



CITY OF NEW BEDFORD
JONATHAN F. MITCHELL, MAYOR

June 14, 2017

City Council President Joseph P. Lopes
Honorable Members of the City Council
City of New Bedford
133 William Street
New Bedford, MA 02740

RE: Bike and Pedestrian Safety Project

Dear Council President Lopes and Honorable Members of the City Council:

The City of New Bedford, in cooperation with the Massachusetts Highway Department, is preparing to make a number of Pedestrian and Bicycle Facility upgrades around four New Bedford elementary schools (Carney Academy, Gomes Elementary, Parker Elementary, and Swift Elementary). The project will provide safer routes to school for students and all pedestrians by retrofitting accessible ramps to meet the American Disability Act (ADA) standards and installing LED flashing beacons and school zone signs at Tarkiln Hill Road & Acushnet Ave., County Street, Cottage & Elm Streets and South Second Street in New Bedford, Massachusetts.

In order for the project to proceed in accordance with the Commonwealth's deadline, DPI has requested that the City authorize temporary access at two City-owned parcels identified as TE-10 and TE-23 on the enclosed plan entitled "Bicycle and Pedestrian Facility Upgrades for (District 5) New Bedford Facilities" dated June 5, 2017, prepared by Toole Design Group, 2 Oliver Street, Suite 305, Boston, MA, 02019.

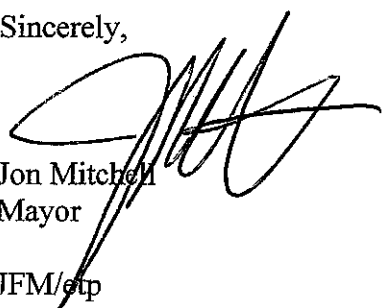
Enclosed for your consideration please find an order authorizing me to execute a Certificate of Donation granting temporary access to the aforementioned City property and waiving any right to appraisal and damages pursuant to M.G.L. c. 79, § 7A and Title IV of the Real Property Acts of 1970, as amended.

It is respectfully requested that the City Council waive City Council Rule 40 for any votes taken in this matter.

Representatives of the Department of Public Infrastructure will be in attendance at the June 22, 2017 City Council meeting.

Thank you for your consideration in this matter.

Sincerely,



Jon Mitchell
Mayor

JFM/etp

cc: Zeb Arruda, D.P.I. Commissioner
Jane Medeiros Friedman, First Assistant City Solicitor



Department of Public Infrastructure

Euzebio Arruda
Commissioner

Water
Wastewater
Highways
Engineering
Cemeteries
Park Maintenance
Forestry
Energy

CITY OF NEW BEDFORD

Jonathan F. Mitchell, Mayor

June 14, 2017

Mayor Jon Mitchell
City of New Bedford
133 William Street
New Bedford, MA 02740

RE: Bike and Pedestrian Safety Project

Dear Mayor Mitchell:

As you know, the City of New Bedford, in cooperation with the Massachusetts Highway Department, is preparing to make a number of Pedestrian and Bicycle Facility upgrades around four New Bedford elementary schools (Carney Academy, Gomes Elementary, Parker Elementary, and Swift Elementary). The project will provide safer routes to school for students and all pedestrians by retrofitting accessible ramps to meet the American Disability Act (ADA) standards and installing LED flashing beacons and school zone signs at Tarkiln Hill Road & Acushnet Ave., County Street, Cottage & Elm Streets and South Second Street in New Bedford, Massachusetts.

In order for the project to proceed in accordance with the Commonwealth's deadline, DPI respectfully requests that the City authorize temporary access at two City-owned parcels identified as TE-10 and TE-23 on the enclosed plan entitled "Bicycle and Pedestrian Facility Upgrades for (District 5) New Bedford Facilities" dated June 5, 2017, prepared by Toole Design Group, 2 Oliver Street, Suite 305, Boston, MA, 02019.

In addition, in order to facilitate this project in an expeditious manner, DPI also requests that the City of New Bedford donate the subject temporary easements and waive any right to damages it may be entitled to under Massachusetts General Laws, Chapter 79 and Title III of the Real Property Acts of 1970, as amended.

Thank you for your consideration in this matter.

Sincerely yours,

Euzebio Arruda

Commissioner of Public Infrastructure

EA/etp

cc: Jane Medeiros Friedman
Elizabeth Treadup Pio

1105 Shawmut Avenue, New Bedford, MA 02746 Telephone 508-979-1550 Fax 1-508-961-3054
STEPHANIE.DUPRAS@NEWBEDFORD-MA.GOV

MASSACHUSETTS DEPARTMENT OF TRANSPORTATION HIGHWAY DIVISION

BICYCLE AND PEDESTRIAN FACILITY UPGRADES FOR:

DISTRICT 5 (NEW BEDFORD)

TARKILN HILL ROAD - ACUSHNET AVENUE - COUNTY STREET - COTTAGE STREET - ELM STREET - SOUTH 2ND STREET

IN THE CITY OF

NEW BEDFORD

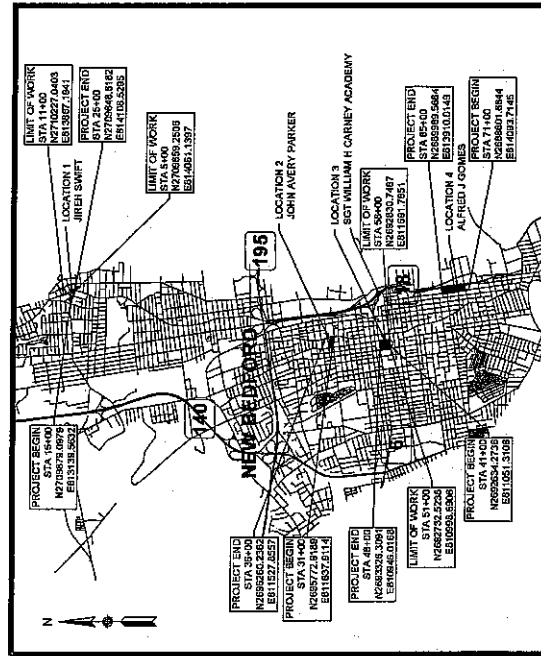
BRISTOL COUNTY

PRELIMINARY RIGHT-OF-WAY

FEDERAL AID PROJECT NO.

INDEX

SHEET NO.	DESCRIPTION
1	TITLE SHEET & INDEX
2	PARCEL SUMMARY SHEET
3	PROPERTY PLAN - LOCATION 1 SHEET 1 OF 2
4	PROPERTY PLAN - LOCATION 1 SHEET 2 OF 2
5	PROPERTY PLAN - LOCATION 2
6	PROPERTY PLAN - LOCATION 3
7	PROPERTY PLAN - LOCATION 4



0 3,000 7,500 15,000
SCALE: 1" = 3,000'

LENGTH OF PROJECT = 4,650.00 FEET = 0.853 MILES

NEW BEDFORD PEDESTRIAN/BICYCLE FACILITY UPGRADES			
DATE	100 ACUSHNET AVENUE	SHEET TOTAL	
2017	100	1	7
PROJECT FILE NO. 60856			
PRELIMINARY RIGHT-OF-WAY TITLE SHEET & INDEX			

THE MASSACHUSETTS HIGHWAY DEPARTMENT STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES, AS AMENDED, THE SUPPLEMENTAL SPECIFICATIONS DATED JULY 1, 2015, THE 2015 STANDARD SPECIFICATIONS FOR BRIDGES, THE 2015 STANDARD SPECIFICATIONS FOR FOUNDATION STANDARD DRAWINGS, MASSDOT TRAFFIC MANAGEMENT PLANS AND TIE AND DRAINAGE STANDARD DRAWINGS, THE 1998 STANDARD DRAWINGS FOR STREETS AND ALLEYS, THE 1998 STANDARD DRAWINGS FOR TRAFFIC CONTROL DEVICES FOR STREETS AND ALLEYS, THE 1998 STANDARD DRAWINGS FOR TRAFFIC CONTROL DEVICES FOR HIGHWAYS AND BRIDGES, THE 1998 STANDARD DRAWINGS FOR TRAFFIC CONTROL DEVICES FOR RAILROADS, AND THE LATEST EDITION OF THE AMERICAN STANDARD FOR NURSERY STOCK, UNIL COVERED.

DESIGN DESIGNATION

STREET	ACUSHNET AVENUE	TARKILN HILL ROAD	COUNTY STREET
DESIGN SPEED	30 MPH	25 MPH	30 MPH
ADT (2017)	16,320	11,000	7,850
ADT (2027)	15,170	11,570	6,350
K	-	10%	6%
D	-	-	54%
T (PEAK HOUR)	-	-	-
T (AVERAGE DAY)	-	-	-
DDHV	-	-	-
FUNCTIONAL CLASSIFICATION	URBAN MINOR ARTERIAL	URBAN MINOR ARTERIAL	URBAN MINOR ARTERIAL

STREET	COTTAGE STREET	ELM STREET	SOUTH 2ND STREET
DESIGN SPEED	25 MPH	25 MPH	25 MPH
ADT (2017)	14,130	8,730	3,550
ADT (2027)	14,080	9,180	3,750
K	-	-	-
D	-	-	-
T (PEAK HOUR)	-	-	-
T (AVERAGE DAY)	-	-	-
DDHV	-	-	-
FUNCTIONAL CLASSIFICATION	URBAN MINOR ARTERIAL	URBAN MINOR ARTERIAL	LOCAL

5/5/2017	PRELIMINARY RIGHT OF WAY	3
5/5/2017	PRELIMINARY RIGHT OF WAY	1
5/5/2017	PRELIMINARY RIGHT OF WAY	0



RECOMMENDED FOR APPROVAL

DATE

CHIEF ENGINEER

APPROVED

DATE

HIGHWAY ADMINISTRATION



DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

APPROVED:

DATE

DIVISION ADMINISTRATION

STATE	FED ACPRON NO	SHEET NO	TOTAL SHEETS
MA	-	2	7

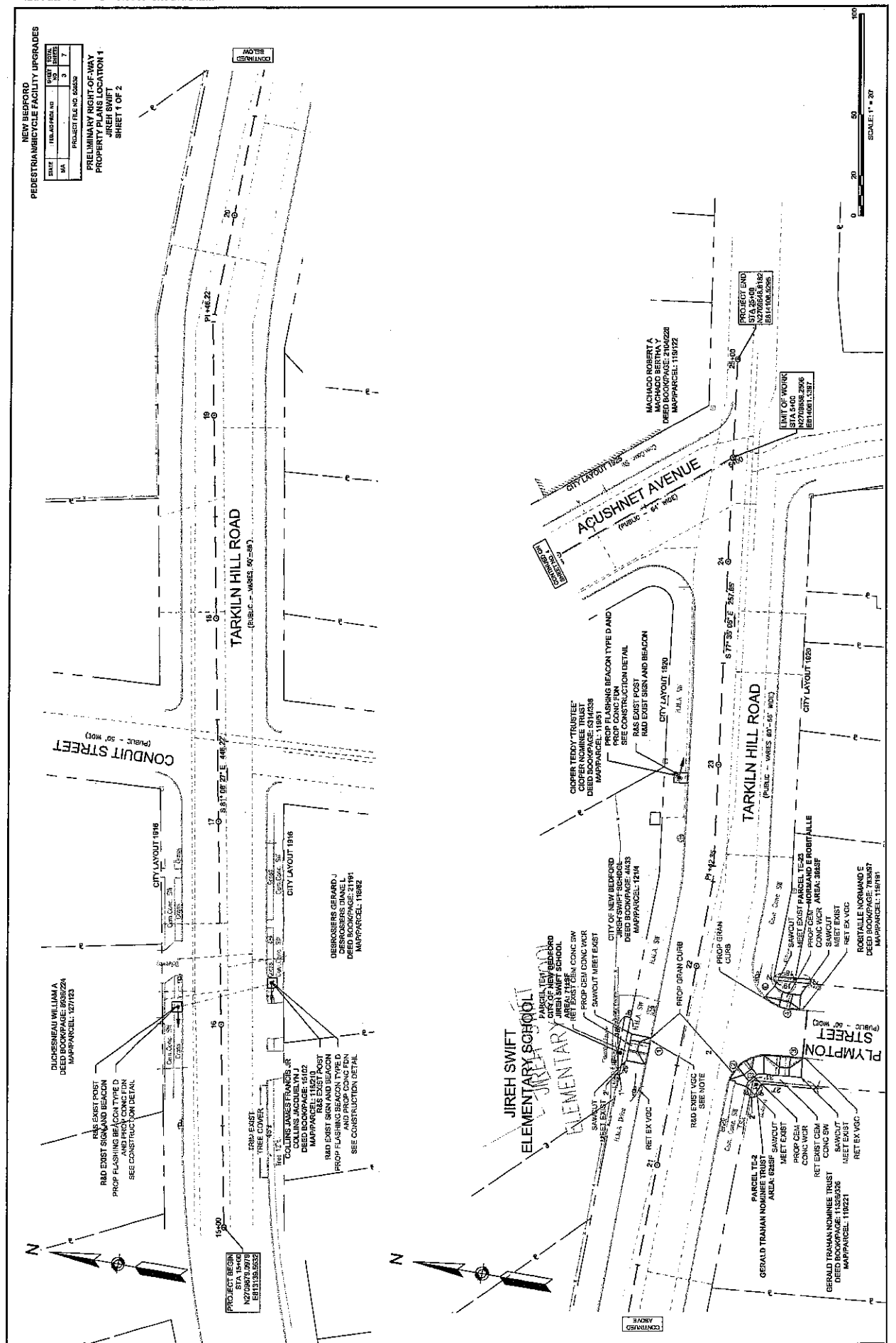
PROJECT FILE NO. 604530

PARCEL NO.	PLAN SHEET NO.	TITLE/HOLDER	TITLE REFERENCES			TAXED BOOK	PAGE NO.	LCC NO.	CITY NO.	TAXED		AREA (S.F.)		TOTAL PROPERTY AREA (S.F.)	REMARKS
			DEED	PLAT	RECORD					CITY	STATE	TOTAL AREA	REMAINING		
TE-1	3	CITY OF NEW BEDFORD (JEREN SWIFT SCHOOL)	4	433							TEMP	71			FOR WHEELCHAIR RAMP RECONSTRUCTION
TE-2	3	GERALD TAHARA MENDHAM TRUST	11236	326							TEMP	62			FOR WHEELCHAIR RAMP RECONSTRUCTION
TE-23	3	NORMAND E BORTALLE	78688	97							TEMP	35			FOR WHEELCHAIR RAMP RECONSTRUCTION
TE-3	4	ARCHITECTURAL CONSULTING GROUP	11673	93							TEMP	119			FOR WHEELCHAIR RAMP RECONSTRUCTION
TE-4	4	FIRST CONGREGATIONAL CHURCH AT THURSDAY CORNER	11521	450							TEMP	138			FOR WHEELCHAIR RAMP RECONSTRUCTION
TE-6	4	JEFFREY SILVA	2389	34							TEMP	33			FOR WHEELCHAIR RAMP RECONSTRUCTION
TE-8	5	CITY OF NEW BEDFORD PAMELA SCHOOL	22	506							TEMP	207			FOR WHEELCHAIR RAMP RECONSTRUCTION
TE-8A	5	CITY OF NEW BEDFORD PAMELA SCHOOL	21	506							TEMP	155			FOR WHEELCHAIR RAMP RECONSTRUCTION
TE-9	5	SOUTHERN MASSACHUSETTS VETERANS HOUSING PROGRAM INC.	4177	74							TEMP	133			FOR WHEELCHAIR RAMP RECONSTRUCTION
TE-10	6	CITY OF NEW BEDFORD	1712	1118							TEMP	165			FOR WHEELCHAIR RAMP RECONSTRUCTION
TE-11	6	KEMPTON NEW BEDFORD LIMITED PA C/O FANDORY PROPERTIES	4004	200							TEMP	243			FOR WHEELCHAIR RAMP RECONSTRUCTION
TE-12	6	CITY OF NEW BEDFORD WILLIAM H GARNEY ACADEMY	1732	3138							TEMP	156			FOR WHEELCHAIR RAMP RECONSTRUCTION
TE-13	6	CITY OF NEW BEDFORD WILLIAM H GARNEY ACADEMY	1732	3118							TEMP	352			FOR WHEELCHAIR RAMP RECONSTRUCTION
TE-14	6	CITY OF NEW BEDFORD WILLIAM H GARNEY ACADEMY	1732	3118							TEMP	426			FOR WHEELCHAIR RAMP RECONSTRUCTION
TE-14B	6	CITY OF NEW BEDFORD WILLIAM H GARNEY ACADEMY	1732	3118							TEMP	45			FOR FLASHING BEACON CONSTRUCTION
TE-15	6	TRINITY METHODIST CHURCH OF THE MED OF TRUSTEES	N/A	N/A							TEMP	246			FOR WHEELCHAIR RAMP RECONSTRUCTION
TE-16	6	EDWARD T WILSON INC	1064	510							TEMP	122			FOR WHEELCHAIR RAMP RECONSTRUCTION
TE-17	7	CITY OF NEW BEDFORD ALFRED J GOMES SCHOOL	1712	1132							TEMP	419			FOR WHEELCHAIR RAMP RECONSTRUCTION
TE-19	7	CITY OF NEW BEDFORD ALFRED J GOMES SCHOOL	1712	1133							TEMP	231			FOR WHEELCHAIR RAMP RECONSTRUCTION
TE-24	7	CITY OF NEW BEDFORD ALFRED J GOMES SCHOOL	1712	1123							TEMP	204			FOR WHEELCHAIR RAMP RECONSTRUCTION
TE-23	7	CITY OF NEW BEDFORD	1712	1122							TEMP	155			FOR WHEELCHAIR RAMP RECONSTRUCTION
TE-18	7	NORMAN L. & SANDRA A. ROUSSEAU	10560	390							TEMP	103			FOR WHEELCHAIR RAMP RECONSTRUCTION
TE-20	7	NH HOUSING AUTHORITY TRAY VILLAGE	1188	302							TEMP	100			FOR WHEELCHAIR RAMP RECONSTRUCTION
TE-21	7	NH HOUSING AUTHORITY TRAY VILLAGE	1188	302							TEMP	22			FOR WHEELCHAIR RAMP RECONSTRUCTION
TE-22	7	NH HOUSING AUTHORITY TRAY VILLAGE	1188	392							TEMP	77			FOR WHEELCHAIR RAMP RECONSTRUCTION
TE-26	7	NEW BEDFORD LLC C/O CLIPPER RAMP RECONSTRUCTION	11122	95							TEMP	110			FOR WHEELCHAIR RAMP RECONSTRUCTION

STATE	FED. AID PROJ. NO.	SHEET NO.	TOTAL SHEETS
MA	-	3	7

PROJECT FILE NO. B06539

PRELIMINARY RIGHT-OF-WAY
PROPERTY PLANS LOCATION 1
JIREH SWIFT
SHEET 1 OF 2

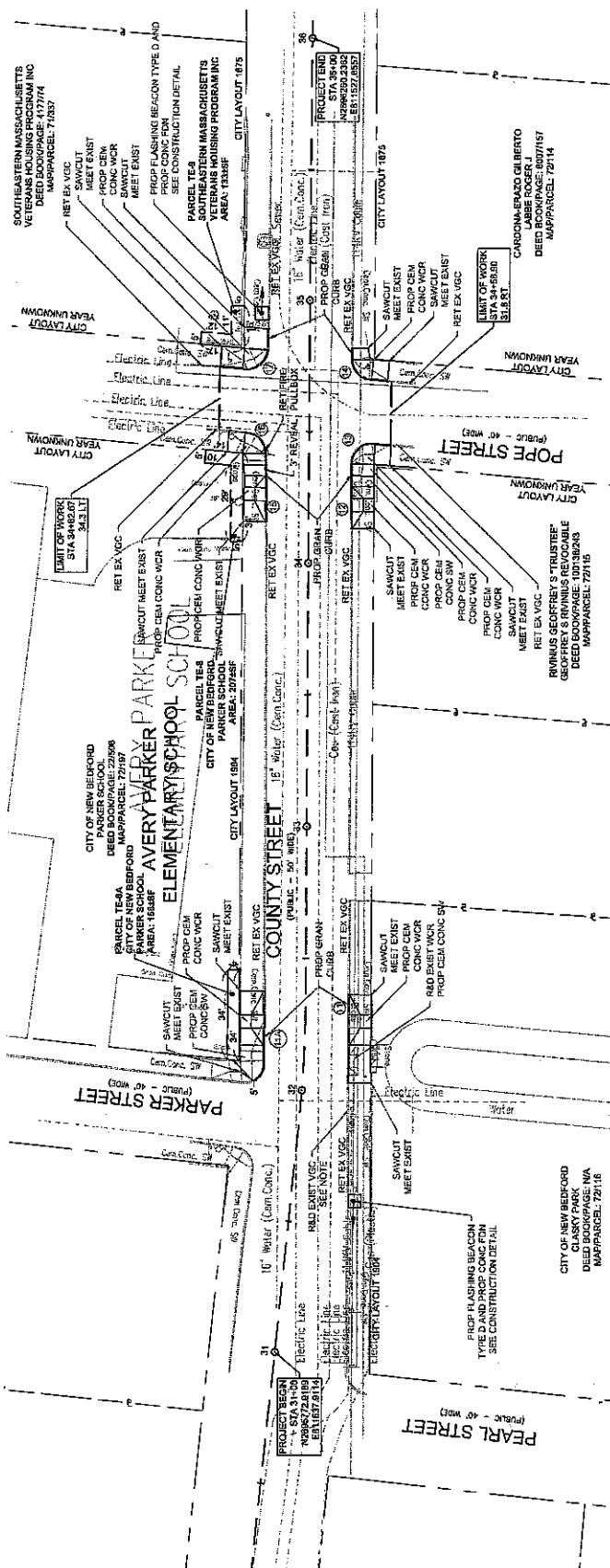


**NEW BEDFORD
PEDESTRIAN/BICYCLE FACILITY UPGRADES**

STATE	FED. AID PROJ. NO.	SHEET NO.	TOTAL SHEETS
MA	-	5	7

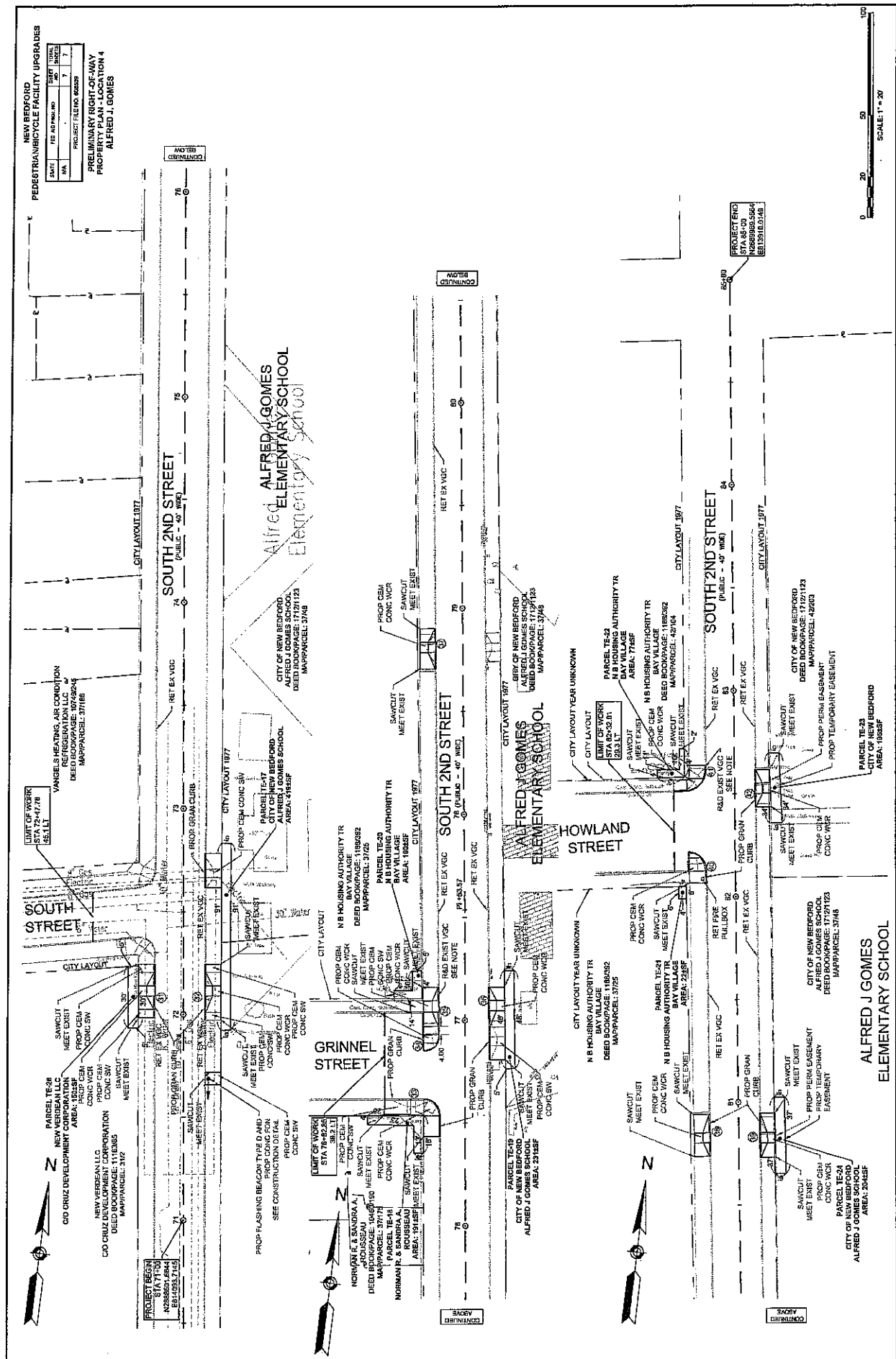
PROJECT FILE NO. 608582

**PRELIMINARY RIGHT-OF-WAY
PROPERTY PLANS LOCATION 2
JOHN AVERY PARKER**



NOTE: WORK FOR WCR-11 CAN ONLY BE CONDUCTED WITHIN CITY LAYOUT







CITY OF NEW BEDFORD

CITY COUNCIL

June 22, 2017

Ordered that, pursuant to M.G.L. c. 79, § 7A, the City of New Bedford hereby waives its rights to an appraisal and to damages, relating to the temporary easements shown as TE-10, TE-23 on a plan entitled "Bicycle and Pedestrian Facility Upgrades for (District 5) New Bedford Facilities," scale 1" = 3,000', dated June 5, 2017, prepared by Design Group, 2 Oliver Street, Suite 305, Boston, MA, 02019. In addition, the City hereby authorizes the Mayor to sign the attached Right of Entry Without Prejudice Form and Certificate of Donation Form granting temporary access at the two locations described in the aforementioned plan.

PRESENTED TO THE MAYOR

For approval.....

City Clerk

Approved.....

Mayor

IN CITY COUNCIL

City Clerk

CERTIFICATE OF DONATION

Owner(s) of Record: City of New Bedford

City/Town: New Bedford, MA

Fed Aid Number: _____

Project: Bedford- Pedestrian & Bike Facility Upgrades at Various Locations; Project File # 608539

Parcel Number (ROW Plans) & Square Footage(s): Map 52 Lot 162, Map 42 Lot 203 & 380 sf

In Fee: _____

Permanent Easement(s): n/a

Temporary Easement(s): TE-10, TE-23

To: John DeLeire, Director
Right of Way Bureau
MassDOT/ Highway Division
10 Park Plaza - Room 6160
Boston, MA 02116-3973

This is to certify that the above referenced parcel(s) were donated
by the owner(s) as provided for in the provisions of Title III,
Uniform Relocation Assistance and Real Property Acquisition Policies
Act of 1970, as amended.

The conveyance of these parcels will be accomplished by deed or Order of Taking and recorded in the
Registry of Deeds.

**This donation is made of my/our free will. I/we waive my/our right(s) to an appraisal
and compensation. I/we have been given the Federal Aid Acquisition Guide for
Property Owners and have reviewed it.**

Owner(s)/ Authorized Representative

****All Owners of Records must sign****

Date

Authorized City/Town Official - Title

Date

Note: If the subject parcel(s) is/are owned by a corporation, estate, trust, etc., then an appropriate document,
authorizing this donation must be attached to this document.

Note: An executed Affidavit from the municipality must be attached for this document to be valid for ROW
Certification.