

Newburyport Waterfront Trust
Police Station Conference Room
November 16, 2016
Minutes

1. Call to Order

Chair Scott Sutherland called a regular meeting of the Newburyport Waterfront Trust to order at 7:00 p.m.

2. Roll Call

In attendance were Trustees Scott Sutherland, Wilbur Shenk, Steve Hines, Joe Brown and George Ellison.

3. Minutes

Wilbur Shenk moved to approve the minutes of the October 19, 2016 meeting. George Ellison seconded the motion. The motion was approved with Joe Brown abstaining.

4. Firehouse Lease

Joe Brown pointed out the Trust is prohibited from entering into a lease for a period longer than five years. The extension approved at the October 19 meeting for the Firehouse patio would have created a 7.5-year lease. Wilbur Shenk moved to rescind the motion approved at the October 19 meeting to extend the lease with the Firehouse for an additional 2.5 years from January 1, 2017. George Ellison seconded the motion. The motion was unanimously approved.

George Ellison moved to terminate the existing lease with the Firehouse effective December 31, 2016 and write a new five-year lease effective January 1, 2017 with no changes except for the first quarter credit of \$2,200. Wilbur Shenk seconded the motion. Joe Brown requested the lease be amended and the rate increased, saying the Trust is to receive full and fair market value for all leases. Wilbur Shenk said a commitment was made to the Firehouse to maintain the existing rate for an additional 2.5 years. Scott Sutherland said it would be more important to maintain a good relationship with the Firehouse than to receive a small increase for the seasonal use of the patio. The motion was approved by a four to one vote with Joe Brown voting against it.

5. Treasurer's Report

Joe Brown moved to approve and ratify the following bills:

- Mass. Department of Revenue for a tax filing in the amount of \$70,
- Wilkinson Septic for monthly portable toilet rental in the amount of \$200,
- F & S Construction for the final payment of the curbing contract in the amount of \$2,800,
- Fritz DeGuglielmo for tax return preparation in the amount of \$961,
- Design Consulting, Inc. for engineering services in the amount of \$525,
- City of Newburyport for granite for the parking lot in the amount of \$2,500,
- Scott Sutherland for postage in the amount of \$4.19,
- Edith Heyck for reimbursement in the amounts of \$107.58 for Seaport Signworks, \$68.86 for tree gators and \$97.60 for lunch for the Women in Transition,

Newburyport Waterfront Trust
November 16, 2016

- McCarthy Landscaping for aeration and over-seeding in the amount of \$1,170.21,
- Sonora DesignWorks for website monthly maintenance in the amount of \$31.25,
- Shea Concrete Products for light post bases in the amount of \$3955,
- Rockingham Electric for miscellaneous parts in the amount of \$16.74

George Ellison seconded the motion. The motion was unanimously approved.

A bill will be sent to the City in the amount of \$17,500 for the parking contract for the quarter ending December 31. A bill will be sent to Joe Leone in the amount of \$1,977 for half of the cost of the light pole bases.

Year to date income has been \$43,000. Year to date expenses have totaled \$58,000, of which \$34,000 was for reoccurring expenses and \$24,000 was for Riverside Park. The result is a negative cash flow of \$15,000, which has been partially offset by an increase in the investment account of \$1,500. The cash balance is \$191,000.

6. Riverside Park Parking Lot Update

The curbing for the islands has been installed and the light pole bases are in place. The kiosks will be re-installed in the upcoming week. New signage has been ordered. The DPS wishes to deposit snow on the islands, which will have no irrigation. The plant materials selected for these locations must therefore be sturdy and drought tolerant.

7. Report on Mayor's Meeting

Mayor Holaday has scheduled a meeting with the Trust and the NRA for November 22 at the Senior/Community Center. The topics of discussion will include the revisions to the Trust document, the dissolution of the NRA, the NRA park plan and the role of Harbor Commission in the funding of the maintenance of the expanded park. Everett Chandler has added topographic lines to the survey.

8. Parking Report

Parking revenue from the Riverside Park lot totaled \$39,452 for the quarter, an increase of 53%. Enforcement revenue for the lot increased 122%. System-wide income increased 63%.

9. Waterfront Committee Report

Chris Charos resolved the conflict between the tour boat operators over the ticket booth. Each vendor will be allowed to place one 18" x 24" sign on the front of the building. The lease will be changed to reflect this agreement. Mr. Charos wishes to redesign the ticket booth and make it larger. This might require the removal of some of the granite blocks. The blocks might then be available for use in the berm project. He was asked to provide plans for review and approval.

George Ellison moved to renew the leases for the *Ninth Wave*, the *Yankee Clipper* and the *Coastie* for a three-year term and increase the rate \$5 per foot per year for each of the three years. Wilbur Shenk seconded the motion. The motion was unanimously approved.

Newburyport Waterfront Trust
November 16, 2016

George Ellison moved to renew the lease for the Captain's Lady III for a five-year term and increase the rate \$5 per foot per year for each of the first three years and \$2.50 per foot per year for the last two years. Wilbur Shenk seconded the motion. The motion was unanimously approved.

Two captains with winter leases have decided not to put their boats into the water due to new fishing regulations. If they chose to do so at a later date their leases will be pro-rated.

10. Harbor Commission Meeting

George Ellison reported on a meeting with members of the Harbor Commission. The two groups are in agreement about the management of the docks. The Harbor Commission would be responsible for their management and the Trust would retain the revenue from the Transportation Dock and would have input in the boats that lease space there. It was also agreed there should be a lease agreement for the other docks, but as neither group has determined its future operating budget, a discussion on the sharing of the revenue generated from these docks was postponed until the amendment of the Trust documents has been completed and the issue of the disposition of the NRA property has been resolved. Joe Brown commented that receiving full and fair market value for all leases is independent of the budget.

11. Park Use Applications

No new park use applications have been received.

12. Parks Committee Report

Edith Heyck submitted a written report. She and Wilbur Shenk have walked the park with four bidders for a new landscape contract and will make a recommendation at the December meeting.

13. Berm Project with NRA

The contractor for the work has been selected and the contract is being negotiated. Wilbur Shenk has been working with the City to determine which permits will be needed.

14. Firehouse Roofing Project

The work has been completed. The scaffolding will be removed after the roof has been inspected.

15. Other Business

Joe Brown asked that the Riverfest and Yankee Homecoming permits be added to the agenda for the December meeting.

16. Adjournment

Wilbur Shenk moved to adjourn the meeting at 8:32 p.m. George Ellison seconded the motion. The motion was unanimously approved.