

Newburyport Waterfront Trust
Police Station Conference Room
October 16, 2019
Minutes

1. Call to Order

Chair Steve Hines called a meeting of the Newburyport Waterfront Trust to order at 7:00 p.m.

2. Roll Call

In attendance were Trustees Sean Bradley, Steve Hines, Wilbur Shenk and Dan Mello. Matt Pieniazek was absent. Attorney Grace Connolly was also in attendance.

3. Minutes

Wilbur Shenk moved to approve the minutes of the September 18, 2019, meeting as submitted. Sean Bradley seconded the motion. The motion was unanimously approved.

4. Treasurer's Report

The cash balance on October 31 was \$264,987, a decrease of \$5,660 from the previous month. Income for the month totaled \$5,513 and consisted of \$5,500 in dockage fees and \$13 in interest.

Expenses for the month totaled \$11,009 and included \$4,617 for the minute taker and the park manager and her assistants; \$252 for new business checks; \$386 for signage; \$4,050 tree work; \$197 for miscellaneous maintenance expenses; \$549 for handyman services; \$960 for dock repair and \$899 for electrical work.

Outstanding amounts include \$4,431 from the Firehouse and \$6,141 from the NRA, \$1,043 of which has been received but not yet deposited.

Dan Mello moved to approve the payment of invoices from Tom Joy in the amount of \$60 for handyman services; Wilbur Shenk in the amount of \$32.87 for reimbursement for website hosting; International Bronze in the amount of \$170 for a bench plaque; Joanna Hammond in the amount of \$58.58 for plantings, Katherine Russell in the amount of \$1,157.80 for weeding and Nancy Esposito in the amount of \$315.00 for weeding. Wilbur Shenk seconded the motion. The motion was unanimously approved.

5. Chair's Report

Steve Hines expressed his disappointment with the hesitancy on the part of Mayor Holaday to renegotiate the parking contract. He is concerned about the portion of the landscaping contract that is currently being paid by the NRA. It would be logical for the maintenance of the waterfront to be under the control of one entity and he would like to be able to have a good working relationship with the City.

In June, the City filed a complaint with the Office of the Attorney General stating the NRA had violated the Open Meeting Law. The NRA responded to the complaint in July. The City took no further action and the matter has been closed. The Inspector General has determined that no action would be taken against the transfer of the tidelands

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from the NRA to the City and the Waterfront Trust jointly. The deed has been filed and shall not be voided.

Dan Mello will prepare an annual report for fiscal year 2019.

6. Parking Contract

Wilbur Shenk and Matt Pieniazek met with Mayor Holaday about the expired parking contract. They believe they can justify an additional \$40,000 over the existing \$70,000 rate. The Mayor has indicated she would be willing to continue at the \$70,000 level but it appears she intends to use an increase as a bargaining chip for the amendment of the Trust document. She would like to remove the liability coverage and the City's responsibility for maintenance from the document. However, the NRA land is no longer being transferred to the Trust and there is no need to amend the document.

7. Park Use Applications

Wilbur Shenk moved to approve with no fee an application from the Newburyport Public Schools Performing Arts Department for Friday, May 29 and Saturday, May 30. Dan Mello seconded the motion. The motion was unanimously approved.

Wilbur Shenk moved to approve an application for a wedding on September 26 from 3:00 to 6:00 p.m. Dan Mello seconded the motion. The motion was unanimously approved.

An application was received for a Cultural Survival Bazaar on July 18 and 19. Wilbur Shenk moved to deny the application on the grounds the park is a passive one and the Trust does not wish to sponsor an event that competes with local merchants. Dan Mello seconded the motion. The motion was unanimously approved.

8. Park Committee Report

Steve Hines and Grace Connolly will review the revised draft of scope of work for the new landscape contract. Three companies have been asked to attend a site visit on October 30 to review the scope of work. Bids are due on November 12. The contract would be awarded in early December. In addition to the base contract, the companies are being asked to provide a price to mow the new lawn that is being planted in the areas from which parking spaces were removed. This is NRA land that is being altered by the City. If it is to be included as an add-on, the City must agree to cover the cost.

Wilbur Shenk said he wants compost to be placed in several of the planting beds in place of mulch. The work should be done in the fall, after the plant materials are dormant and have been cut back. A quote of \$3,555 has been received from SLS for the work. Swazey Alexander will be asked for a quote.

Edith Heyck reported four new Adirondack chairs have been placed on the berm. The landscaper owed 12 hours of work, which was used for weeding Custom House Way, which is NRA property. The area around the Mathews memorial has been weeded. The "no dog" signs have been installed on the central portion of the lawn.

9. Waterfront Committee Report

Dan Mello has posted about the need for a new tour boat on Facebook and other social media. He will place an ad in boating magazines and suggested attending the New

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England indoor boat show. He does not feel confident about being able to replace the *Ninth Wave* with another catamaran. Bob Bishop of Coastal Discoveries might be interested in filling the vacancy. Steve Hines will contact him.

Harbormaster Paul Hogg has agreed to remove the Trust's docks from the water this fall.

10. Public Comment

Bill Harris spoke of the potential over the next decade for the park to become more than a passive one. Maritime functions could be developed for the park. The best use of the waterside in his opinion would be for providing tall ships for the public to visit at a reasonable cost. Joint ventures could be entered into with the Maritime Society, the Harbor Commission or the Coast Guard. Tall Ships America is a non-profit organization that provides a calendar that lists various types of vessels and the dates they would be available. Dredging at the fish pier would allow larger boats to dock.

11. Adjournment

Wilbur Shenk moved to adjourn the meeting at 8:30 p.m. Sean Bradley seconded the motion. The motion was unanimously approved.