



## **CITY OF NEW BEDFORD, MASSACHUSETTS**

**MEETING:** COMMITTEE ON CITY PROPERTY  
**DATE:** FEBRUARY 15, 2023  
**TIME:** 7:05 P.M.  
**PLACE:** CITY COUNCIL CHAMBER, ROOM 214

**PRESENT:** COUNCILLORS MARIA GUESTA, CHAIRMAN; DEREK BAPTISTE; SHANE BURGO; NAOMI CARNEY (7:14); BRIAN GOMES; SCOTT LIMA; WILLIAM BRAD MARKEY; LINDA MORAD

**ABSENT:** COUNCILLORS IAN ABREU; RYAN PEREIRA

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Councillor Giesta called the City Property Committee Meeting to order and took attendance. The Clerk read a Communication from Councillor Pereira into the record explaining his absence and Communications from Councillors Abreu and Carney explaining their tardiness. The Communications were received and placed on file by Councillor Burgo and seconded by Councillor Baptiste.

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COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER authorizing the Mayor to enter into and execute a twenty-five-year Intermunicipal Agreement for waterfront improvements at Lake Street between the Town of Acushnet and the City of New Bedford (Ref'd 11/10/2022); AN ORDER, (Ref'd 11/10/2022) and INTERMUNICIPAL AGREEMENT, (Ref'd 11/10/2022) was received and placed on file by Councillor Burgo and seconded by Councillor Lima. This motion was passed on a voice vote. (1, 1a, 1b)

The Chair recognized David Wojnar, Chairman, Acushnet Board of Selectman.

Selectman Wojnar gave an overview of the City and Town of Acushnet's request that the City Council approve a twenty-five-year Intermunicipal Agreement for waterfront improvements on Lake Street. The town has maintained this area and parking lot for many years. The town was looking to mitigate the nitrogen activity in the water and improve the quality by removing various vegetation as well as other improvements. When the town began to look into these projects, it was discovered that after all these years, the property in question actually belonged to the City of New Bedford.

When this was discovered, the Town's Department of Public Works entered into discussions with the City's Department of Public Infrastructure and the Administration. Then they created a Memorandum of Understanding that would allow the City to enter into an Intermunicipal Agreement. The Town intends to clean up the water area, erect a walking trail and an area for fishing. This would be at no cost to the City. It would be open to the general public.

Selectman Wojnar was asked a series of questions from the Committee which resulted in the following: the physical improvements and weed mitigation would begin in the Spring of 2023 and all costs to improve the area would be funded by the Town through various grants at no cost to the City.

Department of Public Infrastructure Commissioner Jamie Ponte was recognized and asked by the Committee if the City had any concerns. He said there were none. At the onset of the conversation between both entities they worked out any and all conservation concerns.

Atty. Gerwatowski was recognized and asked by the Committee if he had any concerns with the agreement. He had none and stated it all appeared to be proper. There was a question on who would carry the liability insurance on the property should there be an injury, etc. He stated that the language in the agreement requires that the liability insurance would be carried by the Town of Acushnet.

City Solicitor Eric Jaikes was recognized and confirmed that the liability requirement was written into the agreement.

On a motion by Councillor Morad and seconded by Councillor Burgo, the Committee VOTED: To recommend to the City Council ADOPTION of the ORDER, authorizing the Mayor to enter into and execute a twenty-five-year Intermunicipal Agreement for waterfront improvements at Lake Street between the Town of Acushnet and the City of New Bedford and APPROVAL of the twenty-five-year INTERMUNICIPAL AGREEMENT. This motion passed on a Roll Call Vote of Yeas 8, Nays 0.

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Councillor Morad made a motion to adjourn, which was seconded by Councillor Burgo. This motion passed on a voice vote.

This meeting adjourned at 7:21 p.m.

ATTEST:

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Denis Lawrence, Jr.  
Clerk of the Committees