

Newburyport Redevelopment Authority
City Hall Conference Room
February 8, 2017
Minutes

1. Call to Order

Chair Bob Uhlig called a regular meeting of the Newburyport Redevelopment Authority to order at 7:06 p.m.

2. Roll Call

In attendance were members Leslie Eckholdt, Bob Uhlig, Andy Sidford and Marian Levy. Carol Powers was also in attendance.

3. Old Business

A. Review of Soils Update from ESS for West Lot and Recommended Actions

Because subsurface contaminants were found in the west lot, DEP requires that the NRA conduct additional testing and submit additional filings. Bill Chapman described the proposal submitted by ESS for this work. Petroleum was the only contaminate found in the soil at reportable levels. During Phase II fieldwork, borings and monitoring wells would be used to determine the location of petroleum in the soil and determine the risk it poses. The phase must be implemented by May 2017. The results of the testing, together with the projected future use of the land, would determine which protective measures must be taken in the short and long term. The Phase II comprehensive site assessment report would be due on November 7, 2017. Andy Sidford moved to approve the proposal from ESS for Phase II work in the amount of \$19,950. Leslie Eckholdt seconded the motion. The motion was unanimously approved.

Contaminates associated with coal, which is typical of urban fill, were found in the east lot. These contaminants pose no risk with the current use of the site. A health and safety plan and a soil management plan would be required for any digging at a depth greater than two feet.

B. Property Improvements

1. Site Furniture Purchases

The Adirondack chairs for the berm by the east lot have been ordered. The supplier has no control over the delivery date and the chairs will be stored until spring. Leslie Eckholdt will ask about the possibility of being notified of the delivery date in advance.

2. West Lot Park Expansion

The project to expand the berm jointly being undertaken by the NRA and the Waterfront Trust is on hold until spring.

C. Agreements and Leases

1. Custom House and NRA Irrigation System Agreement

Carol Powers has not yet received the draft agreement between the Maritime Society and the NRA for the irrigation system that is to be installed for the Custom House lawn. The Maritime Society is continuing its research on the collection of rainwater from the roof in

an underground reservoir. The Society is also coordinating the extension of the irrigation system under the Rail Trail with the City. The NRA requested the material used at the intersection of the Rail Trail and Custom House Way be brick rather than the asphalt that will be used on the remainder of the trail. The NRA would help the Maritime Society pay for the cost of the work if the City is not able to cover it through project contingencies.

2. Lower Custom House Way Public Easement Update

In a letter dated February 5 to Mayor Holaday and City Council President Thomas O'Brien the NRA requested the City communicate with New England Development about recognizing the public easement on the east side of the Custom House which is known as Lower Custom House Way. The area is being used as parking, which threatens the Custom House. The NRA would like the way to be paved with bricks and for NED to remove the chain link fence in the area that is in poor condition.

3. CCRT Construction Easement Expansion to NRA East Lot Update

There has been no update on the expansion of the construction easement for the Rail Trail into the east lot.

D. Review of NRA Insurance and Recommendations

Carol Powers informed Chubb Insurance that the NRA does not wish to include a social fraud endorsement in the Directors and Officers Liability policy.

E. Review of NRA Local Bank Assessments

Leslie Eckholdt will research the possibility of moving the accounts from TD Bank to a local bank and will report at the next meeting.

F. Central Waterfront Update

1. Update on Trust Document

Carol Powers has met with Bill Harris about the revisions to the Trust document. She reported progress is being made and their differences are more stylistic than substantive.

2. Dialog about Central Waterfront Meeting

The meeting with the NRA, Mayor Holaday and the Waterfront Trust was postponed due to the weather.

4. New Business

A. NRA Subcommittee Dialog

Andy Sidford received a report on alternative funding sources from the Committee for an Open Waterfront.

B. Mass Development Grant Repayment Status

The NRA received two grants from Mass Development that must be repaid if a triggering event occurs by a certain date. A triggering event would be the sale, transfer or conveyance of the land. A grant in the amount of \$16,040 related to brownfields will

expire in 2018. A \$25,000 grant that was matched by the City for the Union Studio plan will expire in 2032.

C. Removal of NRA Sign in East Lot

The members decided to remove one sign in the east lot that is back to back with another sign in order to reduce visual clutter.

D. Proposed Planting in Somersby's Way

Elizabeth Petty recommended the trees along Somersby's Way be retained and ground cover be added beneath them. This would eliminate the cost of plant materials and maintenance that would be associated with the installation of annuals or perennials. The three oval beds could be planted with ornamental grasses or shrubs that display fall color. She will prepare a proposal for review by the members. The work must be coordinated with the Waterfront Trust.

E. Tree Pruning, Removal and Replacement

Cicoria Tree Service has been asked to prepare a proposal for the pruning of the trees in the east lot, as was done previously in the west lot. Trees at the entrance of the east lot at Merrimac Street that are in poor condition might be removed and replaced. The removal of overgrown material along Custom House Way might be considered at a future date.

F. Annual Report

Marian Levy will work with Carol Powers to prepare the annual report.

G. Notice of Public Hearing

As an abutter of Waterfront Trust property, the NRA received a notice for a public hearing to be held by the Planning Board on March 1. The new tenant of the restaurant space at the Firehouse, the Sea Level Oyster Bar, is proposing to make changes to the patio area. Andy Sidford will review the plans.

5. Reports

A. Clerk's Report

The next meeting of the NRA will take place on Wednesday, March 8. Marian Levy will book the City Council Chambers for second Wednesday of the month for the next six months.

B. Treasurer's Report

Leslie Eckholdt reported that on January 31 the balance in the checking account was \$7,380.30 and the balance in the money market account was \$297,739.76.

Andy Sidford moved to ratify and approve the payment of invoices from Liberty Insurance in the amount of \$1,805 for property insurance, from Gretchen Joy in the amount of \$150 for minute taking for the February 8 meeting; from Tom and Gretchen Joy in the amount of \$60 for tasks related to maintenance of the Pop Up Park and from

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the Waterfront Trust in the amount of \$371.25. Marian Levy seconded the motion. The motion was unanimously approved.

C. Counsel's Report

Carol Powers is waiting to receive the agreement for the irrigation system for the Custom House lawn and for comments on the proposed changes to the Trust document.

6. Minutes

Marian Levy moved to approve the minutes of the January 11, 2017 meeting as submitted. Leslie Eckholdt seconded the motion. The motion was unanimously approved.

7. Public Comment

Rob Germinara, 2 Ashland Street, asked that the boundary between the NRA and NED land be determined. Bob Uhlig said the boundaries of the property extend in straight, parallel lines from the east and west facades of the Custom House. He will ask Everett Chandler to clarify the ownership of the chain link fence.

8. Adjournment

Andy Sidford moved to adjourn the meeting at 8:47 p.m. Leslie Eckholdt seconded the motion. The motion was unanimously approved.