

NEW BEDFORD, MASSACHUSETTS

MEETING: COMMITTEE ON CITY PROPERTY

DATE: JULY 12, 2022

TIME: 7:01 P.M.

PLACE: CITY COUNCIL CHAMBER, ROOM 214, MUNICIPAL BUILDING

PRESENT: COUNCILLORS MARIA GIESTA, CHAIRPERSON; IAN ABREU; SHANE BURGO; NAOMI CARNEY; HUGH DUNN; BRIAN GOMES; RYAN PEREIRA

ABSENT: COUNCILLORS WILLIAM BRAD MARKEY, VICE CHAIRMAN; DEREK BAPTISTE; SCOTT LIMA; LINDA MORAD

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Councillor Giesta called the City Property Committee Meeting to order and took attendance. The Clerk read Communications from Councillors Baptiste, Lima, Markey and Morad explaining their absences from this meeting. These Communications were received and placed on file by Councillor Abreu and seconded by Councillor Burgo.

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Notice, City Clerk of reference of a WRITTEN MOTION, Councillors Gomes, Giesta, Council President Lopes and Councillor Morad, requesting that the Committee on City Property, meet with the members of the Cemetery Board for the purpose of discussing the rules and regulations governing Cemetery plots and clarifying what can and cannot be placed on those plots at City Cemeteries; and further that the Board discuss updating those rules and regulations on how family and friends care for their love ones plots (Pictures Enclosed and to be Referred to the Committee on City Property.) (Ref'd 04/22/2021) (6/23/2021 – Motion made that the Cemetery Board return to the committee with their changes as it relates to the rules and regulations on what can and cannot be placed at a headstone throughout the cemetery in the next 30 days) (09/08/2021 – new cemetery brochure with updated rules & regs obtained from Cemetery Dept.; forwarded to all Councillors by hard-copy and email.) was received and placed on file by Councillor Pereira and seconded by Councillor Burgo. (1)

Councillor Pereira made a motion to receive and place on file the Cemetery Regulations Brochure, which was seconded by Councillor Burgo.

Councillor Gomes told the Committee he called for this meeting to review the rules and regulations as there seems to be some confusion as to what can and cannot be allowed at a headstone.

Jonathan Carvalho, Vice Chairman of the Cemetery Board was present and explained that prior to his joining the Cemetery Board, a brochure was developed and distributed to those who would come to the city and purchase plots. The brochure has since been revised and additional items have been allowed and some additional items restricted have been added as well. He did confirm that currently when plots are purchased the brochure is given to the purchasers. He did acknowledge that it has been

difficult to get the regulations out to those who already own headstones and plots. The Board will be looking to erect signs at the entrances of each cemetery with the regulations that will be enforced along with timelines allowed for such items, as flags.

The Committee expressed their concern that items were being removed and the owners of the plots were unaware that it was being done according to cemetery regulations. It was agreed the Cemetery Department needed to do a better job of addressing this issue. The Committee asked that perhaps where the department has a record of the plot owners if they have a telephone number on file they could call and tell them that their property has been removed and that they can come to the Cemetery to retrieve it.

There was also some concern about the amount of time that the Cemetery Department holds on to removed property before discarding it. Justin Chicca of DPI explained that they hold on to the items for much longer than the regulations state. When items are removed, they are tagged from where they were taken. When and if someone inquires about missing items, they are able to locate it, if the department was the entity that removed it. He went on to say that unfortunately, some of the items are stolen by others. Mr. Chicca also gave a brief overview of why some items were allowed and others were not. It basically boiled down to maintenance and grass keeping issues. Mr. Chicca went on to explain that the Cemetery Board through Perpetual Care Funds Department was testing the services of an independent company that will sell the plots and maintain plot and sale records. This is a trial test of this company.

Some of the Committee members expressed their concern of another company remotely handling these items, they feared it removes the caring and compassion that is needed at a time when a loved one has passed. They were not sure this was an appropriate use of perpetual care funds.

It was agreed by all that the Cemetery Board did need to do a better job in getting the message out.

On motion by Councillor Gomes and seconded by Councillor Pereira, the Committee VOTED: To recommend that the City Council take "No Further Action" on the WRITTEN MOTION, Councillors Gomes, Giesta, Council President Lopes and Councillor Morad, requesting that the Committee on City Property, meet with the members of the Cemetery Board for the purpose of discussing the rules and regulations governing Cemetery plots and clarifying what can and cannot be placed on those plots at City Cemeteries; and further that the Board discuss updating those rules and regulations on how family and friends care for their love ones plots. This motion passed on a voice vote.

On a Related Motion by Councillor Carney and seconded by Councillor Gomes, the Committee VOTED: That the Cemetery Board come back to the Committee in six (6) months and provide the Committee with a status on the new remote management program put in place by the Cemetery Board. This motion passed on a voice vote.

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Notice, City Clerk of reference of a COMMUNICATION, Councillor Gomes, submitting a communication from Judy Pacheco Young, New Bedford, MA 02745, regarding the severe damage done to her husband's headstone at Rural Cemetery (Copy all Councillors 07/19/2021; To be Referred to the Committee on City Property.) (Ref'd 08/19/2021) was received and placed on file by Councillor Pereira and seconded by Councillor Burgo. (2)

Mrs. Judy Pacheco-Young was present and explained that the headstone for her family was damaged at Rural Cemetery. She explained how she was devastated when it was reported to her. She expressed her frustration that the Cemetery Board never reached out to her. She explained the Police investigated the issue and they were unable to determine who was responsible for the damages done. They were able to confirm that two companies were in the area with heavy equipment but were unable to establish if they were responsible for the damages.

Mrs. Pacheco-Young went on to explain that she filed a claim with the city and after a long period of time she agreed to settle with the city at 75% of the repair estimate she received from Tootell Monument Works.

Several of the Committee members apologized for the lack of action on the city's behalf. They shared her frustration and disappointment.

They agreed that the city could reimburse her for the full amount of the repairs.

On motion by Councillor Gomes and seconded by Councillor Carney, the Committee VOTED: To recommend that the City Council request that the City Solicitor's Office and the Cemetery Board cover the full costs as they relate to the repair of the Pacheco-Young headstone. This motion passed on a voice vote.

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On motion by Councillor Pereira and seconded by Councillor Gomes the Committee VOTED: That the Committee waive the reading and follow the Chair's recommendation to take "No Further Action" and refer out to the City Council items 3, 4, 4a, 5 and 6. This motion passed on a voice vote. They are as follows:

Notice, City Clerk of reference of a WRITTEN MOTION, Councillors Giesta, Abreu, Council President Lopes, Councillors Lima, Carney and Coelho, requesting that City Solicitor Mikaela McDermott, DPI Commissioner Jamie Ponte, Director of Parks, Recreation and Beaches Mary Rapoza, and the Director of Purchasing Molly Gilfeather, be invited to a Committee on City Property meeting to discuss the possibility of the City selling the two pocket parks in the North End, the Nye Street Pocket Park and the Phillips Avenue Pocket Park, these parks were first created as an idea that the neighborhood would take advantage of the green space that these parks provided; unfortunately, these pocket parks have had the opposite effect, they are being used by drug dealers and users and for prostitution, the residents and business owners in the surrounding areas deserve better and should not have to live with the ongoing crime that is being perpetrated in these pocket parks; further requesting that the City please sell these pocket parks to interested buyers who will utilize their use for the betterment of the neighborhood, i.e., possible business or residential parking. (To be Referred to the Committee on City Property.) (Ref'd 02/25/2021) (03/23/2021 – tabled) (3)

Notice, City Clerk of reference of a WRITTEN MOTION, Councillor Gomes, on behalf of Bonnie Waite, 112 Peckham Road, Acushnet, requesting that Kathleen Street be changed to SPOONER FARM LANE, the Spooner Family-owned land for decades along Kathleen Street; and this name change would give recognition to a family that contributed so much to this area for decades. (To be Referred to the Planning Board, the Committee on City Property, and the Traffic Commission.) (Ref'd 02/10/2022) (03/08/2022 – Planning Board has continued this matter to their April meeting) (4)

Notice, City Clerk of reference of a COMMUNICATION, Jennifer Carloni, Director, City Planning, to Councillor Maria E. Giesta, Chairperson, Committee on City Property, advising that the Planning Board held a meeting on Wednesday, March 09, 2022, to review and make a recommendation to the City Council for its consideration regarding the petition from Bonnie Waite to change the name of Kathleen Street to Spooner Farm Lane; **the Planning Board recommends that the petition be withdrawn from the City Council and refiled with the Planning Board.** (Ref'd 03/18/2022) (4a)

Notice, City Clerk of reference of a COMMUNICATION, Councillor Pereira submitting a copy of letter to the Park Board of Commissioners regarding the proposed pay-to-park system at the Marine Park on Pope's Island. (Ref'd 03/24/2022) (5)

Notice, City Clerk of reference of a COMMUNICATION, Councillors Baptiste, and Pereira, submitting a copy of a letter sent to Members of the Board of Park Commissioners regarding the parking plan at Marine Park and Noah's Place Playground. (To be Referred to the Committee on City Property.) (Ref'd 04/12/2022) (6)

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

This meeting adjourned @ 8:14 p.m.

ATTEST:



Denis Lawrence, Jr.,
Clerk of Committees