



Appointments and Briefings

October 18, 2016 – 7:03 P.M. – **Minutes**
Chambers of the City Council, Room 214

MEETING: COMMITTEE ON APPOINTMENTS & BRIEFINGS

DATE: OCTOBER 18, 2016

TIME: 7:03 P.M.

PLACE: CITY COUNCIL CHAMBER, ROOM 214, MUNICIPAL BUILDING

PRESENT: COUNCILLORS HENRY BOUSQUET, CHAIRMAN; IAN ABREU; NAOMI CARNEY; DEBORA COELHO; JOSEPH LOPES; STEVEN MARTINS; LINDA MORAD; DANA REBEIRO (7:36); KERRY WINTERSON

ABSENT: COUNCILLORS BRIAN GOMES, VICE-CHAIRMAN; JAMES OLIVEIRA

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Councillor Bousquet called the Appointments & Briefings Committee Meeting to order and took attendance. The Clerk read a Communications from Councillor Oliveira stating he was unable to attend due to a personal conflict and a Communication from Councillor Gomes stating he would be late in attending this meeting. These Communications were received and placed on file by Councillor Abreu and seconded by Councillor Lopes.

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Notice, City Clerk of reference of a Public Hearing, on APPLICATION, Dimex A. Ruiz of Real Blessing Car Care Ruiz Auto Detailing, for a SPECIAL PERMIT for Motor Vehicle Light Service at 308 Mill Street, New Bedford, MA 02740, (Duly advertised in The Standard-Times on Wednesday, October 5, 2016 and Wednesday, October 12, 2016) was received and placed on file and the hearing opened by Councillor Morad and seconded by Councillor Lopes. (1)

Dimex Ruiz, 93 Hathaway Boulevard, New Bedford, MA was present to answer questions from the Committee. He informed the Committee that a bi-lingual employee would be on staff; light service is to include tune ups, brakes, but no major body work. His hours of operation would be either 9 to 6 or 8 to 5 depending on the success of the business. He has been in the automotive business for well over eighteen years.

Danny Romanowicz, DIS Commissioner was asked if there were any issues with the application and he responded he had none everything was in place for the proposed business.

The Chair asked if there was anyone who wished to speak or be recorded in favor of the Special Permit, there were none. He then asked if there was anyone who wished to speak or be recorded in opposition of the Special Permit, there were none, so the hearing was closed.

On motion by Councillor Lopes and seconded by Councillor Carney, the Committee VOTED: To recommend to the City Council APPROVAL of the APPLICATION, Dimex A. Ruiz of Real Blessing Car Care

Ruiz Auto Detailing, for a SPECIAL PERMIT for Motor Vehicle Light Service at 308 Mill Street, New Bedford, MA 02740. This motion passed on a voice vote.

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Notice, City Clerk of reference of a Public Hearing, on APPLICATION, Robert E. Hathaway, Jr. of Hathaway Collision Center, for a SPECIAL PERMIT for Motor Vehicle Body Repair at 167 Potter Street, New Bedford, MA 02740, (Duly advertised in The Standard-Times on Wednesday, October 5, 2016 and Wednesday, October 12, 2016) was received and placed on file and the hearing opened by Councillor Morad and seconded by Councillor Lopes. (2)

John Connell of Field Engineering Company was present on behalf of Hathaway Collision Center and Robert Hathaway of Hathaway Collision Center was also present to answer questions from the Committee.

Mr. Connell informed the Committee that the proposal had passed through the Planning Board. He told them that this is an additional building to an existing business and a 7,000 square foot garage would be erected. Nothing would really change in the area with the expansion; it will just allow the business owner to conduct their repairs much easier. The business currently has seven (7) employees, he just hired another making a total of eight (8).

Danny Romanowicz, DIS Commissioner was asked if there were any issues. He told the Committee there was none, all is in order and this is a good operation. No objection to the expansion.

The Chair asked if there was anyone who wished to speak or be recorded in favor of the Special Permit, there were none. He then asked if there was anyone who wished to speak or be recorded in opposition of the Special Permit, there were none, so the hearing was closed.

On motion by Councillor Winterson and seconded by Councillor Carney, the Committee VOTED: To recommend to the City Council APPROVAL of the APPLICATION, Robert E. Hathaway, Jr. of Hathaway Collision Center, for a SPECIAL PERMIT for Motor Vehicle Body Repair at 167 Potter Street, New Bedford, MA 02740. This motion passed on a voice vote.

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Notice, City Clerk of reference of a APPLICATION, Jason Oliver of Cove Road Auto Sales, for a SPECIAL PERMIT for Motor Vehicle Sales & Rentals and General Repair at 1421 Cove Road, New Bedford, MA 02744 (Duly advertised in the Standard-Times on Wednesday, July 27, 2016 and Wednesday, August 3, 2016) (Ref'd 7/25/16) (8/9/16-tabled 30 days) (9/13/16-tabled) was removed from the table by Councillor Lopes and seconded by Councillor Abreu. (3)

The Clerk explained that the hearing was held on September 13, 2016, the applicant was instructed to present the Building Commissioner and the Committee with the parking plans for the establishment. The applicant did supply the parking plans and now the matter is before the Committee for action on the application.

Jason Oliver, 432 Gulf Road, West, South Dartmouth, MA 02748, gave an update on the plans he submitted.

Danny Romanowicz, DIS Commissioner told the Committee that while the plan had been submitted the building still did not have a MDC trap, to gather oils etc. and that they should not be allowed to do general or light repairs on site.

Mr. Oliver said he understood and that he could do the auto repairs at his other facility which had such a mechanism.

On motion by Councillor Morad and seconded by Councillor Winterson, the Committee VOTED: To strike the words General and Light repairs from the application as well as change the number of vehicles from twenty (20) to thirteen (13). This motion passed on a voice vote.

On motion by Councillor Morad and seconded by Councillor Winterson, the Committee VOTED: To recommend to the City Council APPROVAL of the APPLICATION, AS AMENDED, for Jason Oliver of Cove Road Auto Sales for a SPECIAL PERMIT for Motor Vehicle Sales at 1421 Cove Road, New Bedford, MA 02744. This motion passed on a voice vote.

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Notice, City Clerk of reference of a Communication, City Clerk/Clerk of the City Council, to City Council, on behalf of **Douglas Furtado, 39 Perry Street, Dartmouth, MA 02748 d/b/a IDEAL LIMO, 439 Bolton Street, New Bedford, MA 02740**, hereby resubmitting 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. (Previous Application was denied on August 18, 2016; Current License expired August 20, 2016.) (Ref'd 9/8/16) (4)

Councillor Abreu made a motion to table this matter due to the applicant not being present, which was seconded by Councillor Carney. At the same time Councillor Morad made a motion to take "No Further Action" on this matter because the Committee previously denied the application on August 16, 2016. The motion to table takes precedent over no further action, so a roll call was called. The motion to table FAILED on a Roll Call Vote of Yeas 0, Nays 9.

Councillor Morad told the Committee that the applicant has not shown up in the past and that nothing on the application has changed and that no further action on the request should be taken.

On motion by Councillor Morad and seconded by Councillor Abreu, the Committee VOTED: To recommend to the City Council to take "No Further Action" on behalf of **Douglas Furtado, 39 Perry Street, Dartmouth, MA 02748 d/b/a IDEAL LIMO, 439 Bolton Street, New Bedford, MA 02740**, hereby resubmitting 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. (Previous Application was denied on August 18, 2016; Current License expired August 20, 2016)
This motion passed on a voice vote.

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Notice, City Clerk of reference of a Communication, City Clerk/Clerk of the City Council, to City Council, on behalf of **Jason Lobo d/b/a GOOD TIMES LIMO, 400 Union Street, New Bedford, MA 02745**, hereby submitting a copy of the Application requesting a NEW 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. **(Please note Mr. Lobo had a Livery License from 2008-2010.)** (5)

On motion by Councillor Morad and seconded by Councillor Abreu, the Committee VOTED: To table this matter at this time. This motion passed on a voice vote.

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Notice, City Clerk of reference of a Communication, City Clerk/Clerk of the City Council, to City Council, on behalf of **Eddie Gabbidon d/b/a APPLE TRANSPORTATION SERVICES, 2110 Phillips Road, New Bedford, MA 02745**, hereby submitting a copy of the Application requesting a **NEW 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 was received and placed on file by Councillor Morad and seconded by Councillor Abreu. (6)

Mr. Eddie Gabbidon of 2110 Phillips Road, New Bedford, MA was present to answer questions from the Committee.

The Committee asked a series of questions which resulted in the following clarifications:

Mr. Gabbidon holds a CDL license and this is his first venture into this type of business. He will be looking to secure contracts to transport patients to appointments. He will be starting out with one vehicle, a 2017 Chrysler Pacific. His business address is currently his apartment but he is paying an additional fee to park his van at the property. He has two spots available to him. The backup sensor on the vehicle will not be a concern in the morning because his parking space allows him to drive forward.

On motion by Councillor Morad and seconded by Councillor Carney, the Committee VOTED: To recommend to the City Council Approval on behalf of **Eddie Gabbidon d/b/a APPLE TRANSPORTATION SERVICES, 2110 Phillips Road, New Bedford, MA 02745**, of the Application requesting a **NEW 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. This motion passed on a voice vote.

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Notice, City Clerk of reference of a Communication, City Clerk/Clerk of the City Council, to City Council, on behalf of **Edward BeJarano d/b/a A&M TRANSPORTATION, 1251 Church Street, New Bedford, MA 02745**, hereby submitting a copy of the Application requesting a **NEW 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.

On motion by Councillor Abreu and seconded by Councillor Lopes, the Committee VOTED: To table this matter at this time. This motion passed on a voice vote.

Councillor Carney made a motion to adjourn, which was seconded by Councillor Abreu.

This meeting adjourned @ 7:45 p.m.

ATTEST:

Denis Lawrence, Jr.,
Clerk of Committees