



Committee on City Property

May 24, 2016 – 7:00 PM - **Minutes**

City Hall, 133 William Street, City Council Chamber, Room 214

MEETING: COMMITTEE ON CITY PROPERTY

DATE: MAY 24, 2016

TIME: 7:00 P.M.

PLACE: CITY COUNCIL CHAMBER, ROOM 214, MUNICIPAL BUILDING

PRESENT: COUNCILLORS JAMES OLIVEIRA, CHAIRMAN; NAOMI CARNEY, VICE-CHAIRPERSON; HENRY BOUSQUET; JOSEPH LOPES; LINDA MORAD

ABSENT: NO ONE

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Councillor Oliveira called the Committee on City Property Meeting to order and took attendance.

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Prior to the Communication being read into the record, Mr. Eddie Johnson, 634 Summer Street, New Bedford, President of C.L.E.A.N. was recognized to express his opposition to the proposal.

Mr. Johnson explained C.L.E.A.N.'s history working on the sites at Paul Walsh Field, that his organization was responsible for getting the US EPA and US DEP to spend \$17,000,000 cleaning up Paul Walsh Field and other sites near it. He expressed his concern that when the Bay Sox came to New Bedford, they made no offer to assist the community with the cleanup of the fields, and that since their time here they have not come forward to assist with anything further as it relates to the field nor has the New Bedford Chamber of Commerce. Mr. Johnson posed the following questions:

- a. Will the fence put in to the 3,000' area be a permanent or removable structure?
- b. Will adult baseball and soccer teams be allowed 1 day liquor licenses to offset costs and their use?
- c. Will girls and boys teams be able to obtain 1 day liquor licenses?
- d. Will other organizations have the ability to be granted license's as well?

If approved New Bedford Paul Walsh Field will be the first school of its kind that will be allowed to sell beer and wine on transferred land to accommodate the Bay Sox, setting a precedent. He went on to ask why his email at the last meeting was not read in its entirety, when it was on the docket to be read. He does not feel what will happen within the Committee tonight is not the end of the issue. He fought for 12 years to get the field cleaned up and he will fight for the children of NBHS, that alcohol, beer and wine will not be sold on public property.

Notice, City Clerk of reference of a Communication, Mayor Mitchell to City Council, submitting AN ORDER that land shown on Plan of Land entitled, "Paul Walsh Field, Hunter St. New Bedford, MA 02740" dated March 31, 2016 and as described on Attachment "A" hereto be accepted from the School Committee and conveyed to the Department of Facilities and Fleet Management for the purpose of licensing the property to the New Bedford Bay Sox LLC on which the sale of beer and wine may be permitted, in accordance with conditions established by the Licensing Board and such other reasonable conditions as may be necessary or appropriate (Ref'd 4/28/16, 5/18/16-tabled) was removed from the table by Councillor Lopes and seconded by Councillor Carney. (1, 1a)

Attorney David Gerwatowski was present to go over the language of the changes requested in the licensing agreement from the May 18th meeting.

A conversation ensued that included the following:

Attorney Gerwatowski explained it was communicated to him that it was the Councils desire to have the land transferred back to the School Co9mmittee at the end of the Bay Sox Season, if the body chose to grant the request to transfer the land to the City of New Bedford. In order to do this, Attorney Gerwatowski working with the City Solicitor's Office drafted the proper language to address this issue. He also addressed the Council's desire to keep the property in the custody of the City Council and not transfer it over to DFFM. He drafted such language which will have to be amended into the agreement. In short, the School Committee must meet by June 14 and agree to take the property back; if they do not then the Bay Sox will not be able to move forward with their desire to sell beer at ball games.

On motion by Councillor Bousquet and seconded by Councillor Morad, the Committee VOTED: To AMEND the ORDER by striking the words "Department of Facilities and Fleet Management" and insert, in place thereof, the following words: - "City "Council Committee on City Property". This motion passed on a voice vote.

On motion by Councillor Bousquet and seconded by Councillor Morad, the Committee VOTED: To AMEND the ORDER, by inserting, at the end of the order, the following new paragraph: - "any licenses granted authorizing the use of the described land to any non-governmental entity shall immediately expire and become null and void if, by June 14, 2016, the School Committee of the City of New Bedford has not voted to accept the described property effective September 6, 2016. If, by June 14, 2106, the School Committee of the City of New Bedford has not voted to accept the described property effective September 6, 2016, no licenses shall be issued to any non-government entity on the described property that authorizes the sale of alcoholic beverages." This motion passed on a voice vote.

On motion by Councillor Lopes and seconded by Councillor Morad, the Committee VOTED: To recommend to the City Council APPROVAL of the ORDER, AS AMENDED. This motion passed on a voice vote.

Councillor Lopes made a motion to adjourn, which was seconded by Councillor Morad.

This meeting adjourned @ 7:34 p.m.

ATTEST:

Clerk of Committees