



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

**MEETING: COMMITTEE ON CITY PROPERTY**  
**DATE: MARCH 14, 2023**  
**TIME: 7:01 P.M.**  
**PLACE: CITY COUNCIL CHAMBER, ROOM 214**

**PRESENT: COUNCILLORS MARIA GUESTA, CHAIRMAN; DEREK BAPTISTE (8:03); SHANE BURGO (7:03); NAOMI CARNEY; BRIAN GOMES; WILLIAM BRAD MARKEY; LINDA MORAD; SHAWN OLIVER; RYAN PEREIRA**

**ABSENT: COUNCILLORS IAN ABREU; SCOTT LIMA**

\* \* \*

Councillor Giesta called the City Property Committee Meeting to order and took attendance. The Clerk read a Communication from Councillor Abreu into the record explaining his absence. The Communication was received and placed on file by Councillor Markey and seconded by Councillor Oliver.

\* \* \*

Notice, City Clerk of reference of a COMMUNICATION, Council President Morad and Councillor Gomes, submitting a copy of letter from Bradford Bourque, New Bedford, MA regarding the Clark Cove Beach Nourishment Project (To be Referred to the Committee on City Property, Conservation Commission and Conservation Agent Michele Paul.) (Ref'd 12/12/2019) was received and placed on file by Councillor Gomes and seconded by Councillor Markey. This motion was passed on a voice vote. (1)

On a motion by Councillor Morad and seconded by Councillor Burgo, the Committee VOTED: To receive and place on file a Communication submitted by Bradford Bourque. This motion passed on a voice vote.

The Chair recognized Mr. Bradford Bourque, 98 Willard Street, New Bedford, a former Shellfish Warden for the City of New Bedford.

Mr. Bourque expressed his concern regarding the proposed Clark Cove Beach Nourishment Project. His principal concern was that as designed, it will be a detriment to this particular section of waterfront. He stated that the retaining wall being suggested would decimate the possibility of shellfish growth in the area.

Mr. Bourque suggested that the City look to increasing the depth of the pond area along Cove Road, repair and raise the height of the existing wall, increase the capacity of the existing wastewater trunk line that runs under South Rodney French Boulevard, and any other options along any of the contributory streets behind the barrier. He further suggested that a study be conducted to see if a satellite pump along West Rodney French Boulevard might be beneficial.

Mr. Shawn Syde, an Engineer with the City's Department of Public Infrastructure, was recognized. He explained that this is a critical project for DPI. Their intent is to protect the piping system responsible for directing all of the City's wastewater to the south-end plant. This pipe is located behind the seawall, west of the beach. The pipe was installed in the 1920's, is 9-feet in diameter, and all of the City's wastewater comes through this pipe.

Mr. John Ramsey, the vendor retained to complete the project, was recognized. He explained that once the wall is reenforced, the area will be refilled with clean sand, which will allow for future shellfish growth. He stated that they will do some shellfish relocation at the onset of the project. He further explained that the project will be done in two phases, two seasons, and would be winter-time projects so it would not interfere with the use of the area in the summer months. The project should begin in the winter of 2024.

Councillor Morad was recognized. She stated that if the Committee agreed, DPI should meet with the makers of the motion and Mr. Bourque to see if there is a way to include Mr. Bourque and mitigate his concerns.

On motion by Councillor Morad and seconded by Councillor Burgo, the Committee VOTED: To table the matter for 90 days. This motion passed on a voice vote.

\* \* \*

Notice, City Clerk of reference of a WRITTEN MOTION, Councillors Gomes and Pereira, requesting, that the Committee on City Property and Mary Rapoza, Director, Parks, Recreation and Beaches, meet with Mr. Joseph Pacheco, President, and Commodore of the Low Tide Yacht Club and the Fort Rodman Marine Educational Association, for the purposes of discussing the educational program held between May 15th and September 15th at Fort Taber, and further, to discuss issues with meetings and services that the Low Tide Yacht Club provides after the 8:00 p.m. closing of Ft. Taber, and ways the City can assist the club with access to the facilities after hours for said meetings and services (Ref'd 10/13/2022) was received and placed on file by Councillor Pereira and seconded by Councillor Burgo. This motion was passed on a voice vote. (2)

The Chair recognized Ms. Mary Rapoza, Director of Parks, Recreation and Beaches. Ms. Rapoza addressed the request to allow access to the Fort Taber Park beyond 8:00 pm between May 15<sup>th</sup> and September 15<sup>th</sup> due to classes and functions occurring at the Low Tide Yacht Club. Ms. Rapoza informed the Committee that the Park Board will be allowing the gates at Fort Taber to remain open at all times, year-round. Ms. Rapoza stated that she reached out to the Police Department, and they will increase patrols in the park after 8:00 pm. She also stated that she has summer staff on the premises as well.

The Chair recognized Joseph Pacheco, President and Commodore of the Low Tide Yacht Club and the Fort Rodman Marine Educational Association. Mr. Pacheco gave an overview of their request to have the gates remain open full-time. He was pleased to hear the steps the Park Board has taken.

On motion by Councillor Pereira and seconded by Councillor Burgo, the Committee VOTED: To take 'No Further Action' on the WRITTEN MOTION, Councillors Gomes and Pereira, requesting, that the Committee on City Property and Mary Rapoza, Director, Parks, Recreation and Beaches, meet with Mr. Joseph Pacheco, President, and Commodore of the Low Tide Yacht Club and the Fort Rodman Marine Educational Association, for the purposes of discussing the educational program held between May 15th and September 15th at Fort Taber, and further, to discuss issues with meetings and services that the Low Tide Yacht Club provides after the 8:00 p.m. closing of Ft. Taber, and ways the City can assist the club with access to the facilities after hours for said meetings and services. This motion passed on a voice vote.

\* \* \*

Notice, City Clerk of reference of a COMMUNICATION, Mayor Mitchell, to City Council, submitting a Request for Proposal (RFP) for the sale of the Airport's vacant lot on the East Side of Mount Pleasant Street (Assessor's Map #123-081) (Ref'd 07/21/2022) (11/09/2022 – Remain in Committee) and a Request for Proposal (RFP) for the sale of the Airport's vacant lot on the East Side of Mount Pleasant Street (Assessor's Map #123-081) (Ref'd 07/21/2022) (11/09/2022 – VOTE: Send a communication to all City departments inquiring if the space is needed for municipal purposes; Remain in Committee) (11/10/2022 – memo sent to all departments inquiring if the space was needed for municipal purposes; no responses were received that indicated there was a need for this space) were received and placed on file by Councillor Markey and seconded by Councillor Baptiste. This motion was passed on a voice vote. (3, 3a)

On motion by Councillor Pereira and seconded by Councillor Burgo, the Committee VOTED: To table the matter at this time at this time. This motion passed on a voice vote. (Councillor Markey OPPOSED.)

\* \* \*

Notice, City Clerk of reference of a COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, that the City Solicitor be requested to obtain appraisals and prepare an Order of Taking for land located on County Street, from Nelson Street to Union Street, for the purpose of acquiring permanent and temporary easement for roadway paving, sidewalk reconstruction with new pedestrian ramps, new pavement markings, traffic signal upgrades, tree plantings and new green infrastructure areas (Ref'd 01/26/2023) and AN ORDER, (Ref'd 01/26/2023) were received and placed on file by Councillor Burgo and seconded by Councillor Markey. This motion was passed on a voice vote. (4, 4a)

The Chair recognized Atty. McNamara, representing the Solicitors Office. Atty. McNamara explained that the agreements related to the proposed Order of Taking of land located on County Street from Nelson Street to Union Street would be executed by the Solicitors Office.

Ms. Stephanie Crampton, an Assistant Engineer for the City's Department of Public Infrastructure, was recognized by the Chair. Ms. Crampton gave an overview of the project. She explained that the request includes the acquiring of permanent and temporary easements needed for roadway paving, sidewalk reconstruction with new pedestrian ramps to be installed as well as new pavement markings, traffic signal upgrades, tree plantings and new green infrastructure areas. She added that the proposed upgrades are being required by Mass DOT.

The Committee asked a series of questions in which Ms. Crampton responded: No building demolitions would be a part of this proposal; the work would be accomplished through Chapter 90 funding; the project would be completed in three phases and in sections; there would be some walkways affected but they would take whatever steps were necessary to make them accessible to those walking; the property would need to be appraised for permanent taking or temporary takings in order to complete the work; they have secured a company to review and appraise all 182 parcels being affected; a payment agreement would then be reached with the property owners; the cost of the appraisal process would be approximately \$157,000 and would also be paid for through chapter 90 funds; this would not affect steps/stairs that abut the property, permanent easements would be secured for such property.

On motion by Councillor Morad and seconded by Councillor Carney, the Committee VOTED: To recommend to the City Council ADOPTION of the ORDER, requesting that the City Solicitor obtain appraisals and prepare an Order of Taking for land located on County Street, from Nelson Street to Union Street, for the purpose of acquiring permanent and temporary easement for roadway paving, sidewalk reconstruction with new pedestrian ramps, new pavement markings, traffic signal upgrades, tree plantings and new green infrastructure areas. This motion passed on a voice vote.

\* \* \*

On motion by Councillor Markey and seconded by Councillor Burgo, the Committee VOTED: To follow the Chair's recommendation and Waive the Reading, take NO FURTHER ACTION and Report Out to the Full City Council on item 5. This motion passed on a voice vote. The item is follows:

Notice, City Clerk of reference of a COMMUNICATION, Mayor Mitchell, to City Council, submitting a request from the Zeiterion Theatre, Inc. to enter into a long-term lease agreement with the City of New Bedford, that this matter be referred to the Committee on City Property to issue a Request for Proposals (Ref'd 11/21/17) (02/26/18-tabled; memo sent to all Dept. Heads asking if their department believes the property is needed for municipal purposes; Tentative Lease Agreement requested from the Mayor and Solicitor's Offices) (04/13/18-no response received by any Department Head indicating a need for the property) (05/14/18-tabled; lease not ready). (5)

\* \* \*

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

This meeting adjourned at 8:27 p.m.

ATTEST:

---

Denis Lawrence, Jr.  
Clerk of the Committees