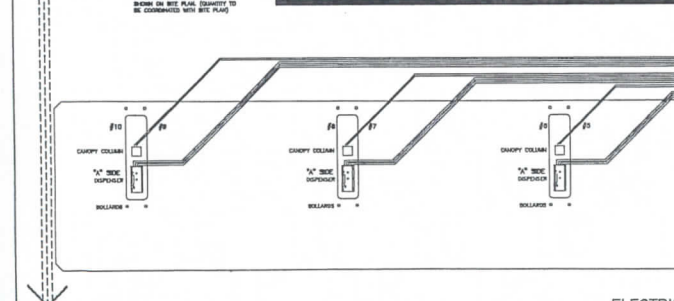
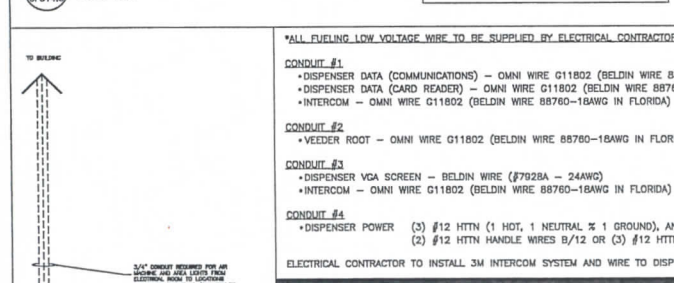
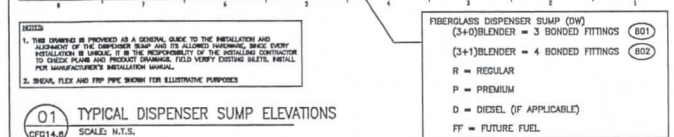
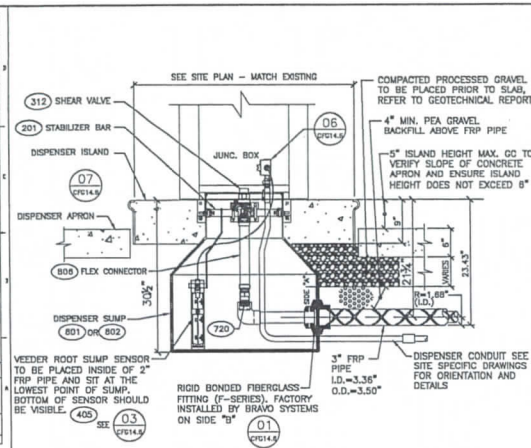
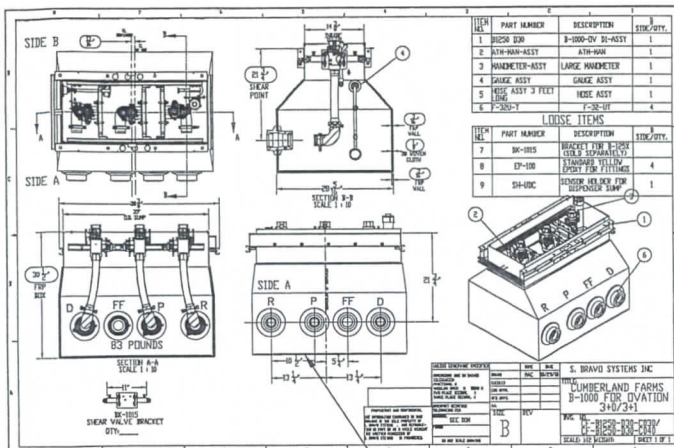


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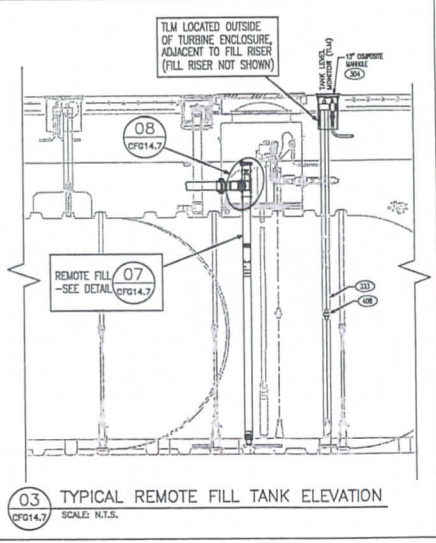
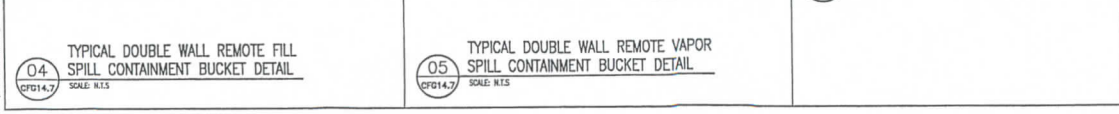
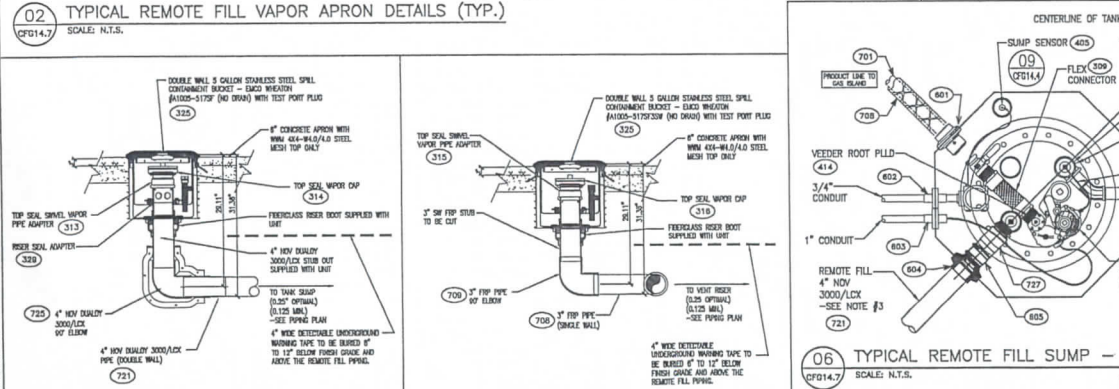
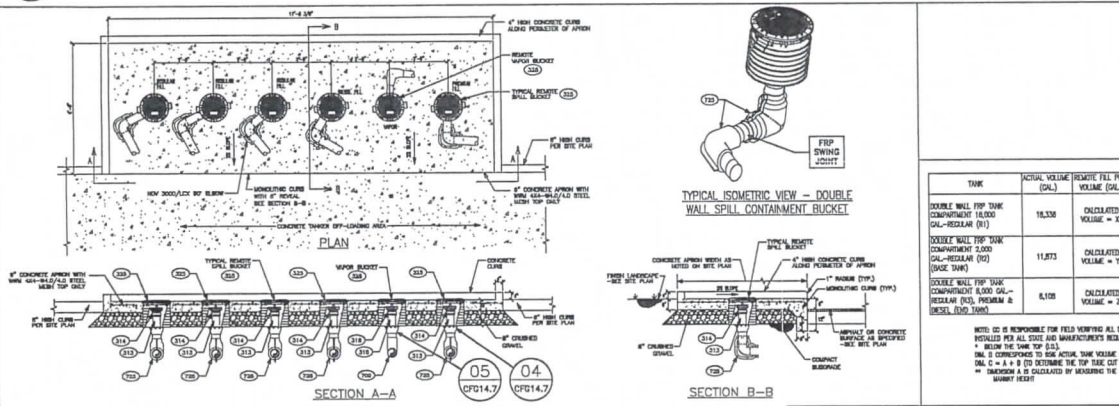
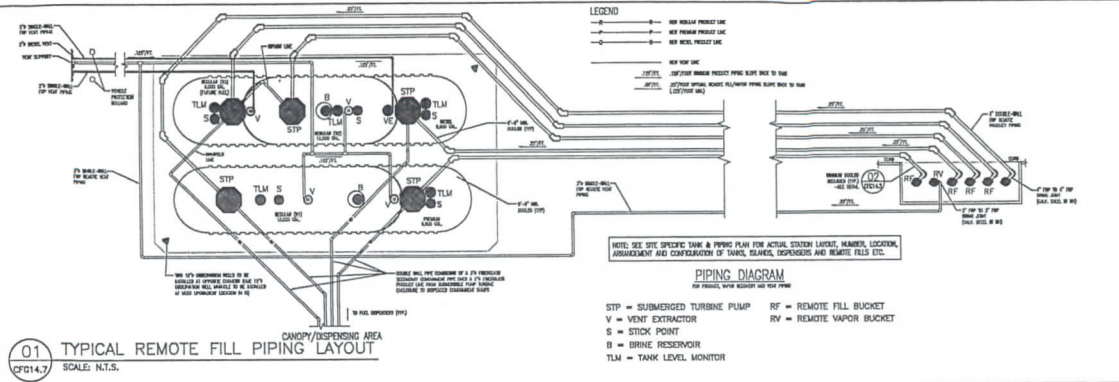
01 TANK SUMP PLAN

SCALE: 1/2\"/>

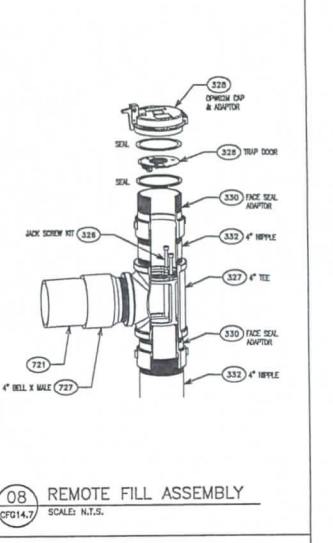
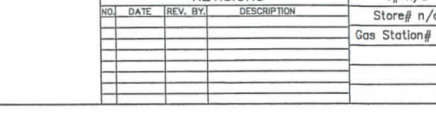
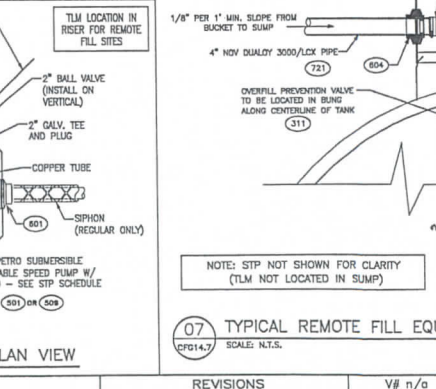
REVISIONS				V# n/a Store# n/a Gas Station# n/a	CSI - DOUBLE WALL FIBERGLASS TANK INSTALLATION FOR: ONE (1) 24,000 (18/6 SPLIT) / ONE (1) 24,000 (6/12/6 SPLIT) GAL. TANKS CUMBERLAND FARMER, INC. 100 Cumberland Boulevard Farmington, MA 01102 TEL: 413-753-1111 FAX: 413-753-1112 DRAIN BY: DSA
NO.	DATE	REV. BY	DESCRIPTION		



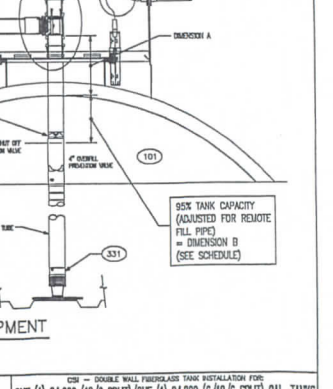
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TANK	ACTUAL VOLUME (GAL.)	REMOTE FILL PIPE VOLUME (GAL.)	BSR (ADJUSTED) VOLUME (GAL.)	REL. A	REL. B	REL. C
DOUBLE WALL TYP TANK CAPACITY 10,000 GAL.-REGULAR (B)	10,000	CALCULATED VOLUME = 10,000	BSR (10,000-10) = 777	10,000	10,000	10,000
DOUBLE WALL TYP TANK CAPACITY 2,000 GAL.-REGULAR (B)	2,000	CALCULATED VOLUME = 2,000	BSR (2,000-10) = 777	2,000	2,000	2,000
DOUBLE WALL TYP TANK CAPACITY 1,000 GAL.-REGULAR (B)	1,000	CALCULATED VOLUME = 1,000	BSR (1,000-10) = 777	1,000	1,000	1,000



TANK	ACTUAL VOLUME (GAL.)	REMOTE FILL PIPE VOLUME (GAL.)	BSR (ADJUSTED) VOLUME (GAL.)	REL. A	REL. B	REL. C
DOUBLE WALL TYP TANK CAPACITY 10,000 GAL.-REGULAR (B)	10,000	CALCULATED VOLUME = 10,000	BSR (10,000-10) = 777	10,000	10,000	10,000
DOUBLE WALL TYP TANK CAPACITY 2,000 GAL.-REGULAR (B)	2,000	CALCULATED VOLUME = 2,000	BSR (2,000-10) = 777	2,000	2,000	2,000
DOUBLE WALL TYP TANK CAPACITY 1,000 GAL.-REGULAR (B)	1,000	CALCULATED VOLUME = 1,000	BSR (1,000-10) = 777	1,000	1,000	1,000



REVISIONS				V# n/a	
NO.	DATE	REV. BY	DESCRIPTION	Store# n/a	Gas Station# n/a

ONE (1) 24,000 (18/6 SPLIT)/ONE (1) 24,000 (6/12/6 SPLIT) GAL. TANKS

SCALE: AS NOTED

DATE: 01-10-18

FILE: 11-10-18

DRAWN BY: DSA

REMOVED FILL DETAILS

CFG14.7



Item Title:

APPROPRIATION OF \$153,443.00 - EMS & GENERAL GOV'T UNCLASSIFIED

Item Detail:

M1. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the APPROPRIATION of \$153,443.00 from ORDINARY REVENUE AND MUNICIPAL RECEIPTS, to EMS, SALARIES & WAGES in the amount of \$88,807.00; EMS, SUPPLIES & MATERIALS in the amount of \$10,300.00; EMS, CAPITAL OUTLAY in the amount of \$50,000.00 and GENERAL GOVERNMENT UNCLASSIFIED, CHARGES & SERVICES in the amount of \$4,336.00.

M1a. AN ORDER,

Additional Information:

ATTACHMENTS:

Description	Type
▣ APPROPRIATION OF \$153,443.00 - EMS & GENERAL GOV'T UNCLASSIFIED	Cover Memo



CITY OF NEW BEDFORD
JONATHAN F. MITCHELL, MAYOR

July 11, 2019

City Council President Linda M. Morad and
Honorable Members of the City Council
133 William Street
New Bedford, MA 02740

Dear Council President Morad and Honorable Members of the City Council:

I am submitting for your approval an ORDER that the sum of **ONE HUNDRED FIFTY-THREE THOUAND FOUR HUNDRED AND FORTY-THREE DOLLARS (\$153,443)** now standing to the credit of the account from Ordinary Revenue and Municipal Receipts be and the same is hereby transferred and appropriated to as follows:

EMS SALARIES AND WAGES.....\$88,807
EMS SUPPLIES AND MATERIALS.....\$10,300
EMS CAPITAL OUTLAY.....\$50,000
GENERAL GOVERNMENT UNCLASSIFIED
CHARGES AND SERVICES.....\$4,336

To be certified and approved by the Department Head

This order funds the contract between the City of New Bedford and AFSCME Local 851, Council 93, Unit B. Included in this appropriation are compensation and uniform allowance increases which are required by the contract, as well as funding for a paramedic vehicle which will allow the department to implement the new basic response model.

Sincerely,

Jon Mitchell
Mayor

CITY CLERKS OFFICE
NEW BEDFORD, MA
2019 JUL 11 P 2:52
CITY CLERK



CITY OF NEW BEDFORD

CITY COUNCIL

July 18, 2019

ORDERED, that the sum of **ONE HUNDRED FIFTY-THREE THOUAND FOUR HUNDRED AND FORTY-THREE DOLLARS (\$153,443)** now standing to the credit of the account from Ordinary Revenue and Municipal Receipts be and the same is hereby transferred and appropriated to as follows:

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EMS SUPPLIES AND MATERIALS.....\$10,300
EMS CAPITAL OUTLAY.....\$50,000
GENERAL GOVERNMENT UNCLASSIFIED
CHARGES AND SERVICES.....\$4,336

To be certified and approved by the Department Head

This order funds the contract between the City of New Bedford and AFSCME Local 851, Council 93, Unit B. Included in this appropriation are compensation and uniform allowance increases which are required by the contract, as well as funding for a paramedic vehicle which will allow the department to implement the new basic response model.

**Memorandum of Agreement
Between the
City of New Bedford
And
American Federation of State, County and Municipal Employees
AFL-CIO
State Council 93
Local 851
Unit B**

This Agreement between the City of New Bedford, hereinafter referred to as the “City”, and the American Federation of State, County and Municipal Employees, AFL-CIO, State Council 93, Local 851, Unit B, hereinafter referred to as the “Union”, collectively referred to as the “Parties”. The Parties agree that their 7/01/2016 - 6/30/2019 collective bargaining agreement (CBA) shall remain in effect with the following changes:

1. Article XXX , Term and Effect of Agreement

Amend term to begin July 1, 2018 and ending June 30, 2021

2. Article XIV, Classification and Compensation Plan

Amend pay schedule as follows:

Delete Steps 1 through 3 for all grades, retaining steps 4 through 7 on the schedule, upon implementation of this agreement.

July 1, 2019 – 1%

July 1, 2020 – 1%

Effective July 1, 2019, employees serving in full-time Paramedic positions, who have held a full-time position in the New Bedford Emergency Medical Services Department, for not less than four (4) consecutive years (including time served as a full-time Basic EMT), as of July 1, shall receive an annual retention stipend in the amount of \$2,000, to be paid on the first pay period during the month of August.

Effective July 1, 2019, employees serving in full-time Basic positions, who have held a full-time position in the New Bedford Emergency Medical Services Department for not less than four (4) consecutive years, as of July 1, shall receive an annual retention stipend in the amount of \$1,000, to be paid during the month of August.

3. Article II, Check-Off Union Dues

Strike Article II in its entirety and insert the following in place thereof:

ARTICLE II

UNION FEES, DUES AND ASSESSMENTS

The City shall bi-weekly deduct the employee's share of health insurance and life insurance premiums, union dues, and/or voluntary agency fees, dental insurance and any fees or assessments from the earned wages of each employee in such amount as determined by the Union provided that no such deduction shall be made from any employee's wages except when authorized by the employee on an appropriate form, a copy of which must have been submitted to the City. At least two (2) weeks' notice of change in any of the above deductions shall be given to the City. When a month contains three pay periods, no deductions shall be taken for the third pay period.

The Employer further agrees to electronically remit, on the Friday following the pay date, the aggregate amount of such deductions made during the preceding week to the Treasurer of the Union along with a list of those employees from whom said dues have been deducted.

The Union agrees to indemnify and hold harmless the Employer from any liability incurred by the Employer as a result of making any dues or voluntary agency fee deduction in accordance with the provisions of this Article and on the basis of an unrevoked authorization of check-off. No revocation of check-off shall be effective unless filed in writing with the City Auditor of the City of New Bedford.

The Employer agrees to notify the Union in writing whenever deductions are not made in accordance with an authorization of check-off due to the fact that an employee is not on the payroll during any payroll period, whether due to illness, retirement, resignation or other cause. The Employer also agrees to notify the Union in writing whenever a new employee is placed on the payroll in any position covered by the contract. Such notification shall be made within ten (10) working days of the date of his/her employment. When a new employee covered by this agreement is hired, the City agrees to allow ten (10) minutes to be allotted to the Union representative and the new employee, if the new employee so chooses, during which time the Union representative may discuss the Union with the employee.

In consideration of the Employer's entering into this collective bargaining agreement, which Agreement includes any voluntary agency service fee provision, the Union hereby agrees to indemnify the said Employer and hold it harmless from any and all claims, liabilities or costs of the Employer which arise out of entering into said provision or which arise out of the payroll deduction of voluntary agency service fees.

4. Article III , Grievance and Arbitration Procedure

Amend Step 3 by adding the following paragraph after paragraph one:

“The Union’s failure to meet any time limit or extension to a time limit set forth in this agreement shall render the grievance ineligible for further processing or non-arbitrable and the Employer’s response shall be final.”

5. Article III , Grievance and Arbitration Procedure

Amend Step 3 by revising the existing second paragraph to read as follows:

“The services of the American Arbitration Association or upon mutual agreement Labor Relations Connection shall be utilized for purposes of arbitration of disputes over the interpretation or application of the terms of this Agreement as provided in chapter 150E of the General Laws, as amended.”

6. Article V, Overtime

Amend the Overtime language pertaining to filling Paramedics shift vacancies as follows:

“In the event of a vacant shift in the position of Paramedic, due to sick leave, personal leave or, injured on duty, the vacant shift will first be offered as an overtime opportunity to the full-time Paramedics. In the event the vacant Paramedic shift cannot be filled with a full-time Paramedic, Senior Paramedics will be offered the opportunity, then per-diem Paramedics. Notwithstanding the previous sentence, if a Paramedic vacancy occurs on an ambulance, and no full-time Paramedic accepts the offer to work the overtime opportunity, the vacant shift will then be offered to Senior Paramedics, then full-time Basics, then per-diem Paramedics. In the event the shift still cannot be filled, each half of the shift will be filled by a full time Paramedic, through a mandated overtime, if necessary. The filling of Paramedic positions with Basics will not apply to Paramedic assignments to a chase trucks (Class V ALS SUV).”

7. Article XVII, Protection

Amend EMT clothing allowance from \$450 to \$750, upon implementation of this agreement.

8. Article XXV Miscellaneous Article

Amend by adding at the end of the article:

“The parties agree that Global Position System (GPS) may be activated in City vehicles assigned to employees. The parties agree that information acquired by and preserved with the GPS system shall not be the sole source of information used to impose discipline or evaluate any employee.”

9. Article XXV Miscellaneous Article – Amend by adding at the end of the article:

“Employees may be temporarily assigned to light duty in accordance with Attachment E.” (attached).

10. Article XXVIII Residency

Amend by adding Swansea, Somerset, Seekonk, Fall River, Marion and Wareham so the section reads as follows:

Every person first employed by the City of New Bedford on or after September 1, 1978 in the bargaining unit shall be a resident of New Bedford. An employee subject to this residency policy who has completed three (3) full years (36 months) of full or equivalent part-time service with the City of New Bedford may reside in the following towns: Dartmouth, Fairhaven, Acushnet, Freetown, Westport, Lakeville, Rochester, Mattapoisett, Swansea, Somerset, Seekonk, Marion, Wareham, or the City of Fall River.

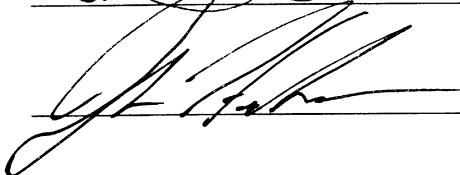
This Memorandum of Agreement is subject to ratification by the Union membership, approval of the Mayor of New Bedford, and funding of the incremental cost items by the New Bedford City Council.

AFSCME, council 93, Local 851 Unit B

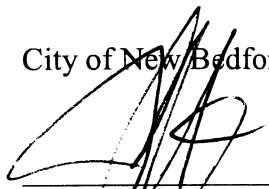


Kim Sylvia, Staff Representative

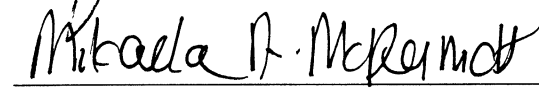




City of New Bedford



Jonathan F. Mitchell, Mayor



Mikaela A. McDermott, City Solicitor



Jane M. Friedman, First Asst. City Solicitor

Signed this ____ day of June 2019

ATTACHMENT E

TEMPORARY LIGHT DUTY

I. PURPOSE

It is the purpose of this policy to establish the authority for temporary light-duty assignments and procedures for granting temporary light duty to eligible employees.

II. POLICY

Temporary light-duty assignments, when available, are for employees who, because of injury or illness, are temporarily unable to perform their regular assignments. Therefore, it is the policy of the City of New Bedford that eligible personnel be given a reasonable opportunity to work in temporary light-duty assignments where available and consistent with this policy. This policy in no way affects the privileges of employees under the Family and Medical Leave Act or the American with Disabilities Act or other federal or state law.

III. DEFINITIONS

Eligible Personnel: For purposes of this policy, any full-time employee of the City suffering from medically certified illness or injury requiring treatment of a licensed health-care provider and who, because of injury or illness is temporarily unable to perform his/her regular assignment but is capable of performing alternative assignments is eligible for light duty in his/her department.

IV. PROCEDURES

A. GENERAL PROVISIONS

1. Light duty assignments are granted at the discretion of the of the department head after consultation with the Personnel Director. Employees on work related illness or injury shall be given preference for light duty assignments.
2. Decisions on temporary light-duty assignments shall be made based upon the availability of an appropriate assignment given the employee's knowledge, skills and abilities; availability of light-duty assignments; and the physical limitations imposed on the employee that includes an assessment of the nature and probable duration of the illness or injury, prognosis for recovery, nature of work restrictions and familiarity with the light-duty assignment and the fact that the employee can physically assume the duties involved as certified by a physician designated by the City at no cost to the employee.

3. Department heads shall notify the Personnel Department and the Union when a decision is made to assign light duty to an employee.
4. Assignment to temporary light duty shall not affect an employee's pay classification, pay increases, promotions, retirement benefits or other employee benefits.
5. No existing position shall be designated or utilized exclusively for personnel on temporary light duty.
6. Light duty assignments are strictly temporary and normally should not exceed six months in duration. After six months, employees on temporary light duty who are not capable of returning to their original duty assignment may request an extension of temporary light duty, with supporting documentation, to the department head. In considering an extension of light duty, the department head will consider the duration of the extension and if there are other employees who may qualify for a light duty position. The decision of the department head shall be final and shall not be subject to the grievance process. Only one extension shall be granted and said extension shall not exceed six months in duration.
7. Light-duty assignments shall not be made for disciplinary purposes.
8. Employees may not refuse temporary light-duty assignments that are supported by and consistent with the recommendations of a physician or certified health-care provider appointed by the City.



Item Title:

CHRISTOPHER GOMES - VETERANS' SERVICES & BENEFITS - ONE-YEAR WAIVER OF RESIDENCY

Item Detail:

M2. COMMUNICATION, Mayor Mitchell, to City Council, submitting a ONE-YEAR WAIVER OF RESIDENCY for CHRISTOPHER G. GOMES, DIRECTOR OF VETERANS' SERVICES AND BENEFITS, who currently resides in Freetown, MA.

Additional Information:

ATTACHMENTS:

Description	Type
▣ CHRISTOPHER GOMES - VETERANS' SERVICES & BENEFITS - ONE-YEAR WAIVER OF RESIDENCY	Cover Memo



CITY OF NEW BEDFORD

JONATHAN F. MITCHELL, MAYOR

July 10, 2019

City Council President Linda M. Morad
Honorable Members of the City Council
133 William Street
New Bedford, MA 02740

Dear Council President Morad and Honorable Members of the City Council:

I would like to request a continued one-year **WAIVER OF RESIDENCY** for Christopher G. Gomes, Director of the Department of **Veterans 'Services and Benefits**, who currently resides in Freetown, Massachusetts.

I have attached correspondence to support the reason for this request.

Mr. Gomes will be available at the meeting to answer any questions.

Sincerely,

Jon Mitchell
Mayor

JFM/sds
Enclosures

cc: Christopher Gomes

CITY CLERK

2019 JUL 11 P 2:52

CITY CLERKS OFFICE
NEW BEDFORD, MA

City of New Bedford
DEPARTMENT OF VETERANS' SERVICES & BENEFITS



Christopher G. Gomes
Director

MEMORANDUM

DATE: July 10, 2019
TO: Jonathan F. Mitchell, Mayor
FROM: Christopher G. Gomes
SUBJ: Residency Waiver and Reappointment

As you are aware the non-profit organization Homes for our Troops built a new home for me that is completely handicap accessible in Freetown, MA.

I am requesting a waiver of residency as my current waiver expires in July 2019.

Thank you,



Item Title:

MELISSA BATCHILDER - COMPLIANCE OFFICER/POLICE DEPT. - ONE-YEAR WAIVER OF RESIDENCY

Item Detail:

M3. COMMUNICATION, Mayor Mitchell, to City Council, submitting a ONE-YEAR WAIVER OF RESIDENCY for MELISSA BATCHILDER, Compliance Officer (Community Relations Specialist) for the New Bedford Police Department, who currently resides in Fairhaven, MA.

Additional Information:

ATTACHMENTS:

Description	Type
<input type="checkbox"/> MELISSA BATCHILDER - COMPLIANCE OFFICER/POLICE DEPT. - ONE-YEAR WAIVER OF RESIDENCY	Cover Memo



CITY OF NEW BEDFORD
JONATHAN F. MITCHELL, MAYOR

July 10, 2019

City Council President Linda M. Morad
Honorable Members of the City Council
133 William Street
New Bedford, MA 02740

Dear Council President Morad and Honorable Members of the City Council:

I would like to request a one-year **WAIVER OF RESIDENCY** for Melissa Batchilder, Compliance Officer (Community Relations Specialist), for the New Bedford Police Department who currently resides in Fairhaven, Massachusetts.

Given the exceptional circumstances detailed in the attached letter from Ms. Batchilder and Chief Cordeiro, I believe a waiver is appropriate and justified.

Ms. Batchilder and Chief Cordeiro will be available at the meeting to answer any questions.

Sincerely,



Jon Mitchell
Mayor

JFM/sds
Enclosures

cc: Police Department
Melissa Batchilder

CITY CLERKS OFFICE
NEW BEDFORD, MA
2019 JUL 11 P 2:52
CITY CLERK



New Bedford Police Department

Office of the Chief of Police

871 Rockdale Avenue, New Bedford, MA 02740
Phone: 508-991-6330 Fax: 508-961-3022

Jonathan F. Mitchell
Mayor

Joseph C. Cordeiro
Chief of Police

Paul J. Oliveira
Deputy Chief of Police

July 2, 2019

Jonathan F. Mitchell
Mayor
City of New Bedford
133 William Street
New Bedford, MA 02740

Dear Mayor Mitchell:

I am requesting a Residency Waiver for Melissa Batchilder, Compliance Officer (Community Relations Specialist), for the New Bedford Police Department. Mrs. Batchilder resides at : Fairhaven.

She submitted a letter explaining her challenges in relocating to New Bedford. I have attached it for your consideration. In summary, her husband is disabled, and their home accommodates his mobility needs. Additionally, they have guardianship of their six-year-old granddaughter who is a victim to the opioid addiction. Mrs. Batchilder is concerned with moving and impacting her stability and creating an additional hardship on her granddaughter.

Should you have any questions or require further information please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Joe Cordeiro", with a long horizontal flourish extending to the right.

Joseph C. Cordeiro
Chief of Police



New Bedford Police Department Office of the Chief of Police

871 Rockdale Avenue, New Bedford, MA 02740
Phone: 508-991-6300 Fax: 508-961-3022

Jonathan F. Mitchell
Mayor

Joseph C. Cordeiro
Chief of Police

Paul J. Oliveira
Deputy Chief of Police
July 2, 2019

Police Chief Joseph Cordeiro
New Bedford Police Department
817 Rockdale Ave.
New Bedford, MA 02740

Dear Chief Cordeiro,

I am beyond grateful for the possible opportunity to become a part of your remarkable and visionary efforts to modernize the New Bedford Police Department.

As it relates to the residency requirement, I appreciate your willingness to make the effort to obtain the waiver. Following are some details that may help.

In 2012, I married my husband, Rob Gray. At the time he was the General Manager of the Fairhaven Shipyard. Just a few days after our wedding, he fell 15 feet from the back of a boat in dry-dock onto concrete when a ladder collapsed. He became permanently disabled and I moved to Massachusetts. While Robbie is mobile, it is to a limited degree and deteriorating. When we purchased our house in late 2012, it was to accommodate his needs in terms of wide-open concept and we continue to upgrade it as necessary for his health. We're currently in the midst of planned renovation to the bathroom to accommodate his challenges.

The day Robbie returned home from his last surgery at the end of 2013, DCF approached us to become guardians to Avery, Robbie's granddaughter. Prior to this we had very limited contact, because of her parents' condition. Avery was just an infant at the time and both parents are opioid-addicted. We have faced all the challenges that go along with opioid addiction, court appearances, balancing what's best for Avery and her parents, the roller coaster her parents ride and most significantly how this all impacts the life of the sweetest little 6-year-old who just finished kindergarten at St. Joseph's School. She was baptized at our parish, St. Joseph's in Fairhaven. We live around the corner and she has been attending St. Joseph's school since pre-school. The street, the neighbors, the parishioners and the school are very much the only community she has ever known.

What we didn't realize about children who experience these circumstances is the attachment disorder they face. When separation from the mother occurs, despite the infancy, the child

becomes psychologically impacted and struggles greatly with attachment and trust. The child (Avery) really hungers for stability/routine. It's as if she is always on a hunt to reclaim the sense of security she lost as an infant. We've had her assessed and while the psychologist, Dr. Andrea McCauley of New Bedford, praises her resilience and coping skills, the attachment issues are evident and something she will face for years to come. Having a stable and consistent environment is key to ensuring she succeeds in the years ahead.

Moving anywhere would be a significant risk to Avery's mental health, which is why I hesitate to quickly say we would just pick up and move. It is so much more than just selling our house and moving across the bridge.

Thank You.

Sincerely,

Melissa Batchilder



Item Title:

CAMDEN LAWTON - LIFEGUARD - WAIVER OF RESIDENCY

Item Detail:

M4. COMMUNICATION, Mayor Mitchell, to City Council, submitting a WAIVER OF RESIDENCY for CAMDEN LAWTON, Lifeguard for the Department of Parks, Recreation and Beaches, who currently resides in Dartmouth, MA.

Additional Information:

ATTACHMENTS:

Description	Type
<input type="checkbox"/> CAMDEN LAWTON - LIFEGUARD - WAIVER OF RESIDENCY	Cover Memo



CITY OF NEW BEDFORD
JONATHAN F. MITCHELL, MAYOR

July 10, 2019

City Council President Linda M. Morad
Honorable Members of the City Council
133 William Street
New Bedford, MA 02740

CITY CLERKS OFFICE
NEW BEDFORD, MA
2019 JUL 11 P 2:52
CITY CLERK

Dear Council President Morad and Honorable Members of the City Council:

I would like to request a **WAIVER OF RESIDENCY** for Camden Lawton, lifeguard for the Department of Parks, Recreation & Beaches who currently resides in Dartmouth, Massachusetts.

I have attached correspondence to support the reason for this request.

Mr. Lawton and Director Mary Rapoza will be available at the meeting to answer any questions.

Sincerely,

Jon Mitchell
Mayor

JFM/sds
Enclosures

cc: Parks, Recreation & Beaches
Camden Lawton



CITY OF NEW BEDFORD

PARKS, RECREATION & BEACHES

JONATHAN F. MITCHELL



June 12, 2019

Mayor Jonathan F. Mitchell
City of New Bedford
133 William Street
New Bedford, MA 02740

Dear Mayor Mitchell:

I respectfully request a residency waiver for Camden Lawton of Dartmouth for the position of life guard.

Camden is well-qualified for the position at the New Bedford beaches. This position requires a life guard waterfront certificate and has a lot of responsibilities. We have not received a sufficient number of applications from other qualified applicants for the position.

I know that they will be an asset to the City of New Bedford given their qualifications and past employment with us.

I will be available at the meeting to answer any questions presented by the City Council.

Thank you for your assistance.

Very truly yours,

A handwritten signature in black ink, appearing to read "Mary S. Rapoza".

Mary S. Rapoza, Department Head

RECEIVED
2019 JUN 14 PM 2:29
PERSONNEL DEPARTMENT

cc: Personnel

ADMINISTRATIVE OFFICES
181 HILLMAN STREET, BLDG. #3
NEW BEDFORD, MA 02740
PHONE 508-961-3015

MAILING ADDRESS
181 HILLMAN STREET
Box #9, NEW BEDFORD, MA 02740
FAX 508-991-6175



Item Title:

DAVID ZANDER - EMS TRAINING POSITION - SALARY REQUEST M-9/STEP 7

Item Detail:

M5. COMMUNICATION, Mayor Mitchell, to City Council, submitting a salary request for DAVID ZANDER, who has been selected for the Training Position with EMS, at M-9, Step 7, which is \$71,656.00 per year.

Additional Information:

ATTACHMENTS:

Description	Type
□ DAVID ZANDER - EMS TRAINING POSITION - SALARY REQUEST M-9/STEP 7	Cover Memo



CITY OF NEW BEDFORD
JONATHAN F. MITCHELL, MAYOR

July 10, 2019

City Council President Linda M. Morad and
Honorable Members of the City Council
133 William Street
New Bedford, MA 02740

Dear Council President Morad and Honorable Members of the City Council:

Enclosed is a letter from Mark D. McGraw, Director of the Department of Emergency Medical Services, pertaining to David Zander.

At this time, I am asking for your consideration to approve David Zander's salary at M-9 Step 7 (\$71,656.00 per year).

Director McGraw will be available at the City Council meeting to answer any questions you may have.

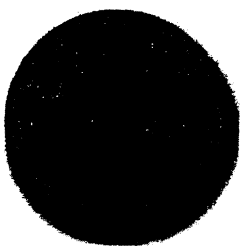
I support Director McGraw's recommendation and appreciate your consideration in this matter.

Sincerely,


Jonathan F. Mitchell
Mayor

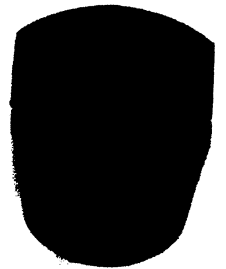
JFM/sds
Attachments
cc. Mark D. McGraw
David Zander

CITY CLERKS OFFICE
NEW BEDFORD, MA
2019 JUL 11 P 2:52
CITY CLERK



Jonathan F Mitchell
Mayor

City of New Bedford
Department of Emergency Medical Services
181 Hillman Street, Bldg. 4
New Bedford, Massachusetts 02740
508-9916390 Fax 508-991-6238



Mark D McGraw
Director

To: Mayor Jonathan Mitchell
133 William Street
New Bedford, Ma. 02740

June 25, 2019

Mayor Mitchell,

I am writing to you today to request that David Zander, who was selected for the training position, start at M-9 Step 7, \$71,656/yr rather than M-9 Step 1 \$58,957/yr. David has been with the City's EMS department for 8 years and most recently was a Paramedic at top step. Last year he made \$71,186.00 solely on his regularly scheduled shifts prior to any additional overtime. As you recall when Michael Thomas was moved from Unit B to a Unit C position we had to do the same procedure as over the past 3 years, through negotiations, the higher step Unit B paramedics salaries' have breached into the Unit C positions within EMS. David has been a stellar employee, has the respect of all that know him, and also has the full endorsement of Deputy Director Michael Thomas. As we spoke of during our budget meeting on the desire to have a Training officer that is an instructor/coordinator (I/C) so that we may now offer our own EMT-Basic class, David is the one. If you have any questions feel free to contact me at anytime.

Respectfully Submitted,

Mark D McGraw



Item Title:

ELIZABETH MCNAMARA - APPOINTMENT - VETERANS ADVISORY BOARD

Item Detail:

M6. COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of ELIZABETH C. MCNAMARA, New Bedford, MA to the VETERANS ADVISORY BOARD; Ms. McNamara will be replacing Nelson Ostiguy whose term has expired; this term will expire December 2020.

Additional Information:

ATTACHMENTS:

Description	Type
▣ ELIZABETH MCNAMARA - APPOINTMENT - VETERANS ADVISORY BOARD	Cover Memo



CITY OF NEW BEDFORD

JONATHAN F. MITCHELL, MAYOR

July 10, 2019

City Council President Linda M. Morad
Honorable Members of the City Council
133 William Street
New Bedford, MA 02740

Dear Council President Morad and Honorable Members of the City Council:

I am submitting for your approval the **APPOINTMENT** of Elizabeth C. McNamara of 130 School Street, New Bedford, Massachusetts to the **VETERANS ADVISORY BOARD**. Ms. McNamara will be replacing Nelson Ostiguy whose term has expired. This term will expire in December 2020.

Sincerely,

Jon Mitchell
Mayor

JFM/sds
Enclosures

cc: Elizabeth McNamara

CITY CLERK

2019 JUL 11 P 2:52

CITY CLERKS OFFICE
NEW BEDFORD, MA



CITY OF NEW BEDFORD BOARD & COMMISSION APPLICATION

The Mayor is seeking citizens who wish to serve on City Boards and Commissions established to assist and advise the City on specific matters. Please complete this application in full (attach a resume and other information which may assist the Mayor and the City Council in making its selection) and file it with the Personnel Office. The Mayor reserves the right to reject any application. Some appointments are subject to confirmation by the City Council.

Board/Commission applying for: (see reverse side) Veterans Advisory Board & Library Trustees

Name: Elizabeth McNamara Email: _____

Home Telephone: _____ Work Telephone: _____

Residence Address: _____ Zip: 02740

Present Occupation & Place of Employment: Attorney

Educational Background: BA, Providence College; JD, Roger Williams University School of Law

Memberships in Community Organizations or Professional Groups:

N/A

City Boards and/or Commissions on which you have previously served:

N/A

The reasons why you wish to be considered for appointment by the Mayor:

I wish to be involved in and benefit my community, and to specifically contribute the knowledge that my service as a military attorney gave me.

Please detail specific areas of expertise:

Administrative, Military, and Family Law

Please detail specific areas of interest:

I am an avid reader and am also particularly interested in sustaining libraries and their accessibility, especially as technological advances continue to provide new benefits and challenges to communities.

Available for meetings in the daytime ☐ evenings ☐ both ☒ (check one)

Resident of the City since what year: 2016

Appointees and incumbents may be required to file a Statement of Economic Interest, as required by the City Council Rules or the Mayor. The statement may require a declaration that you have no interest in conflict with the City of New Bedford. Please return your completed application to the Personnel Department, 133 William St., Room 212, New Bedford, MA 02740.

Applications will be kept on file for two years.

**I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING
INFORMATION IS TRUE AND CORRECT.**

Signature of Applicant: Elizabeth McNamara

Digitally signed by Elizabeth
McNamara
Date: 2019.07.10 11:30:05 -04'00'

Date: 10 July 2019



Item Title:

KAREN AHERN - APPOINTMENT - SPECIAL POLICE OFFICER

Item Detail:

M7. COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of KAREN AHERN, Stoughton, MA, as a SPECIAL POLICE OFFICER.

M7a. APPLICATION,

Additional Information:

ATTACHMENTS:

Description	Type
 KAREN AHERN - APPOINTMENT - SPECIAL POLICE OFFICER	Cover Memo



CITY OF NEW BEDFORD

JONATHAN F. MITCHELL, MAYOR

July 10, 2019

City Council President Linda M. Morad
Honorable Members of the City Council
133 William Street
New Bedford, MA 02740

Dear Council President Morad and Honorable Members of the City Council:

I am submitting for your approval the **APPOINTMENT** as **SPECIAL POLICE OFFICER:**

Karen Ahern
Stoughton, Massachusetts

This appointment is subject to confirmation by the City Council.

Sincerely,

Jon Mitchell
Mayor

JFM/sds
Enclosures

cc: Karen Ahern

CITY CLERK

2019 JUL 11 P 2:52

CITY CLERKS OFFICE
NEW BEDFORD, MA



TO BE MADE OUT IN INK BY THE APPLICANT

APPLICATION FOR APPOINTMENT ☒ OR REAPPOINTMENT ☐

AS SPECIAL POLICE OFFICER

New Bedford, MA _____

To the Mayor and City Council of the City of New Bedford:

I hereby make application under provisions of The New Bedford City Code Chapter 19, Sections 13-20 inclusive, for appointment as a Special Police Officer of the City of New Bedford, to serve without pay for the City for the term of one year, and I subscribe to the truth of the following facts:

Age 47 years Date of Birth 09-21-71 Resident of New Bedford N/A years

Citizen-native born or naturalized N/A

If naturalized, date and court of naturalization N/A

Education SNHU - 2018 BSN, MCJTC 1994 police officer 5th mpc Burlington
Aspen Univ. BSCT 2010

Present Occupation invest. mgr.

Name of Employer Southcoast Health

Employment for five years preceding date of application 2017-2019 Private Duty Nurse 2017-2018 Bay
Cove Human Services - nurse manager 2015-2017 Cape Cod Comm.
College - Police Chief 2012-2015 - SSPD - Deputy Chief Newton-Wellesley
Hospital

If a former employee of the City of New Bedford, were you retired for physical disability? N/A

Ever arrested or summonsed to court within the past five years? N/A

If so, please state when, where and reason: N/A

Reason for requesting appointment employment - Southcoast Health

Is this a renewal? no If so, give badge number N/A

Print Name Karen Anern

Signature Karen Anern

Residence 2 - 2 - 2

Phone Number 508-555-1234

Appointment requested by Southcoast Health

(NAME OF FIRM OR EMPLOYER)

By William T. Canliss Security Operations Manager

(TITLE)

Date referred to Chief of Police for report JUL 01 2019

Shawn H. Davis
City Clerk

REPORT OF CHIEF OF POLICE

City of New Bedford, Office of Chief of Police _____

To the City Clerk:

I hereby report on the fitness of the application as follows _____

I hereby report on the necessity of such appointment as follows _____

Investigated by Sgt. Timon Duchesneau

Chief of Police



Item Title:

REPORT - REZONING 157-161 COGGESHALL STREET & 171 COGGESHALL STREET

Item Detail:

4. REPORT, Committee on Ordinances, recommending to the City Council ADOPTION of the Ordinance Rezoning Plot 93, Lot 169 (157 – 161 Coggeshall Street) and Plot 93, Lot 227 (171 Coggeshall Street) from Mixed-Use Business to Industrial “B”.

4a. AN ORDINANCE,

Additional Information:

ATTACHMENTS:

Description	Type
□ REPORT, COMMITTEE ON ORDINANCES	Cover Memo



City of New Bedford
IN COMMITTEE

July 18, 2019

The Honorable City Council
133 William Street
New Bedford, MA 02740

Dear Honorable Members of the City Council:

The Committee on Ordinances at a Meeting held on Tuesday, June 25, 2019, continued a Public Hearing on a WRITTEN MOTION, Councillors Lopes, Abreu and Giesta, requesting on behalf of Antoine J. Khalife and Michael J. Khalife, that 157-161 Coggeshall Street, Plot 93/Lot 169 and 171 Coggeshall Street, Plot 93/Lot 227, be rezoned from Mixed Use Business to Industrial "B". (To be Referred to the Committee on Ordinances and the Planning Board) (Ref'd 4/11/19) (Duly advertised in The Standard-Times on Thursday, May 16, 2019 and Thursday, May 23, 2019) (5/30/19-continued until 6/25/19) and COMMUNICATION, Tabitha Harkin, City Planner to Councillor Hugh Dunn, Chairman, Committee on Ordinances, advising that the Planning Board held a public hearing on June 12, 2019 to discuss the above-referenced rezoning on Coggeshall Street and that the Planning Board voted to send a **FAVORABLE RECOMMENDATION**, recommending the City Council consider rezoning the above-mentioned parcels. (Ref'd 6/19/19)

On motion by Councillor Lopes and seconded by Councillor Giesta, the Committee VOTED: To recommend to the City Council ADOPTION of the Ordinance rezoning Plot 93, Lot 169 (157-161 Coggeshall Street) and Plot 93, Lot 227 (171 Coggeshall Street) from Mixed Use Business to Industrial "B". This motion passed on a Roll Call Vote of Yeas 10, Nays 1, with Councillor Coelho opposed.

IN COMMITTEE ON ORDINANCES

Councillor Hugh Dunn, Chairman

HD: dmb



CITY OF NEW BEDFORD

In the Year Two Thousand and Nineteen

AN ORDINANCE

REZONING PLOT 93, LOT 169 (157 -161 COGGESHALL STTEET) AND PLOT 93, LOT
227 (171 COGGESHALL STREET) from mixed-USE BUSINESS TO INDUSTRIAL "B"

31- 509

Be it ordained by the City Council of the City of New Bedford as follows:—

SECTION 1.

That the property shown on Assessors Maps, as hereto attached, described as PLOT 93, LOT 169 (157 - 161 COGGESHALL STREET) and PLOT 93, LOT 227 (171 COGGESHALL STREET) be rezoned from MIXED-USE BUSINESS TO INDUSTRIAL "B" in its entirety

Section 2.

This ordinance shall take effect in accordance with the provisions of Chapter 40A of the General Laws.



Item Title:

REPORT - REZONING EAST SIDE OF MITCHELL STREET (PLOT 93/LOT 275)

Item Detail:

5. REPORT, Committee on Ordinances, recommending to the City Council ADOPTION of the Ordinance Rezoning the East Side of Mitchell Street, Plot 93, Lot 275, from Mixed-Use Business to Industrial "B".

5a. AN ORDINANCE,

Additional Information:

ATTACHMENTS:

Description	Type
□ REPORT, COMMITTEE ON ORDINANCES	Cover Memo



City of New Bedford

IN COMMITTEE

July 18, 2019

The Honorable City Council
133 William Street
New Bedford, MA 02740

Dear Honorable Members of the City Council:

The Committee on Ordinances at a Meeting held on Tuesday, June 25, 2019, continued a public hearing on a WRITTEN MOTION, Councillors Lopes, Abreu and Giesta, requesting on behalf of Heidi Johnson "Trustee"/Mitchell Street Trust – 2013, that E.S. Mitchell Street, Plot 93/Lot 275 be rezoned from Mixed-Use Business to Industrial "B". (To be referred to the Ordinance Committee and the Planning Board.) (Ref'd 4/11/19) (Duly advertised in The Standard-Times on Thursday, May 16, 2019 and Thursday, May 23, 2019) (5/30/19-continued until 6/25/19) and a COMMUNICATION, Tabitha Harkin, City Planner to Councillor Hugh Dunn, Chairman, Committee on Ordinances, advising that the Planning Board held a public hearing on June 12, 2019, to discuss the above-referenced rezoning on Mitchell Street and that the Planning Board voted to send a **FAVORABLE RECOMMENDATION**, recommending the City Council consider rezoning the above-referenced parcel. (Ref'd 6/19/19)

On motion by Councillor Lopes and seconded by Councillor Giesta, the Committee VOTED: To recommend to the City Council ADOPTION of the Ordinance, rezoning the East Side of Mitchell Street, Plot 93, Lot 275 from Mixed-Use Business to Industrial "B". This motion passed on a Roll Call Vote of Yeas 10, Nays 1, with Councillor Coelho opposed.

IN COMMITTEE ON ORDINANCES,

A handwritten signature in cursive script that reads "Hugh Dunn".

Councillor Hugh Dunn, Chairman

HD: dmb



CITY OF NEW BEDFORD

In the Year Two Thousand and Nineteen

AN ORDINANCE

REZONING THE EAST SIDE OF MITCHELL STREET, PLOT 93, LOT 275, FROM
MIXED-USE BUSINESS TO INDUSTRIAL "B"

31- 509

Be it ordained by the City Council of the City of New Bedford as follows:—

SECTION 1.

That the property shown on Assessors Maps, as hereto attached,
described as the East Side of Mitchell Street, Plot 93, Lot 275, from
MIXED-USE BUSINESS TO INDUSTRIAL "B" in its entirety

Section 2.

This ordinance shall take effect in accordance with the
provisions of Chapter 40A of the General Laws.



Item Title:

REPORT - AN ORDINANCE - MEDICAL MARIJUANA TREATMENT CENTER - PLANNING BOARD'S UNFAVORABLE RECOMMENDATION

Item Detail:

6. REPORT, Committee on Ordinances, recommending to the City Council to ADOPT the Planning Board's **UNFAVORABLE RECOMMENDATION** of AN ORDINANCE amending Chapter 9, Section 4131B Paragraph (a) of Subsection (ii) – Location Requirements and Restrictions – by inserting after the words “Medical Marijuana Treatment Center” – “unless the Marijuana Establishment or Medical Marijuana Treatment Center is separated from said property in question by a roadway layout of 50 feet or more that contains at least 4 designated lanes of traffic.”

6a. AN ORDINANCE, (Referred to the Committee on Ordinances and the Planning Board – April 11, 2019.)

Additional Information:

ATTACHMENTS:

Description	Type
REPORT, COMMITTEE ON ORDINANCES	Cover Memo



City of New Bedford

IN COMMITTEE

July 18, 2019

The Honorable City Council
133 William Street
New Bedford, MA 02740

Dear Honorable Members of the City Council:

The Committee on Ordinances at a Meeting held on Tuesday, June 25, 2019, continued a public hearing on AN ORDINANCE, amending Chapter 9, Section 4131B Paragraph (a) of Subsection (ii) – Location Requirements and Restrictions – by inserting after the words “Medical Marijuana Treatment Center” – “unless the Marijuana Establishment or Medical Marijuana Treatment Center is separated from said property in question by a roadway layout of 50 feet or more that contains at least 4 designated lanes of traffic.” (To be Referred to the Committee on Ordinances and the Planning Board.) (Ref'd 4/11/19) (Duly advertised in The Standard-Times on Thursday, May 16, 2019 and Thursday, May 23, 2019) (5/30/19 -continued until 6/25/19) and a Communication from Tabitha Harkin, City Planner to Councillor Hugh Dunn, Chairman of the Ordinance Committee, advising that the Planning Board held a public hearing on June 12, 2019 to discuss the proposed request to amend the above-referenced Ordinance and that the Planning Board voted to send an **UNFAVORABLE RECOMMENDATION** to the Ordinance Committee.

On motion by Councillor Lopes and seconded by Councillor Lima, the Committee VOTED: To recommend to the City Council to ADOPT the Planning Board's **UNFAVORABLE RECOMMENDATION** of AN ORDINANCE, amending Chapter 9, Section 4131B Paragraph (a) of Subsection (ii) – Location Requirements and Restrictions – by inserting after the words “Medical Marijuana Treatment Center” – “unless the Marijuana Establishment or Medical Marijuana Treatment Center is separated from said property in question by a roadway layout of 50 feet or more that contains at least 4 designated lanes of traffic.” This motion passed on a voice vote.

IN COMMITTEE ON ORDINANCES

Councillor Hugh Dunn, Chairman

HD: dmb



CITY OF NEW BEDFORD

In the Year Two Thousand and Nineteen

AN ORDINANCE

RELATIVE TO MARIJUANA ESTABLISHMENT ZONING

31- 509

Be it ordained by the City Council of the City of New Bedford as follows:—

SECTION 1. Paragraph (a) of Subsection (ii) of Section 4131B of Chapter 9 of the Code of Ordinances is hereby amended by inserting, after the words "Medical Marijuana Treatment Center", the following words:

unless the Marijuana Establishment or Medical Marijuana Treatment Center is separated from said property in question by a roadway layout of 50 feet or more that contains at least 4 designated lanes of traffic.

SECTION 2. This Ordinance shall take effect in accordance with the provisions of Chapter 40A of the General Laws.



Item Title:

REPORT - AN ORDINANCE - LOCATION REQUIREMENTS AND RESTRUCTIONS -
MARIJUANA ESTABLISHMENTS/MEDICAL MARIJUANA TREATMENT CENTERS -
PLANNING BOARD'S UNFAVORABLE RECOMMENDATION

Item Detail:

7. REPORT, Committee on Ordinances, recommending to the City Council to ADOPT the Planning Board's **UNFAVORABLE RECOMMENDATION** of AN ORDINANCE amending Chapter 9, Section 4131B Paragraph (a) of Subsection (ii) – Location Requirements and Restrictions – by striking the last paragraph of subsection and inserting – “The distance under this provision shall be measured in a straight line from the nearest point of the property line in question to the primary entrance doorway into the structure where the Marijuana Establishment or Medical Marijuana Treatment Center will be located.”

7a. AN ORDINANCE, (Referred to the Committee on Ordinances and the Planning Board – April 11, 2019.)

Additional Information:

ATTACHMENTS:

Description	Type
REPORT, COMMITTEE ON ORDINANCES	Cover Memo



City of New Bedford
IN COMMITTEE

July 18, 2019

The Honorable City Council
133 William Street
New Bedford, MA 02740

Dear Honorable Members of the City Council:

The Committee on Ordinances at a meeting held on Tuesday, June 25, 2019, continued a public hearing on AN ORDINANCE, amending Chapter 9, Subsection (ii) of Section 4131B – Location Requirements and Restrictions – by striking the last paragraph of subsection and inserting – “The distance under this provision shall be measured in a straight line from the nearest point of the property line in question to the primary entrance doorway into the structure where the Marijuana Establishment or Medical Marijuana Treatment Center will be located. (To be referred to the Committee on Ordinances and Planning Board.) (Ref’d 4/11/10) (Duly advertised in The Standard-Times on Thursday, May 16, 2019 and Thursday, May 23, 2019.) (5/30/19-continued until 6/25/19) and a Communication, Tabitha Harkin, City Planner to Councillor Hugh Dunn, Chairman, Committee on Ordinances, advising that the Planning Board held a public hearing on June 12, 2019 to discuss the proposed request to amend the above-referenced Ordinance and that the Planning Board voted to send an **UNFAVORABLE RECOMMENDATION** to the Ordinance Committee.

On motion by Councillor Lopes and seconded by Councillor Lima, the Committee VOTED: To recommend to the City Council to adopt the Planning Board’s **UNFAVORABLE RECOMMENDATION** of AN ORDINANCE, amending Chapter 9, Subsection (ii) of Section 4131B – Location Requirements and Restrictions – by striking the last paragraph of subsection and inserting – “The distance under this provision shall be measured in a straight line from the nearest point of the property line in question to the primary entrance doorway into the structure where the Marijuana Establishment or Medical Marijuana Treatment Center will be located. This motion passed on a voice vote.

IN COMMITTEE ON ORDINANCES

Councillor Hugh Dunn, Chairman

HD: dmb



CITY OF NEW BEDFORD

In the Year Two Thousand and Nineteen

AN ORDINANCE

RELATIVE TO MARIJUANA ESTABLISHMENT ZONING

31- 509

Be it ordained by the City Council of the City of New Bedford as follows:—

SECTION 1. Subsection (ii) of Section 4131B of Chapter 9 of the Code of Ordinances is hereby amended by striking the last paragraph of said Subsection and inserting, in place thereof, the following paragraph:-

The distance under this provision shall be measured in a straight line from the nearest point of the property line in question to the primary entrance doorway into the structure where the Marijuana Establishment or Medical Marijuana Treatment Center will be located.

SECTION 2. This Ordinance shall take effect in accordance with the provisions of Chapter 40A of the General Laws.



Item Title:

REPORT - PULASKI SCHOOL - CONSTRUCTION OF A REAR ENTRANCE

Item Detail:

8. REPORT, Committee on Public Safety and Neighborhoods, recommending to the City Council that the Administration allocates \$250,000 for the construction of a rear entrance to the Pulaski School to alleviate the traffic flow issues in the area.

Additional Information:

ATTACHMENTS:

Description	Type
 REPORT, COMMITTEE ON PUBLIC SAFETY & NEIGHBORHOODS	Cover Memo



City of New Bedford

IN COMMITTEE

July 18, 2019

The Honorable City Council
133 William Street
New Bedford, MA 02740

Dear Honorable Members of the City Council:

The Committee on Public Safety & Neighborhoods at a meeting held on Wednesday, June 26, 2019, considered a WRITTEN MOTION, Councillors Gomes, Oliveira and Abreu, requesting that the Committee on Public Safety and Neighborhoods meet with Pulaski School Parents and School Staff in conjunction with the Far North End Neighborhood Association, to discuss the ongoing traffic and public safety issues at Pulaski School and that the Administration look into funding for two (2) traffic guards during drop off and pickup times at said school, further requesting, that this Committee Meeting be held at the Pulaski School to get Parents and School staff input. (Ref'd 3/23/17)

On motion by Councillor Markey and seconded by Councillor Abreu, the Committee VOTED: To recommend to the City Council that the Administration allocates \$250,000 for the construction of a rear entrance to the Pulaski School to alleviate the traffic flow issues in the area. This motion passed on a Roll Call Vote of Yeas 9, Nays 1, with Councillor Morad opposed.

IN COMMITTEE ON PUBLIC SAFETY &
NEIGHBORHOODS

Councillor Brian K. Gomes, Chairperson

BKG: dmb



Item Title:

REPORT - MELISSA CHESTER-LETENDRE - APPOINTMENT - COMMUNITY
PRESERVATION COMMITTEE

Item Detail:

9. REPORT, Committee on Appointments and Briefings, recommending to the City Council APPROVAL of the APPOINTMENT OF MELISSA CHESTER-LETENDRE, New Bedford, MA to the COMMUNITY PRESERVATION COMMITTEE, Ms. Chester-Letendre will be replacing Jessica Bailey whose term has expired; this term will expire April 2022.

9a. COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of MELISSA CHESTER-LETENDRE, New Bedford, MA to the COMMUNITY PRESERVATION COMMITTEE; Ms. Chester-Letendre will be replacing Jessica Bailey whose term has expired; this term will expire April 2022. (Referred to the Committee on Appointments and Briefings – June 13, 2019.)

Additional Information:

ATTACHMENTS:

Description	Type
 REPORT, COMMITTEE ON APPOINTMENTS AND BRIEFINGS	Cover Memo



City of New Bedford

IN COMMITTEE

July 18, 2019

The Honorable City Council
133 William Street
New Bedford, MA 02740

Dear Honorable Members of the City Council:

The Committee on Appointments & Briefings at a Meeting held on Monday, July 8, 2019, considered a COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of MELISSA CHESTER-LETENDRE, New Bedford, MA to the COMMUNITY PRESERVATION COMMITTEE; Ms. Chester-Letendre will be replacing Jessica Bailey whose term has expired; this term will expire April 2022. (Ref'd 6/13/19)

On motion by Councillor Lopes and seconded by Councillor Giesta, the Committee VOTED: To recommend to the City Council APPROVAL of the APPOINTMENT of MELISSA CHESTER-LETENDRE, New Bedford, MA to the COMMUNITY PRESERVATION COMMITTEE; Ms. Chester-Letendre will be replacing Jessica Bailey whose term has expired; this term will expire April 2022. This motion passed on a voice vote.

IN COMMITTEE ON APPOINTMENTS &
BRIEFINGS

Councillor Debora Coelho, Chairperson

DC: dmb



CITY OF NEW BEDFORD
JONATHAN F. MITCHELL, MAYOR

CITY CLERKS OFFICE
NEW BEDFORD, MA

2019 JUN -6 P 2:44

CITY CLERK

June 5, 2019

City Council President Linda M. Morad
Honorable Members of the City Council
City of New Bedford
133 William Street
New Bedford, MA 02740

Dear Council President Morad and Honorable Members of the City Council:

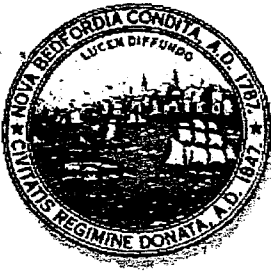
I am submitting for your approval the **APPOINTMENT** of Melissa Chester-Letendre of 24 Chancery Street, New Bedford, Massachusetts to the **COMMUNITY PRESERVATION COMMITTEE**. Ms. Chester-Letendre will be replacing Jessica Bailey whose term has expired. This term will expire in April 2022.

Sincerely,

Jonathan F. Mitchell
Mayor

JFM/sds

cc: Melissa Chester-Letendre



CITY OF NEW BEDFORD BOARD & COMMISSION APPLICATION

The Mayor is seeking citizens who wish to serve on City Boards and Commissions established to assist and advise the City on specific matters. Please complete this application in full (attach a resume and other information which may assist the Mayor and the City Council in making its selection) and file it with the Personnel Office. The Mayor reserves the right to reject any application. Some appointments are subject to confirmation by the City Council.

Board/Commission applying for: (see reverse side) ~~Historic Commission~~ Community Preservation Committee
Name: Melissa Chester-Letendre Email: _____

Home Telephone: _____ Work Telephone: _____

Residence Address: 24 Chancery St. New Bedford MA Zip: 02740

Present Occupation & Place of Employment: C & L Properties Property Manager/Owner

Educational Background: BFA Sculpture UMass Dartmouth

Memberships in Community Organizations or Professional Groups:
Greater New Bedford Landlord Association

City Boards and/or Commissions on which you have previously served:

The reasons why you wish to be considered for appointment by the Mayor:
I believe our beautiful architecture is one of our city's greatest assets. I have a genuine interest and appreciation for preserving as much of it as possible.

Please detail specific areas of expertise:
My partner and I own 10 buildings that are over 100 years old. We have completed many restoration projects on them. I'm familiar with building codes, lead laws, ADA..

Please detail specific areas of interest:
Practical Restoration and finding the right types of use and occupancy to make these building generate the income needed to maintain them.

Available for meetings in the daytime ☐ evenings ☐ both ☒ (check one)

Resident of the City since what year: 2017

Appointees and incumbents may be required to file a Statement of Economic Interest, as required by the City Council Rules or the Mayor. The statement may require a declaration that you have no interest in conflict with the City of New Bedford. Please return your completed application to the Personnel Department, 133 William St., Room 212, New Bedford, MA 02740.

Applications will be kept on file for two years.

**I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING
INFORMATION IS TRUE AND CORRECT.**

Signature of Applicant: 

Date: 6-5-19

Melissa Chester-Letendre

24 Chancery St. New Bedford, MA 02740 | 508-341-3721 | mittoo75@yahoo.com

May, 18, 2018

New Bedford Historic Commission

133 William St. Rm 303

New Bedford, MA 02740

Dear New Bedford Historic Commission:

I am writing you in regard to an open spot on your board. When I was nine years old my mother gave me a book of three dimensional, craft paper, Victorian houses. This sparked an admiration that I have had for at least 35 years. Words like Second Empire, Gothic Revival, and Italianate became part of my vocabulary at such a young age. A decade later in 1995 I moved to New Bedford to be close to UMass Dartmouth's downtown CVPA Campus where I was majoring in Sculpture. I completely fell in love with this unique city and it's splendid architecture. My first apartment was in the attic of an amazing Queen Anne Style apartment building on Sixth St. I must confess I found the architecture more inspiring than the works of the contemporary artists we were studying. I dreamed of owning and restoring a few of the gorgeous but tired looking Victorian Mansions that were just west of downtown. I never wanted to leave New Bedford but I ended up finding better job opportunities elsewhere and moved away in 1998.

In 2003 we bought our 1st rental property in New Bedford. It was just a small 2 family but shortly after we bought another, and then a few more. In 2013 we took on one of the properties I had dreamed of owning in my college years, 345 Union St. The exterior and the basement were in disrepair when we bought it and the offices were nearly all vacant making it almost impossible to cover expenses but the price was too good to be true so we took the leap. It's come a long way but properties like this will always be a work in progress. We continued to purchase more buildings and in 2015 we decided it was time for me to leave my job and work on the properties full time. We bought another unique Victorian home, 52 Morgan St. and several other rental properties including another office building on 8th St.. We also bought a beautiful grand colonial for ourselves here now that I no longer commute to Boston for work. When we close on the latest, next month, we will be at 11 buildings and 50 rented spaces.

We think investing in New Bedford is an obvious, great choice. New Bedford has so much to offer yet it's real estate prices do not reflect the great value that we see. I am so thrilled to see how drastically things have been improving in downtown and other areas of the city in these past few years and I'm so happy about the choices that have been made so that even when new types of building materials are being used to make improvement they still have a historic aesthetic. I do think that despite the huge leaps and bounds that have been made there is still room for improvement and I would absolutely love to be part of the team that plans and assists developers and home owners that wish to help our city grow while maintaining it's historic integrity.

Sincerely,
Melissa Chester-Letendre

Melissa J. Chester-Letendre

**24 Chancery St.
New Bedford, MA
02740**

Email: Mittoo75@yahoo.com

Cell phone: (508) 341-3721

Education

- 1993-1997 University of Massachusetts Dartmouth. Bachelor of Fine Arts.
Concentration in Sculpture.
- 2017 Greater New Bedford Vocational Technical Adult Education
MA Building Codes

Work Experience

- 2003-Present Property Manager/Owner of C&L Properties, LLC
Responsible for maintenance and repairs of 10 rental properties
containing 50 rented spaces in New Bedford. Project managed many
building upgrades coordinating contractors, building inspectors, and
labor to insure all work is sound, properly permitted and up to code.
Responsible for finding, screening, and managing commercial and
residential tenants. Responsible for collecting rent, handling leases,
and responding to complaints or emergencies.
- 2003-2016 Lead Fabricator at Design Communications Ltd. Boston.
Collaborated with Project Managers, Design Engineers, Graphic
Designers, Painters and Silk Screeners, on the planning and
production of Architectural Signage Projects. Set up Installers for the
best possible experience in the field while delivering a product that
meets or surpasses the client's expectations and keeping well within
the projects budget. Trained inexperienced workers to be fabricators.
- 2001-2003 Large Scale Art Fabricator at Merrifield and Roberts Inc.
1998-2000 Worked on collaborations for artists such as Frank Stella and Phillip
Johnson. Duties included reading blueprints, layout, fitting,
welding, fiberglass, and painting.
- 2001 Multiple Task Foundry Worker at Grail Studio Foundry Inc.
Worked in all areas of a small art foundry.
- 2000-2001 Metal Finisher at Polich Art Works (Polich/Talix)
Converted rough castings into patina ready sculptures.
- 1997-1998 Visiting Artist / Shop Technician at the UMASS Dartmouth
Supervised, assisted, and offered aesthetic insight to
sculpture students
- 1997-1998 Commissioned Artisan for Tweet Balzano's Restaurant.
Built and carved a five foot tall solid pine
statue.

Technical Skills

Familiar with current International and Massachusetts Residential and Commercial Building Codes (IBC IRC + Mass Amendments)

Familiar with current lead paint laws. (Spouse holds Moderate Risk License)

Strong skills with general carpentry, plumbing and electric.

Familiar with Landlord Tenant Laws

Skilled at staging a space and creating advertisements, finding and screening applicants.

Proficient in reading Blueprint and AutoCAD drawings.

Proficient in all welding areas with all types of metal.

Skilled in metal working

Skilled in working with fiber reinforced plastics

Skilled in woodworking and carving.

Experienced in plug and mold building and casting plaster, resins, and metals

Experienced in prep, fairing, feathering and painting.



Item Title:

REPORT - MICHAEL J. MOTTA - ADMINISTRATIVE ASSISTANT - BOARD OF ASSESSORS

Item Detail:

10. REPORT, Committee on Appointments and Briefings, recommending to the City Council APPROVAL of the APPOINTMENT of MICHAEL J. MOTTA, as ADMINISTRATIVE ASSISTANT to the BOARD OF ASSESSORS, for a five (5) year term to expire June 27, 2024, and a ONE YEAR WAIVER OF RESIDENCY and approval for Mr. Motta's salary at Step 4, Grade M-15 (\$91,436.00).

10a. COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of MICHAEL J. MOTTA, as ADMINISTRATIVE ASSISTANT to the BOARD OF ASSESSORS, for a five (5) year term to expire June 27, 2024, a ONE YEAR WAIVER OF RESIDENCY and approval for Mr. Motta's salary at Step 4, Grade M-15. (\$91,436.00) is also requested.

Additional Information:

ATTACHMENTS:

Description	Type
□ REPORT, COMMITTEE ON APPOINTMENTS AND BRIEFINGS	Cover Memo



City of New Bedford

IN COMMITTEE

July 18, 2019

The Honorable City Council
133 William Street
New Bedford, MA 02740

Dear Honorable Members of the City Council:

The Committee on Appointments & Briefings at a meeting held on Monday, July 8, 2019, considered a COMMUNICATION, Mayor Mitchell submitting the APPOINTMENT of MICHAEL J. MOTTA, as ADMINISTRATIVE ASSISTANT to the BOARD OF ASSESSORS, for a five (5) year term to expire June 27, 2024, a ONE YEAR WAIVER OF RESIDENCY and approval for Mr. Motta's salary at Step 4 Grade M-15. (\$91,436.00) is also requested. (Ref'd 6/27/19)

On motion by Councillor Lopes and seconded by Councillor Markey, the Committee VOTED: To recommend to the City Council APPROVAL of the APPOINTMENT of MICHAEL J. MOTTA, as ADMINISTRATIVE ASSISTANT to the BOARD OF ASSESSORS, for a five (5) year term to expire June 27, 2024, and a ONE YEAR WAIVER OF RESIDENCY and approval for Mr. Motta's salary at Step 4 Grade M-15 (\$91,436.00). This motion passed on a voice vote, with Councillor Rebeiro opposed.

IN COMMITTEE ON APPOINTMENTS &
BRIEFINGS

A handwritten signature in cursive script, reading "Debora Coelho".

Councillor Debora Coelho, Chairperson

DC: dmb



CITY OF NEW BEDFORD

JONATHAN F. MITCHELL, MAYOR

OFFICE OF THE CFO

ARI J. SKY
CHIEF FINANCIAL OFFICER

June 20, 2019

TO: Mayor Mitchell

FROM: Ari J. Sky

SUBJECT: Michael Motta Appointment

The purpose of this memorandum is to recommend the appointment of Michael Motta as Administrative Assistant to the Board of Assessors.

Upon notification from Carlos Amado regarding his upcoming retirement, the City advertised for a potential replacement on local and regional publications and job boards. We received five applications in response. While two were New Bedford residents, neither met the minimum qualifications for the position. Applications were vetted by an interview panel that included Kimberly Saunders, Sandra Vezina and me.

Our interviews identified one candidate whose qualifications and experience were significantly greater than the other candidates. Michael Motta is currently serving as the Principal Assessor for the Town of West Springfield and is also an elected assessor for the Town of Freetown. He is fully certified as a Massachusetts Accredited Assessor and holds a bachelor's degree in Electrical Engineering from UMASS Dartmouth. Mr. Motta's application was the unanimous recommendation of the interview committee.

Mr. Motta is currently a resident of Assonet but will relocate to New Bedford as required by statute. His skillset provides a valuable opportunity to recruit a seasoned assessor to assume a crucial role on the City's finance team. I would therefore request that Mr. Motta be granted a one-year residency waiver to allow him to relocate his residence and appointment at Step 4 for the Unit C salary schedule for this position, which would put his starting salary at \$91,436.

Thank you for your consideration in this matter and please let me know if you have any questions or would like to further discuss.

Attachment

Cc: S. Vezina

Michael J. Motta ■

Sandra Vezina, Director of Personnel
City of New Bedford
133 William Street, Room 212
New Bedford, MA 02740
May 6, 2019

Dear Ms. Vezina,

Thank you for the opportunity to submit my Resume and this letter in response to your posting for the position of Administrative Assistant to Assessors (Director of Assessing) for the City of New Bedford.

I have significant experience in the real estate field, serving as Assessor in the Town of West Springfield for the past year, as Assessor in the Town of Freetown for the past eight years, as a Field Agent for the past five years, and as a licensed Real Estate Broker for over twenty years.

My qualifications include experience in the installation and maintenance of various CAMA systems including Vision, for a number of cities and towns in Massachusetts.

I have completed the Department of Revenue Assessor Course 101, and Course 200, and I have been awarded designation as Massachusetts Accredited Assessor. I currently hold certification in MA Conflict of Interest Training, valid through March 2021.

I am well-versed in the administrative, professional, technical and supervisory work related to the valuation of residential, industrial and commercial real estate and personal property. In my current position in West Springfield, I instituted a complete revaluation of personal property, which resulted in a \$15 million dollar increase in personal property assessment.

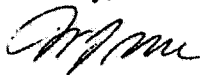
I am an effective communicator with a direct, clear and confident approach, and am poised and professional with citizens, colleagues, management, and support staff.

I excel at both written and verbal communications, and express myself clearly in proposals, reports, training, and outreach, utilizing video, audio, Internet, public speaking, seminars, and presentations as primary tools.

I consistently exhibit a dedicated, professional attitude, am energetic and thrive on challenges.

I look forward to a meeting where I can discuss in more detail how my background and experience make me a perfect candidate for success in the position of Administrative Assistant to Assessors (Director of Assessing) for the City of New Bedford.

Sincerely,



Michael J. Motta

MICHAEL MOTTA

Administrative Assistant to Assessors (Director of Assessing)

Eager to Support the Initiatives of the Assessing Department for the City of New Bedford

PROFESSIONAL PROFILE

- ♦ Experienced in the valuation, inspection, and documentation of real property, with both in-house and field experience.
- ♦ Proven track record of applying appropriate, practical mix of technologies that meet business needs while maintaining accurate and efficient data processes.
- ♦ Motivated achiever with demonstrable ability to analyze, understand, and convey the details of Mass DOR and other laws relating to the fair and accurate assessment of property.
- ♦ Outstanding project manager who coordinates communications, information, and highly skilled professionals to meet department needs and evaluate progress while assuring smooth, efficient projects and activities.
- ♦ Strong interpersonal, written, and verbal communicator who can deliver effective presentations, consult on projects, and develop and maintain collaborative relationships.
- ♦ Ability to assimilate and communicate complex procedural, legal, and technical information in an easily understood manner.
- ♦ Exceptional problem-solver with keen ability to resolve issues, provide for enhancements, analyze/define business processes for improvement, define, design, develop, and implement highly successful solutions.

AREAS OF EXPERTISE

- | | | |
|--|---|---|
| ♦ Cross-Function Teaming | ♦ Energetic achiever | ♦ Creative thinker who initiates, structures, and negotiates profitable relationships |
| ♦ Organization and Operations | ♦ Continuously succeeds in establishing and exceeding department goals | ♦ Disseminates information accurately |
| ♦ Strategic Alliances and Partnering | ♦ Manages multiple high-level priorities | ♦ Acts as Subject Matter Expert for development and implementation of new and improved operations |
| ♦ Fanatical Customer Service | ♦ Data-driven with expertise in detailed business protocols | ♦ Serves as Conduit of Information for internal and external communications |
| ♦ Public speaking, panel speaker, experienced media representative | ♦ Proficient problem-solver | |
| ♦ Both team-oriented and independent work environments | ♦ Consensus-builder who forges critical internal and external alliances | |
| ♦ Budgeting & Forecasting | | |
| ♦ Multicultural Communications | | |

PROFESSIONAL EXPERIENCE

Municipal Tax Assessor, Town of Freetown, MA, Assonet, MA, 2010 to Present

- ♦ Ensure that state law is strictly adhered to regarding procedures, processes, and administration of the Freetown Department of Assessors.
- ♦ Continually review revised MA Department of Revenue regulations and policies, and review evolving case law related to taxation issues.
- ♦ Responsible for data processing RFP, evaluation and approval of bids, and ongoing administration of state-certified CAMA system.
- ♦ Monitor data systems relating to property database, to ensure data integrity and compliance with State law.
- ♦ Review and update specifications for GIS system, and ensure outside contractors are in compliance with contract specifications.
- ♦ Review and revise internal procedures as necessary, to conform with evolving Department of Revenue policies.
- ♦ Represent the Town of Freetown in appeal cases heard by the Massachusetts Appellate Tax Board
- ♦ Maintain certification as Municipal Assessor, through continuing education and training.

Municipal Tax Assessor, Town of West Springfield, MA, West Springfield, MA, 2017 to Present

- ♦ Manage office staff, represented by two different unions.
- ♦ Institute Personal Property revaluation, resulting in over \$15 million-dollar growth in assessment.
- ♦ Utilize Vision CAMA system and GIS system for maintenance of property records.
- ♦ Continually review revised MA Department of Revenue regulations and policies, and review evolving case law related to taxation issues.
- ♦ Responsible for data processing RFP, evaluation and approval of bids, as well as ongoing administration of state-certified Vision CAMA system.
- ♦ Monitor data systems relating to property database, to ensure data integrity and compliance with State law.
- ♦ Review and update specifications for GIS system, and ensure outside contractors are in compliance with contract specifications.
- ♦ Review and revise internal procedures as necessary, to conform with evolving Department of Revenue policies.
- ♦ Represent the Town in appeal cases heard by the Massachusetts Appellate Tax Board
- ♦ Maintain certification as Municipal Assessor, through continuing education and training.

Field Agent, Sandcastle Field Services, 2012 to 2017

- ♦ Inspect, measure, photograph, and document condition of residential and commercial properties.
- ♦ Collect detailed data on each property, and accurately enter it into property valuation system.
- ♦ Maintain compliance with applicable federal and state regulations, and maintain detailed reports sufficient to withstand audit and review.
- ♦ Interact with property owners to establish rapport and cooperation in obtaining access to property, and collection of required data.
- ♦ Professionally and compassionately discuss status of delinquent mortgage accounts, and re-establish lines of communication between borrower and mortgage holder.
- ♦ Conduct face-to-face meeting with owners of delinquent and distressed properties, explore effective and reasonable mutually beneficial solutions, offer incentives to owners and residents for a timely agreement, negotiate contract to resolve issues, monitor compliance with agreement.

Technical Assistant Specialist, Fall River Office of Economic Development, Fall River, MA, 2016 to 2017

- ♦ Provide strategic planning, business development, marketing, communications, and general-management services to federally-funded SBA MicroLoan grant program.
- ♦ Maintain budget, coordinate organizational and grant-mandated goals to insure performance and compliance.
- ♦ Understand federal laws relating to MicroLoan program, continually review additions and changes to the law, and ensure Program and client compliance.
- ♦ Document and record activities, to ensure complete and successful yearly federal audit.
- ♦ Function as clients' primary technical Subject Matter Expert.
- ♦ One-year, grant-funded position.

Business Liaison, City of Fall River, Fall River, MA, 2014 to 2015

- ♦ Utilize cross-functional team approach and cross-cultural communications programs to improve the relationship between local businesses and the City of Fall River.
- ♦ Apply diplomacy and firm change-management skills while taking stock of political overtones.
- ♦ Meet with business leaders, federal, state, and local delegation, and present challenges and solutions for improving the business climate of the City.
- ♦ Utilize traditional, Internet, and social marketing to increase public awareness of local businesses.
- ♦ Serve as liaison between business owners and City departments, to break through barriers to business expansion.
- ♦ One-year contract position.

EDUCATION and TRAINING

- ♦ *Bachelor of Science Program Electrical Engineering Technology* – University of MA, Dartmouth, MA
- ♦ *Department of Revenue Municipal Assessor Course 101 & 200* – Commonwealth of Massachusetts
- ♦ *Massachusetts Accredited Assessor Certification* – Massachusetts Association of Assessing Officers
- ♦ *Practice Workflow and Information Management Redesign Specialist* – Bristol Community College
- ♦ *Construction Supervisor License Program* – Commonwealth of Massachusetts
- ♦ *Real Estate Broker License (1986 to 2013)* – Commonwealth of Massachusetts
- ♦ *Massachusetts Class D (Passenger) Driver's License*



CITY OF NEW BEDFORD
JONATHAN F. MITCHELL, MAYOR

June 20, 2019

City Council President Linda M. Morad and
Honorable Members of the City Council
133 William Street
New Bedford, MA 02740

CITY CLERKS OFFICE
NEW BEDFORD, MA
2019 JUN 20 P 2:35
CITY CLERK

Dear Council President Morad and Honorable Members of the City Council:

Pursuant to Section 10-93 of the New Bedford Code of Ordinances, I hereby submit for your approval the appointment of Michael J. Motta as Administrative Assistant to the Board of Assessors for a five year term to expire June 27, 2024, a one year waiver of the residency requirement and approval for Step 4 of Grade M-15.

Mr. Motta is exceptionally well-suited to the position and distinguished himself during the recruitment process as a very experienced, fully-certified candidate who would provide a seamless transition in leadership in the Assessors Office during a critical revaluation year. He has also pledged a firm commitment to relocating to New Bedford within the next twelve months, as required by State Law. On this basis, I concur with the unanimous recommendation of the Board of Assessors regarding his Step and Grade, waiver, and term of his appointment.

For further detail, please see the enclosed memo from CFO Ari Sky. Mr. Motta's cover letter and resume are attached for your review.

Sincerely,

Jon Mitchell
Mayor



Item Title:

REPORT - DEMOLITION REVIEW - 2405 ACUSHNET AVENUE (PLOT 127E/LOT 179)

Item Detail:

11. REPORT, Committee on Appointments and Briefings, informing the City Council that the Committee on Appointments and Briefings held a Public Hearing on Monday, July 08, 2019, for a Building Demolition Review of 2405 Acushnet Avenue, Map 127E, Lot 179.

11a. COMMUNICATION/DEMOLITION, New Bedford Historical Commission, to City Council, re: BUILDING DEMOLITION REVIEW of 2405 ACUSHNET AVENUE, (MAP 127E/LOT 179), a Circa 1860 wood-framed residence, advising that “the structure has historic significance due to its relationship with the Spooner and Hawes families, the region’s agricultural past, and the development of the northern section of the City near the Head of the River as a historic farming settlement, due to recent demolitions, there exist fewer of these property types in this area of the City; the applicant, through his agent, has stated that rehabilitation of the existing structure would have challenges and be more costly than demolition and the subsequent new construction; the applicant has not stated or demonstrated that the structure is in poor condition or structurally unsound and has stated that the demolition is primarily for financial purposes, in light of these findings, the New Bedford Historical Commission has determined that the structure at 2405 Acushnet Avenue is a Historically Significant and a Preferably Preserved Structure.” (Referred to the Committee on Appointments and Briefings – June 13, 2019.)

Additional Information:

ATTACHMENTS:

Description	Type
REPORT, COMMITTEE ON APPOINTMENTS AND BRIEFINGS	Cover Memo
DEMOLITION REVIEW,	Cover Memo



City of New Bedford
IN COMMITTEE

July 18, 2019

The Honorable City Council
133 William Street
New Bedford, MA 02740

Dear Honorable Members of the City Council:

The Committee on Appointments & Briefings at a Meeting held on Monday, July 8, 2019, held a public hearing on a COMMUNICATION/DEMOLITION, New Bedford Historical Commission, to City Council, re: BUILDING DEMOLITION REVIEW of 2405 ACUSHNET AVENUE, (MAP 127E/LOT 179), a Circa 1860 wood-framed residence, advising that "the structure has historic significance due to its relationship with the Spooner and Hawes families, the region's agricultural past, and the development of the northern section of the City near the Head of the River as a historic farming settlement, due to recent demolitions, there exist fewer of these property types, in this area of the City; the applicant, through his agent, has stated that rehabilitation of the existing structure would have challenges and be more costly than demolition and the subsequent new construction; the applicant has not stated or demonstrated that the structure is in poor condition or structurally unsound and has stated that the demolition is primarily for financial purposes, in light of these findings, the New Bedford Historical Commission has determined that the structure at 2405 Acushnet Avenue is a Historically Significant and a Preferably Preserved Structure." (Ref'd 6/13/19) (Advertised in The Standard-Times on Monday, June 24, 2019.)

On motion by Councillor Morad and seconded by Councillor Giesta, the Committee VOTED: To inform the City Council that the Committee on Appointments & Briefings held a public hearing on Monday, July 8, 2019 for a Building Demolition Review of 2405 Acushnet Avenue, Map 127E, Lot 179. This motion passed on a voice vote.

IN COMMITTEE ON APPOINTMENTS &
BRIEFINGS

Councillor Debora Coelho, Chairperson

DC: dmb

REPORT

Committee on
Appointments & Briefings
Relative to Informing the City Council that
the Committee on Appointments & Briefings
held a public hearing on Monday, July 8, 2019
for a Building Demolition Review of
2405 Acushnet Avenue, Map 127E, Lot 179.

IN CITY COUNCIL,
7/18/19

CITY CLERK



CITY OF NEW BEDFORD HISTORICAL COMMISSION

133 William Street, New Bedford, Massachusetts 02740
Telephone: (508) 979.1488

MEMORANDUM

TO: New Bedford City Council
FROM: New Bedford Historical Commission
DATE: June 10, 2019
RE: **BUILDING DEMOLITION REVIEW**
2405 Acushnet Avenue (Map 127E Lot 179)
Circa 1860 wood-framed residence

CITY CLERKS OFFICE
NEW BEDFORD, MA
2019 JUN 10 P 3:39
CITY CLERK

In accordance with the requirements of the New Bedford City Code, Article XI, Section 2-157 Demolition of Buildings, the New Bedford Historical Commission [NBHC] has examined the structure located at the above-captioned site in order to determine its historical significance and whether it is in the public interest to preserve such structure.

The NBHC reviewed the application for demolition at its June 3, 2019 meeting, and hereby forwards its findings and recommendation in this matter to the New Bedford City Council:

- The structure has historic significance due to its relationship with the Spooner and Hawes families, the region's agricultural past, and the development of the northern section of the City near the Head of the River as a historic farming settlement. Due to recent demolitions, there exist fewer of these property types in this area of the city.
- The applicant, through his agent, has stated that rehabilitation of the existing structure would have challenges and be more costly than demolition and the subsequent new construction. The applicant has not stated or demonstrated that the structure is in poor condition or structurally unsound and has stated that the demolition is primarily for financial purposes.

In light of these findings, the New Bedford Historical Commission has determined that the structure at 2405 Acushnet Avenue is a historically significant and a preferably preserved structure.

cc: Jonathan Hawes Ritter, Applicant
Lockwood Architects, Applicant's Agent
Cynthia Hawes Ritter; Jonathan Hawes Ritter; Anne E. Ritter, Property Owners
Department of Inspectional Services
Mayor's Office



CITY OF NEW BEDFORD
Department of Planning, Housing & Community Development
133 William St, New Bedford, Massachusetts 02740
Telephone: (508) 979.1488

STAFF REPORT

NEW BEDFORD HISTORICAL COMMISSION MEETING

June 3, 2019

CASE # 2019.11: DEMOLITION REQUEST

2405 Acushnet Avenue (Map 127E Lot 179)

APPLICANT:

Jonathan Hawes Ritter
31 Wadsworth Lane
Dartmouth, MA 02748

OWNER:

Cynthia Hawes Ritter
Jonathan Hawes Ritter and Anne E. Ritter
31 Wadsworth Lane
Dartmouth, MA 02748

APPLICANT'S

Lockwood Architects

AGENT:

219 Onset Ave.
Onset, MA 02558



2405 Acushnet Avenue looking northwest

OVERVIEW: The applicant is seeking the demolition of this structure in order to erect a new single-family residence to sell for financial gain.

EXISTING CONDITIONS: The property is located on the west side of Acushnet Avenue, just north of Lund's and Ball's Corners in the northern section of the city. This neighborhood is zoned for residential use and consists primarily of single-family homes which were originally constructed over the last century as the rural farmsteads have been subdivided into house parcels.

The parcel of land on which this building is situated, along with one adjacent parcel to the north and two adjacent parcels to the south of the subject parcel, have been in the ownership of the Hawes family since 1927. In August 2017 the four (4) parcels were subdivided into thirteen (13) lots through an Approval Not Required (ANR) Plan under the State's Subdivision Control Law. The subdivision plan was prepared for Peter Hawes/Acushnet Saw Mills and is recorded at the Registry of Deeds in Plan Book 176, p.39. New houses are currently under construction on these new lots. ***Refer to following City Parcel Maps on p.5 to see lot subdivision.***

In 2018, the property owners sought demolition of a circa 1935 garage on the subject parcel as well as a circa 1911 shed on the adjacent north parcel. Both structures were determined to be neither "Historically Significant nor Preferably Preserved Structures" and have since been demolished.



The existing residential structure is a two-story wood framed building which has several ell additions typical of the 19th century, with the earliest section of the structure dating perhaps as early as 1828. The structure has a granite and rubble stone foundation with a partial dirt floor basement, the walls sheathed with cedar shingles and there is asphalt shingle roofing. All the original windows have been replaced, principally with two-over-two double hung sashes. The building is currently vacant and appears to be structurally sound.

HISTORICAL CONTEXT: This portion of the city, adjacent to Acushnet Village and the "Head of The River", was a 19th century farming community with early settlers who established homesteads along with churches, schools, grist mills, forges, and blacksmith shops along the Acushnet River. This location and its history pre-dates Bedford Village by over a century, as it was one of the initial settlements of Old Dartmouth. Tarkiln Hill Road was originally the Native American footpath from Newport to Plymouth and this portion of Acushnet Avenue was originally named County Road and was often referred to the road to Freetown Forge. This area retained its rural character throughout the early twentieth century, until land was subdivided for housing. Uncharacteristically, the subject parcel and adjacent parcels which were under the common ownership of the Hawes family, retained their rural character with large lots and mature vegetation until their recent land subdivision.

The Massachusetts Historical Commission Inventory Form (NBE.571) attributes the initial builder on the property to Sargeant Booth, who constructed a building on this property in 1828. In 1829, Booth sold the home and land to Samuel Spooner (1806-1840) who resided there with his wife Harriet Cole Spooner (1794-1878) and daughter Mary O. Spooner (1830-1857). There is an assumption that the original Federal style building was added on to by Spooner. Samuel Spooner died in 1840, yet his wife retained ownership until the property was transferred to her sister-in-law Pamela Spooner Howard in 1860.

In 1853, Samuel and Harriet's daughter, Mary Spooner, married local farmer Seth Heard (1828-1890) and they resided in Acushnet. She died during childbirth in 1857 and Seth remarried in 1870, marrying Abbie H. Crocker Hoard (1826-1904). Two years prior to remarrying, Seth Hoard purchased the subject property in 1870 from his former mother-in-law's sister, Pamela Spooner Howard. Seth expanded his land by acquiring an adjacent parcel in 1871 from his neighbor Job Hathaway. It was most likely during this period time period in which the house was remodeled with Gothic style peaks and the south addition constructed.

Seth Howard died in 1890 and his wife Abbie died in 1904. The property remained in the Crocker/Hoard estate until it was purchased in 1927 by Frederick Blake Hawes and subsequently passed onto his descendants and current grandchildren.

Spooner Family

The Spooner family was an early settlement family in Old Dartmouth. William Spooner (1621-1684) came to Plymouth in 1637 as an indentured servant and moved to Acushnet, within the Old Dartmouth purchase, in 1660. The Spooner family became prolific in size, with William's descendants settling in Fairhaven, Acushnet and New Bedford. It is widely documented that William Spooner and his sons built the first mill in Dartmouth at Head of the River, in what is now Acushnet. The Spooners were a well respected farming family whose vast land holdings were primarily located north of Acushnet Village. In recent years several Spooner family residences along Acushnet Avenue have been demolished for the purposes of redevelopment. *Refer to following images on p.6 for reference.*

Hawes Family

The Hawes family migrated to New England in 1635 with Levi Hawes (1792-1880) settling on Tarkiln Hill in 1818. Levi amassed considerable property holdings through farming and land speculation. Levi's son, Captain Jonathan Capen Hawes (1826-1908) shipped out on whalers as a teenager, eventually becoming a Master Mariner until his retirement, at which time he became affiliated with the Acushnet Saw Mill, becoming a co-owner and its president.

Captain Hawes' son Frederick Blake Hawes (1863-1946) was born and raised at the family estate located at Lund's Coner (still extant) was also associated with the nearby Acushnet Saw Mill, first as an assistant and then as President in 1908, at which time the mill was cutting seven million feet of lumber annually. Frederick purchased the subject parcel of land in 1927, as he had ownership of the adjacent parcels on either side.

ARCHITECTURAL SIGNIFICANCE: A portion of the building dates to 1828 and as typical of 19th century buildings, was added to with a rear kitchen ell. Prior to the 1860's Gothic style additions, the home was un-adorned and practical, constructed two rooms deep with shingle siding, simple trim work and a central chimney.

PROPOSED DEVELOPMENT PLANS:

The applicant, Jonathan Hawes Ritter, has indicated within the application that rehabilitation of the residence is not financially feasible and would like permission to demolish the home and construct another single- family home to sell. The applicant is in the midst of rehabilitating the adjacent historic Reuben Washburn House, constructed in the same era as the subject property. As noted previously, the four parcels of land owned by the Hawes family were recently subdivided into thirteen lots and new construction has or is taking place.

STATEMENT OF APPLICABLE GUIDELINES: Sec. 2-157. Demolition Delay of Buildings and Structures-Purpose: The purpose of Sections 2-157 through 2-157.9 is preserving and protecting significant buildings and structures within New Bedford, which constitute or reflect distinctive features of the architectural, cultural, economic, political or social history of the City and limiting the detrimental effect of demolition on the character of the City. Through Sections 2-157 through 2-157.9, owners of Preferably Preserved Historic Buildings and Structures are encouraged to seek out alternative options that will preserve, rehabilitate or restore such buildings, and residents of the City are alerted to impending demolitions of significant buildings.

By preserving and protecting significant buildings, structures, streetscapes and neighborhoods, this Ordinance promotes the public welfare by making the City a more attractive and desirable place in which to live and work. To achieve these purposes, the New Bedford Historical Commission is authorized to advise the City Council with respect to demolition permit applications. The issuance of demolition permits is regulated as provided by this Ordinance.

The provisions of the Demolition Delay Ordinance shall apply only to any building or structure that, in whole or in part, was built seventy-five (75) or more years prior to the date of the application for the demolition permit, and is:

- A building or structure listed or eligible to be listed on the National Register of Historic Places, or within an area listed on the National Register of Historic Places, or on the State Register of Historic Places;
- A building or structure importantly associated with one or more historic persons or events, or with the broad architectural, cultural, economic, political or social history of the city, or;
- A building or structure which is historically or architecturally significant in terms of period style, method of building construction or association with a significant architect or builder either by itself or as a part of a group of buildings, or;
- A building or structure located within one hundred fifty (150) feet of a federal, state or local historic district boundary.

STAFF RECOMMENDATION: The structure has historic significance due to its relationship with the Spooner and Hawes families, the region's agricultural past, and the development of the northern section of the City near the Head of the River. Due to recent demolitions, there exist fewer of these property types in this area of the city.

The applicant, through his agent, has stated that rehabilitation of the existing structure would have challenges and be more costly than demolition and the subsequent new construction. The applicant has not stated or demonstrated that the structure is in poor condition or structurally unsound and has stated that the demolition is primarily for financial purposes.

Staff recommends that the Historical Commission find the structure at 2405 Acushnet Avenue to be a Historically Significant and a Preferably Preserved Historic Building.



East Facade



West Facade

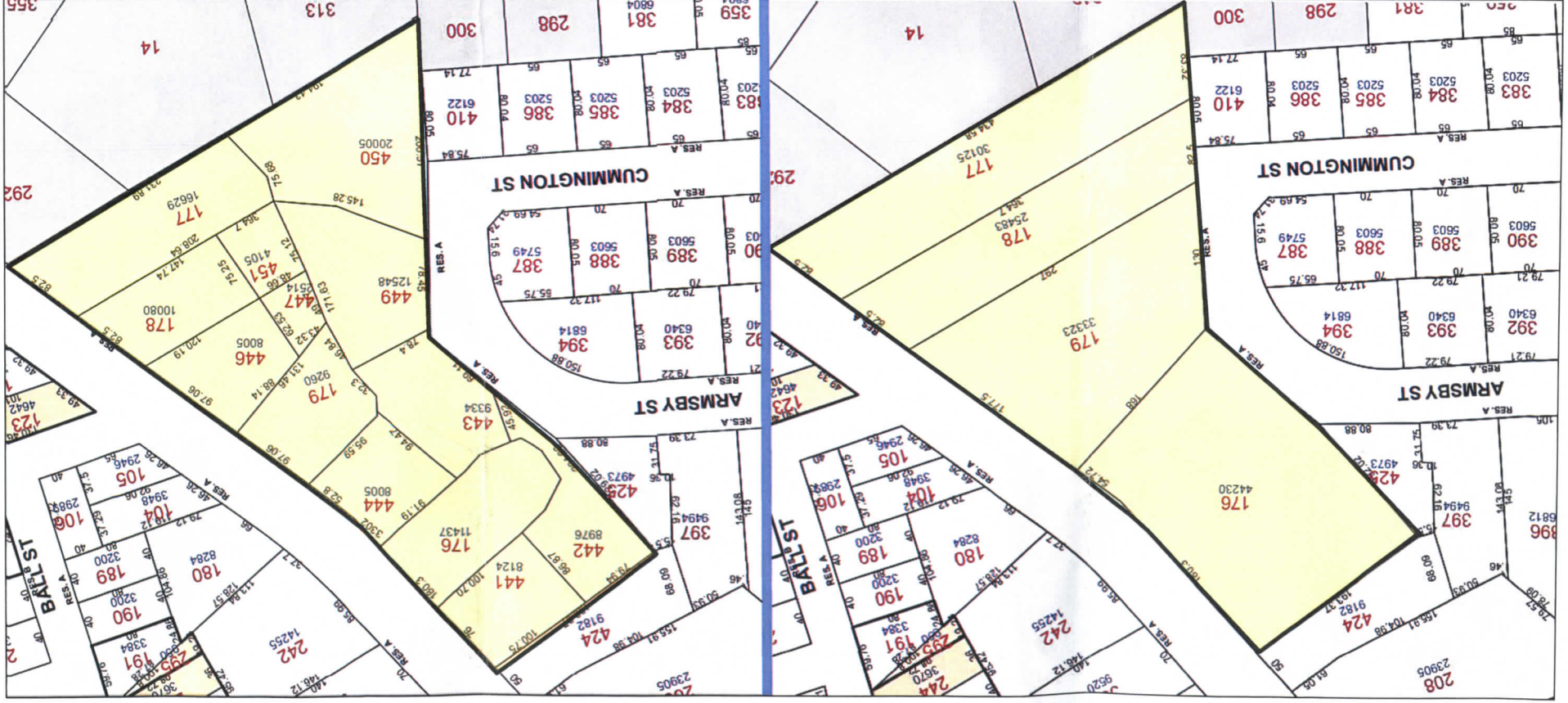


North Facade

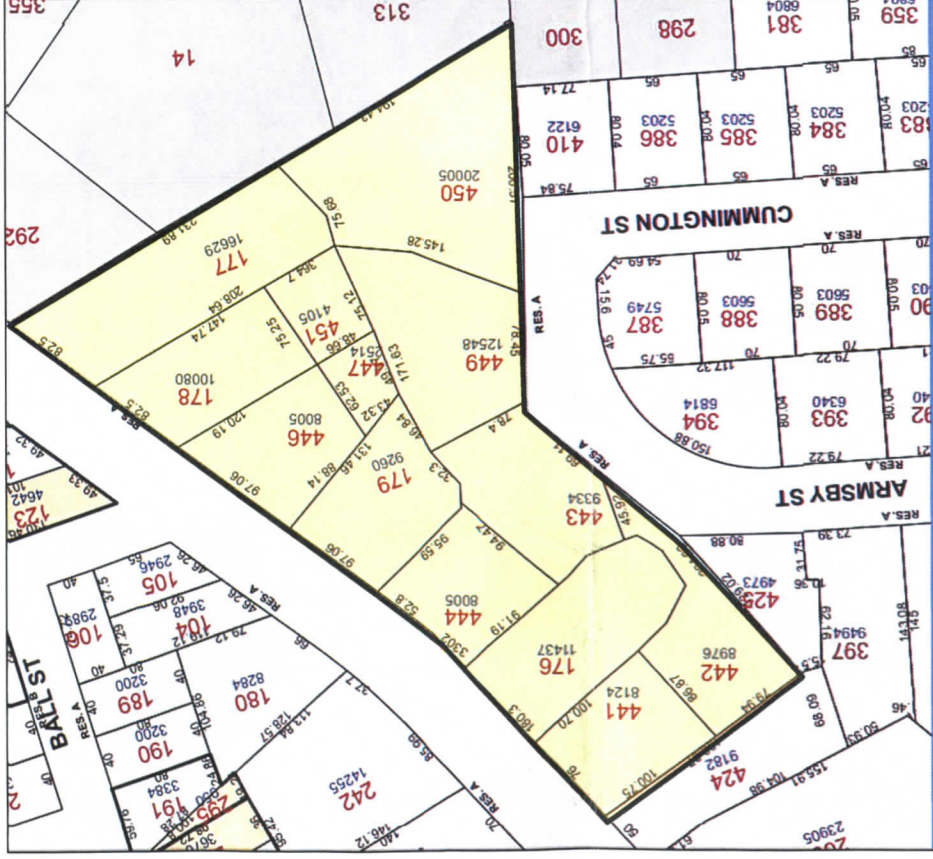


South Facade

CITY PARCEL MAP 127E - 2017



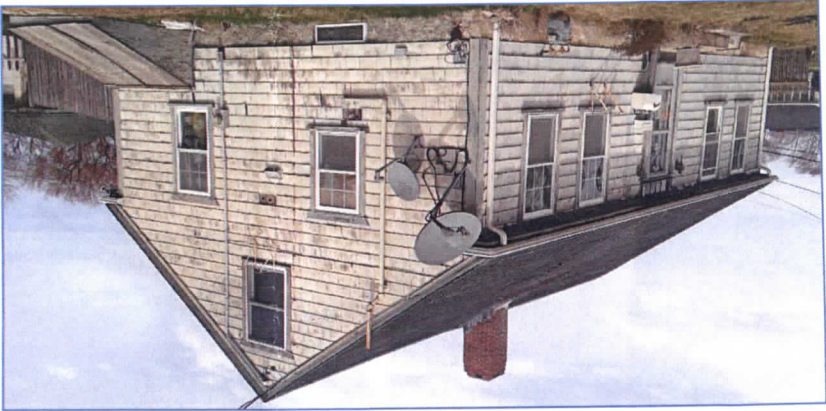
CITY PARCEL MAP 127E - 2019



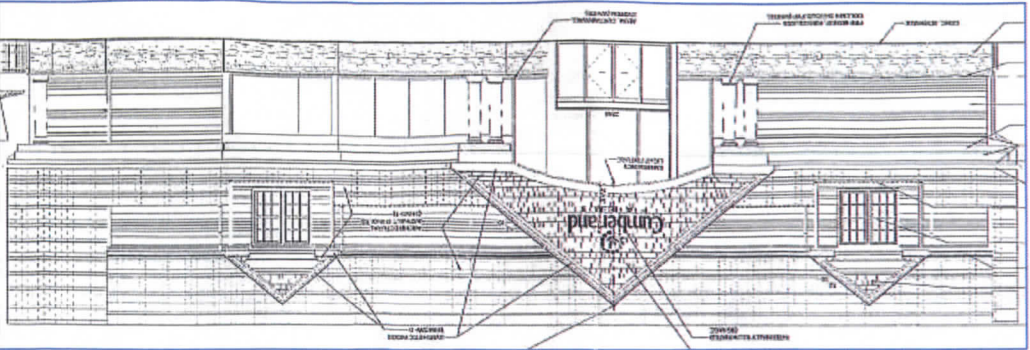
Recent Demolition & Redevelopment of Properties Associated with the Spooner Family



4026 Acushnet Avenue – 2014 Demolition Request



2992 Acushnet Avenue – 2014 Demolition Request



2904 & 2914 Acushnet Avenue – 2018 Demolition Request



Item Title:

REPORT - SPECIAL PERMIT - CHRISTIAN FARLAND d/b/a CUMBERLAND FARMS - 2904
&2914 ACUSHNET AVENUE & ES ACUSHNET AVENUE

Item Detail:

12. REPORT, Committee on Appointments and Briefings, recommending to the City Council APPROVAL of the APPLICATION, Christian Farland D/B/A Cumberland Farms, Inc., for a SPECIAL PERMIT for Motor Vehicle Light Service at 2904 & 2914 Acushnet Avenue and ES Acushnet Avenue, New Bedford, MA 02745.

12a. SPECIAL PERMIT, Christian Farland d/b/a Cumberland Farms, Inc., for a SPECIAL PERMIT for Motor Vehicle Light Service at 2904 & 2914 Acushnet Avenue and ES Acushnet Avenue, New Bedford, MA 02745.

Additional Information:

ATTACHMENTS:

Description	Type
REPORT, COMMITTEE ON APPOINTMENTS AND BRIEFINGS	Cover Memo
SPECIAL PERMIT,	Cover Memo



City of New Bedford
IN COMMITTEE

July 18, 2019

The Honorable City Council
133 William Street
New Bedford, MA 02740

Dear Honorable Members of the City Council:

The Committee on Appointments & Briefings at a Meeting held on Monday, July 8, 2019, held a public hearing on an APPLICATION, Christian Farland, D/B/A Cumberland Farms, Inc., for a SPECIAL PERMIT for Motor Vehicle Light Service at 2904 & 2914 Acushnet Avenue and ES Acushnet Avenue, New Bedford, MA 02745. (Application Rec'd 6/5/19) (Duly advertised in The Standard-Times on Monday, June 24, 2019 and Monday, July 1, 2019.)

On motion by Councillor Morad and seconded by Councillor Carney, the Committee VOTED: To recommend to the City Council APPROVAL of the APPLICATION, Christian Farland, D/B/A Cumberland Farms, Inc., for a SPECIAL PERMIT for Motor Vehicle Light Service at 2904 & 2914 Acushnet Avenue and ES Acushnet Avenue, New Bedford, MA 02745. This motion passed on a voice vote.

IN COMMITTEE ON APPOINTMENTS &
BRIEFINGS

A handwritten signature in cursive script, reading "Debora Coelho".

Councillor Debora Coelho, Chairperson

DC: dmb

REPORT

Committee on Appointments & Briefings

Relative to

Recommending to the City Council
APPROVAL of the APPLICATION, Christian Farland
D/B/A Cumberland Farms, Inc., for a SPECIAL PERMIT
FOR Motor Vehicle Light Service at 2904 & 2914
Acushnet Avenue and ES Acushnet Avenue, New
Bedford, MA 02745.

IN CITY COUNCIL
7/18/19

CITY CLERK



New Bedford, Massachusetts Motor Vehicle Special Permit APPLICATION

The undersigned petitions the City Council to grant a SPECIAL PERMIT in the manner and for the reasons hereinafter set forth under the provisions of the Zoning Ordinance to the following described premises:

DATE: 6/5/19

Type of service to be provided:

☐ Sales and/or Rentals ☐ Body Repair ☐ General Repair ☒ Light Service

Owner/Landlord Information:

Cumberland Farms, Inc.

Full Legal Name

165 Flanders Road

Address

c/o 774.206.8200

Phone Number

Company Name *(if applicable)*

Westborough, MA 01581

City, State, Zip

mkehoe@psh.com

Email Address

OTHER Owner/~~Landlord~~ Information: *(if applicable)*

MIH1, LLC

Lessee Information: *(if different from above)*

n/a

Full Legal Name

Company Name

Address

City, State, Zip

Phone Number

Email Address

OTHER Lessee Information: *(if applicable)*

Location Information:

Address of Premises: 2904 & 2914 Acushnet Ave and ES Acushnet Ave

	Street Number & Name	Zip Code		
Assessor's Plot:	<u>130D</u>	<u>117,247,248,447</u>	<u>8991</u> <u>1115</u> <u>12307</u>	<u>270</u> <u>298</u> <u>200</u>
	Plot #	Lot #	Book #	Page #
Lot Dimensions:	<u>varies</u>	<u>varies</u>	<u>98,044 sq'+/-</u>	
	Frontage	Depth	Area in Sq. Ft.	

Zoning District(s) in which premises are located: mixed use business (MUB) & resident 2"A"

Premises in present ownership since: (date of purchase) see deeds

Present use of premises: single family homes-lots 247 & 248; vacant land-lots 117 & 447

Number of buildings on Lot: 3 Size of existing building(s): 3350 sq' w/out barn

Number of cars on premises at any given time: n/a

Number of people on premises at any given time: varies

Size of proposed buildings (if applicable): 7915 sq'

Extent of proposed alterations (if applicable): raze 2 residential structures and barn
construct Cumberland Farms convenience store w/fuel island & car wash. 49 parking spaces

Have plans been submitted to the Department of Inspectional Services? yes
(Recorded Plans, accurately scaled as required by DIS, must be included with this application.)

Has the Department of Inspectional Services Commissioner refused to issue a permit? yes

If so, the reason: (see rejection package)

Signature Page:

A non-refundable filing fee is required when submitting the application, payable by cash, check or money order made payable to the City of New Bedford. The filing fee is non-refundable regardless of whether or not the petition is granted.

The FEE SCHEDULE as of January 2018:

Up to 10,000 square feet - \$700
10,001 - 20,000 square feet - \$800
20,001 - 30,000 square feet - \$900

If the petition is granted, the permission is specific to the plans submitted, unless the City Council states otherwise.

By signing this application, the Petitioner is stating that they have read and understand this application and the accompanying instructions and information. If granted, the Special Permit needs to be recorded and acted on within one year or the application process must begin again with a new, non-refundable fee.

I have read and understand this application and the accompanying instructions and information.

Respectfully submitted:

Owner Signature: _____

(Must be the signature of the current owner on record.)

Date: _____

Lessee Signature: _____

(If the Lessee is a corporation, we must have a letter authorizing this person to sign on the corporation's behalf on company letterhead.)

Date: _____

Representative Signature: _____

(Although not a requirement for submission, you may wish to contact an attorney to assist you with the application process.)

Date: _____

OTHER Owner Signature: _____

Date: _____

OTHER Lessee Signature: _____

Date: _____

PETITION FOR A SPECIAL PERMIT FOR MOTOR VEHICLES -
{ } SALES AND RENTALS { } BODY REPAIR { } GENERAL REPAIR {x} LIGHT SERVICE

TO: CLERK OF COMMITTEES APPLICATION NO. _____ Date: _____ **PAGE 2**

All applications must be filled out completely and be submitted with the required drawings. Attach required drawings or proposed plans to this Petition. Must be done in BLACK INK to produce legible copies. If Petition is granted, the plans are specific to the plans submitted unless the City Council states otherwise.

Must provide Site Plan identifying positioning of existing structures. Must show footprint and dimensions. Show Rear, Front and Side Distances between Structure and Boundary Lines. Must provide separate site plan showing proposed alterations or additions with side, front and rear set property lines identified.

By signing this application, the Petitioner is stating that they have read and understand this Application and the accompanying instructions and information. Also, if granted, that the Special Permit needs to be recorded and acted on within one year.

I have read and understand this application and the accompanying instructions and information.

Respectfully submitted:

(Although not a requirement of submission, you may wish to contact an attorney to help you with your application and Public Hearing.)

Owner(s) _____
Signature Cumberland Farms, Inc.
(Must be signature of current owner on record)

Represented by _____
Signature _____

Lessee(s) n/a
(If Corporation, must have letter on Letterhead
Authorizing person to sign on Corporation's behalf.)

Michael A. Kehoe, Esq.
(If Corporation, must have letter on Letterhead
Authorizing person to sign on Corporation's behalf.)

Address 165 Flanders Road, Westborough, MA 01581
City/State/Zip Code _____

128 Union St. Suite 500, New Bedford, MA 02740
City/State/Zip Code _____

Telephone No. (Home) _____

(Business) 774.206.8200

Other Owner(s) MIH1, LLC

Address 401 County Street, New Bedford, MA
City/State/Zip Code _____

City/State/Zip Code _____

Telephone No. (Home) 508-717-3479

(Business) _____

I do/do not consent to the above application. I suggest the following conditions be included in application:

[Signature]
City Planner

6/5/19
Date

I do/do not consent to the above application. I suggest the following conditions be included in application:

Letter 20 Day Right to Appeal period Special Permit shall Be Stamped at the Registry
of Deeds and brought to Room 308 City Hall for a Building Permit
Danny D. Romanowski 6/4/19
Dept. of Inspectional Services Commissioner Date

I do/do not consent to the above application. I suggest the following conditions be included in application:

[Signature]
Licensing Board Clerk

6/4/19
Date

I do/do not consent to the above application. I suggest the following conditions be included in application: (General, and Body Repairs & Light Service Only) THE OWNER MUST COMPLY WITH ALL COMMENTS OF MEMORANDUM

DATED MAY 7, 2019 SENT FROM THE COMMISSIONER, D.P.I. THE ADDRESSES OF 1104 + 2714 ACUSMET
AVI. DO NOT PERTAIN TO CUMBERLAND FARMS, AS
LISTED ON THE APPLICATION.
[Signature] 5/31/19
Dept. of Public Infrastructure Commissioner Date

I do/do not consent to the above application. I suggest the following conditions be included in application:
(Petroleum: Any on Premises; if so, Tanks only - Above or Underground?; Prior Use?; Use to be Continued?)

MUST Apply for Fuel Storage from Council

[Signature]
ASST City Clerk

6/7/19
Date



Item Title:

AN ORDINANCE - AMENDING CHAPTER 20 DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

Item Detail:

13. AN ORDINANCE, amending Chapter 20, Department of Planning and Community Development (Passed to a Second Reading - June 13, 2019.)

Additional Information:

ATTACHMENTS:

Description	Type
□ AN ORDINANCE,	Cover Memo



CITY OF NEW BEDFORD

In the Year Two Thousand and Eighteen

AN ORDINANCE

Amending Chapter 20 Department of Planning and Community Development

31- 509

Be it ordained by the City Council of the City of New Bedford as follows:—

Chapter 20 Planning and Community Development is hereby amended by striking said chapter in its entirety and inserting in place thereof, the following:

Chapter 20 PLANNING AND DEVELOPMENT

Sec. 20--1 Planning Board—Composition, appointment.

(a) The planning board shall consist of five (5) members, appointed for three-year terms. Such members shall be appointed by the mayor, subject to confirmation by the city council.

(b) There shall be one (1) associate member of the planning board, who shall be appointed by the mayor and confirmed by the city council for a three-year term. The associate member may be designated by the chairman of the planning board to sit on the board for purposes of acting on special permit and site plan review applications, in the case of absence, inability to act, or conflict of interest, on the part of any member of the planning board or in the event of a vacancy on the board.

(c) Any member of the planning board may be removed for cause, after a public hearing, by the mayor, with the approval of the city council. A vacancy occurring, otherwise than by expiration of the term shall be filled for the unexpired term, in the same manner as the original appointment.

State law reference – Sec M.G.L.A. c. 41, § 81A

Sec. 20-2 Same—Presiding officer; compensation.

(a) The planning board shall annually elect a chairman and a clerk from among its membership.

(b) Each member of the planning board shall be paid at the rate of twenty dollars (\$20.00) per meeting attended, but in no event shall any member receive in excess of five hundred dollars (\$500.00) in any fiscal year.

(c) The planning board may employ technical consultants and may employ clerical assistance, for proper record of its doings.

(d) Upon the request of the planning board, the city planner, commissioner of public infrastructure, commissioner of inspectional services, director of the health department, director of recreation/parks, water superintendent, wire inspector and school superintendent shall provide information and recommendations to assist the board and shall attend or be represented at planning boards meetings, if so requested.

Sec. 20-3 Same - Duties.

The planning board shall perform all the duties required under the laws of the commonwealth and such other duties as may be required by ordinance.

State law reference— Powers and duties generally, M.G.L.A. c. 41, § 81B.

Sec. 20-4 Same - Cooperation of city departments.

On request, the several departments of the city shall furnish the planning board with such data and information as may be required in carrying out the provisions of this chapter.

Sec. 20-5 Same - Reports.

Annually in January, the planning board shall present to the city council a written report giving information regarding the condition of the city and any plans or proposals for its development or renewal, and estimates of the cost thereof, in accordance with the laws of the commonwealth.

State law reference— Similar provisions, M.G.L.A. c. 41, § 81C.

Sec. 20-6 Same - Master Plan.

The planning board shall make a master plan of the city or such part of parts thereof said board may deem advisable and from time to time may extend or perfect such plan.

State law reference— Similar provisions, M.G.L.A. c. 41, § 81D.

Sec. 20-7 City planner - Function; appointment; removal; qualifications; term; compensation as fixed.

(a) The mayor may appoint a city planner, subject to confirmation by the city council, and who shall qualify by oath before entrance upon the duties of such office.

(b) Any person appointed as city planner under this section shall have not less than five (5) years of general, responsible, professional experience in the field of municipal or regional planning and development.

(c) The term of office of the city planner shall expire on the first Monday in even years, but if not reappointed, the city planner shall continue in office until a successor is appointed, confirmed and qualified.

(d) The city planner shall receive such annual compensation as may be determined by the mayor and city council.

Sec. 20-8 Same - Powers and duties; acting as consultant.

The city planner shall have the following powers and duties:

(a) From time to time, the city planner shall make careful studies, and when necessary, prepare plans relating to the resources, possibilities and needs of the city, and upon completion of such study or plans, shall submit a report thereon to the planning board, mayor and city council, together with recommendations.

(b) The city planner shall assist the planning board in the preparation of their annual report, giving information regarding the condition of the city and any plans or proposals for its development or renewal, and estimates of the cost thereof, in accordance with the laws of the commonwealth.

(c) The city planner shall work with the planning board to develop such master or study plans of the city, or such parts thereof as may be determined advisable, showing upon such plan or parts thereof, among other things, existing and desirable proposed public ways, street grades, public places, bridges and tunnels, viaducts, parks, parkways, playgrounds, sites for public buildings and structures, building and zoning districts, pierhead and bulkhead lines, waterways, routes of railroads, buses and water transportation lines, and locations of sewers, water conduits and other public utilities, and other pertinent features of such plans, including existing private ways; and after consultation with other municipal agencies charged with enforcing housing laws, the building code and zoning ordinances, by-laws or regulations, and in cooperation with housing and redevelopment officials, if any, the city planner shall designate and plan conservation, rehabilitation and redevelopment areas for the purpose of guiding residential protection, neighborhood improvement, commercial and industrial development and urban renewal programs.

(d) Upon authorization by the mayor, the city planner shall represent the city in procuring participation in any federal or commonwealth programs for urban renewal and redevelopment.

(e) The city planner shall act as consultant to the planning board in all matters connected with or pertinent to the exercise of its powers of subdivision control and such planner or one of such planner assistants shall attend all meetings of said board in an advisory capacity.

(f) The city planner shall, upon request, advise the department of public health and other municipal departments, on matters related to land subdivision coming within their jurisdiction.

(g) The city planner shall, when requested to do so, furnish such advice and recommendations as may be desired by the board of appeals of the city.

(h) The city planner shall oversee the performance of such duties as may be lawfully delegated to him by the several commissioners, departments, boards and commissions of the city, including but not limited to the planning board. Said duties shall be performed in accordance with the requirements of the delegating authority and the applicable code or law.

(i) The city planner shall prepare an annual report of the activities of the department, pursuant to section 2-6 of this code.

(j) The city planner shall perform such other duties as the mayor may require.

Sec. 20-9 Same - Cooperation of other departments.

Upon request, the several departments, offices, commissions and agencies of the city shall furnish the city planner with such data and information as may be required by such planner in carrying out the provisions of this chapter.

Sec. 20-10. Assistant city planners; appointment; compensation; term; duties.

(a) There are hereby created and established within the city planning department two (2) positions of assistant city planners. The mayor, subject to confirmation by the city council, may appoint assistant city planners, who shall qualify by oath before entrance upon their duties of office.

(b) The term of office of assistant city planners shall expire on the first Monday in odd years, but if either of them is not reappointed, such person shall continue in office until a successor is appointed, confirmed and qualifies.

(c) The assistant city planners shall receive such annual compensation as may be determined by the mayor and city council.

(d) Under the supervision and general direction of the city planner, the assistant city planners shall perform such duties as the city planner may require in the conduct of the city planning department; and during the absence or disability of the city planner, or when requested by the city planner to do so, the assistant city planner having the longest period of service with the city planning department shall perform the duties of city planner.

Sec. 20-11 Development and industrial commission—Established; purposes; powers.

Pursuant to M.G.L.A. c. 40, § 8A, there is hereby established a development and industrial commission for the promotion and development of the industrial resources of said city or town. Such commission shall conduct research into industrial conditions and shall seek to coordinate the activities of unofficial bodies organized for said purposes, and may advertise, prepare, print and distribute books, maps, charts and pamphlets which in its judgment will further the provisions for which it is created. The commission may appoint such clerks and other employees as it may require.

Note—Ch. 297, Acts 1954, from which M.G.L.A. c. 40, § 8A is derived, was accepted by the city on April 1, 1957.

Sec. 20-12 Same - Membership.

Such commission shall consist of seven (7) members appointed by the mayor. The terms of the members initially shall be for such length not exceeding five (5) years, and so arranged that the term of approximately one-fifth (1/5) of the members will expire each year and their successors shall be appointed for terms of five (5) years each. Any member of a board so appointed may be removed for cause after a public hearing, if requested, by the mayor, with the approval of the city council. A vacancy occurring, otherwise than by expiration of term, shall be filled for the remainder of unexpired term, in the same manner as an original appointment.

SECTION 2.

This Ordinance shall take effect in accordance with the provisions of Chapter 43 of the General Laws.



Item Title:

WRITTEN MOTION - ISSUES/PROBLEMS AT POCKET PARKS

Item Detail:

14. WRITTEN MOTION, Councillor Coelho, requesting, in the interest of public safety, that the Committee on Public Safety and Neighborhoods address what can be done with the matter of pocket parks that are being vandalized by overnight loiterers, the homeless and those engaging in illicit activity, also the trash and debris that is left behind; and further, that representatives from the Police Department and DPI be invited when this matter is heard before the Committee on Public Safety and Neighborhoods.

Additional Information:



Item Title:

WRITTEN MOTION - NO TRESPASSING SIGNS - POCKET PARKS & ALL CITY PARKS

Item Detail:

15. WRITTEN MOTION: Councillor Gomes, requesting as Chairman of the Committee on Public Safety Neighborhoods, that the Department of Public Infrastructure immediately install NO TRESPASSING signs from dusk to dawn in all pocket parks across the City; and further that the signage also include NO littering, drug dealing, alcohol and soliciting; and furthermore, once again that the City Council request that the Director of Parks, Recreation and Beaches, Mary Rapoza install the same signage in all parks across the City and these regulations be strictly enforced in the best interest of public safety and the quality of life in the neighborhoods.

Additional Information:



Item Title:

WRITTEN MOTION - POST RULES & REGULATIONS AT POCKET PARKS

Item Detail:

16. WRITTEN MOTION: Councillors Giesta, Abreu, Lopes and Rebeiro, requesting in the interest of public safety that the Department of Public Infrastructure, install signs at all Pocket Parks throughout the City with the following information:

Welcome. This beautiful public space is yours to enjoy for relaxation and recreation. Please respect others and keep the park clean.

This Park is open from Dawn to Dusk

Prohibited Activities:

Use of or possession of alcohol or illegal drugs

Use of vulgar or threatening language

Parking on public space

Bicycles on the public space

Dumping or littering

Vandalism of a tree, plant, or park structure

Unleashed animals

Fires, fireworks, or firearms of any kind

Feeding birds

Use of metal detectors without a permit

Smoking

Performances, solicitations, or commercial activity without license from the Department of Public Infrastructure

No Use of the park after it is closed for: Skateboarding or Sleeping

Additional Information:



Item Title:

WRITTEN MOTION - TRAMPOLINE WATER PARK - EAST BEACH

Item Detail:

17. WRITTEN MOTION, Councillor Carney, requesting that the Committee on Appointments and Briefings meet with Board of Park Commissioners Chairman Peter Boswell, Director of Parks, Recreation and Beaches, Mary Rapoza, Chairman of the Conservation Commission, Craig Dixon, Representative of New Bedford Port Authority, Representative of the Mayor's Office and a Representative of the City Solicitor's Office, to discuss the procedure and permitting process that allowed the Trampoline Water Park to be placed in the water off East Beach, to ensure that all the proper permitting was acquired before the company was granted permission to open and also explain the insurance policy held by the vendor to ensure that the City of New Bedford is not liable, in accordance with Massachusetts Law for any legal action and all suits that may be brought against the water park vendor in the event to include but not limited to injury, death and etc.; and further requesting, that the Chairperson of the Committee on Appointments and Briefings schedule this matter to be heard at the next meeting.

Additional Information:



Item Title:

TRANSPORTATION LA TRIXITA - RENEWAL OF LIVERY LICENSE

Item Detail:

18. COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of **Antonia Cruz, 89 Beetle Street, New Bedford, MA 02746, d/b/a TRANSPORTATION LA TRIXITA, 89 Beetle Street, New Bedford, MA 02746**, hereby submitting a copy of the Application requesting a **RENEWAL of a PRIVATE LIVERY LICENSE**, under the provisions of Massachusetts General Laws, Chapter 159A, Section 1, and amendments thereto, and M.G.L. Chapter 270, Section 22 (Smoke Free Workplace Law) and all other laws applicable to such operation to carry passengers for hire over the streets of New Bedford. **(Term of License July 01, 2019 – June 30, 2020.)**

Additional Information:

ATTACHMENTS:

Description	Type
□ LIVERY LICENSE RENEWAL,	Cover Memo



DATE: IN CITY COUNCIL, **JULY 18, 2019**
TO: HONORABLE MEMBERS OF THE NEW BEDFORD CITY COUNCIL
FROM: CITY CLERK/CLERK OF CITY COUNCIL
SUBJECT: LIVERY LICENSE APPLICATION – **RENEWAL**

The undersigned, on behalf of the Applicant, hereby submits a copy of the Application requesting a Private Livery License, under the provisions of MGL, Chapter 159A, Section 1 and amendments thereto, and MGL, Chapter 270, Section 22 (Smoke Free Workplace Law) and all other laws applicable to such operation, to carry passengers for hire over the streets of New Bedford.

NAME	ANTONIA CRUZ
BUSINESS NAME	TRANSPORTATION LA TRIXITA
ADDRESS	89 BEETLE STREET
BUSINESS ADDRESS	89 BEETLE STREET
CITY/STATE/ZIP CODE	NEW BEDFORD, MA 02746
BUSINESS CITY/STATE/ZIP	NEW BEDFORD, MA 02746

Please note that the City Clerk's Office has the Original Application on File, as well as additional paperwork necessary to receive the Private Livery License (CORI, DOR TAX, Smoke-Free Info, etc.).

Thank you, in advance, for your attention to this matter.

Sincerely,

Dennis W. Farias,
City Clerk/Clerk of the City Council

DWF:smh



Item Title:

COMMUNICATION - BENCH & PLAQUE REQUEST - SARAH D. CLARK MEMORIALS FUND

Item Detail:

19. COMMUNICATION, Councillor Abreu, submitting an Application from the Department of Parks, Recreation & Beaches for a Bench and Plaque honoring the Sarah D. Clark Memorial Fund. (To be Referred to the Special Committee on Memorials and Dedications.)

Additional Information:

ATTACHMENTS:

Description	Type
<input type="checkbox"/> AN APPLICATION,	Cover Memo

Application

Donor Name:

Sarah D. Clark Memorial Fund
VIA the Council on Aging (NB)

Address:

181 Hillman Street Bldg #9

City/State/Zip:

New Bedford, MA 02740

Phone Number:

508-991-6250

Email: debra.lee@newbedford-ma.gov

Donated in memory of/honor of:

Sarah D. Clark

Text to display on plaque (optional):

In Memory of
Sarah D. Clark

Send a note of acknowledgement to:

Name:

New Bedford Council on Aging

Address:

181 Hillman Street Bldg #9

State: MA

Zip: 02740

Please make checks payable to City of
New Bedford

☐ Tree - \$400+

Please know that the cost of your tree depends on the variety and size. Examples:



☒ Bench - \$750+

The style of your bench will be chosen based on the park in which it is to be located, consistent with the parks current standard.

☒ Plaque - (optional)

With approval of the Park Board, applicants will purchase their bench plaque through the authorized vendor. Plaque material, font, and style will conform to the City standard.

Benches and plaques



In addition to or in lieu of a plaque, your generous donation will be celebrated on the City of New Bedford Parks Recreation & Beaches webpage.

Concerning benches, the life of your memorial is intended to correspond with the useful life of the park bench – about ten (10) years. The Department is not responsible for damaged or missing plaques. Permanency of your memorial cannot be guaranteed and memorials and plaques will not be replaced at the cost of the Department.

The Department is not responsible for the damage of benches or trees, or damaged/missing plaques. The Department reserves the right to relocate a bench if the use of the site changes or to ensure visitor safety. Trees are guaranteed for one (1) year from installation.

Application ID #: 60

Date of Submission: 6/14/19

Received By: Rachel M



Item Title:

WRITTEN MOTION - CANNABIS CONTROL COMMISSION

Item Detail:

01/10/2019 WRITTEN MOTION, Councillor Gomes, requesting that the City Council forward a letter of request to the Commonwealth of Massachusetts' Cannabis Commission as to whether the City is following State Law regarding marijuana establishments in the City; and further, enclosed in the letter, please include a copy of the 11-page "Screening Form/Application for a Marijuana Establishment Host Community Agreement", and a copy of the City's zoning map that has been put forth by the Mayor's Review Committee, comprised of the City Solicitor, the City Planner, the Chief of Police, the Chief Financial Officer, the Director of Inspectional Services, the Director of Planning, Housing and Community Development and the City's Health Director; asking that the Cannabis Control Commission review the application and the zoning map and report back to the City Council as to whether this Application process and zoning map applies to the laws of the Commonwealth of Massachusetts' Cannabis Control Commission; and further, that Steven Hoffman, Chairman of the Massachusetts Cannabis Control Commission or a representative, meet with the Special Committee on Licensing and Zoning for Cannabis to discuss whether the City has followed Massachusetts Laws and policies regarding marijuana establishments in the City of New Bedford.

Additional Information:



Item Title:
SPECIAL ACCOMODATIONS

Item Detail:

***In accordance with the Americans with Disabilities Act (ADA),
if any accommodations are needed, please contact the City Council Office at 508-979-1455. Requests
should be made as soon as possible but at least 48 hours prior to the scheduled meeting.***

Additional Information: