

Newburyport Waterfront Trust
Police Station Conference Room
February 20, 2019
Minutes

1. Call to Order

Chair Steve Hines called a meeting of the Newburyport Waterfront Trust to order at 7:02 p.m.

2. Roll Call

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

3. Minutes

Dan Mello moved to approve the minutes of the January 16, 2019, meeting as submitted. Sean Bradley seconded the motion. The motion was approved with Matt Pieniazek and Wilbur Shenk abstaining.

4. Treasurer's Report

The cash balance on January 31 was \$239,045, up \$2,450 from the previous month. Income for the month included an increase of \$4,896 in the Fidelity Assets Management Account and interest in the amount of \$8. Expenses for the month included \$2,350 for the park manager, minute taker and bookkeeper and \$100 remaining to Comak Brothers Landscaping for irrigation work in the fall.

Three months of payments from the NRA totaling \$3,072 are outstanding, the Firehouse Center for the Arts owes \$6,674 and the *Ninth Wave* and *Yankee Clipper* have not yet paid the \$106 owed for electrical services. A payment of \$17,500 is due from the City for the parking contract.

Dan Mello moved to approve a payment to The Home Depot in the amount of \$423.29; D.A. Wilkinson for portable toilet rental for November, December and January in the amount of \$600; and Tom Joy for boardwalk maintenance in the amount of \$25. Matt Pieniazek seconded the motion. The motion was unanimously approved.

An invoice was sent to the NRA for \$1,024 at the end of January and on February 5 invoices were sent to the City and the Firehouse. Edith Heyck will deliver the two invoices for the landscaping of the bank beds.

5. Chair's Report

Steve Hines met with Richard Jones about the renewal of the parking contract with the City. The current contract has expired. No rate increase will be sought at this time. Wilbur Shenk moved to renew the parking contract for one year at the same terms. Sean Bradley seconded the motion. The motion was unanimously approved.

6. Newburyport Redevelopment Authority Land Transfer

Grace Connolly reported the signed deeds for the transfer of three parcels of registered land from the NRA to the Waterfront Trust have been recorded with the Land Court.

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The third revision to the Trust document has been drafted and reviewed. The Trustees did not recommend that any changes be made. The document will be forwarded to the mayor and the NRA. There is no need to vote to accept it at this time because it is expected that it will be revised after additional comments have been received.

The third revision must be completed prior to, or simultaneously with, the transfer of the deeds. The revision will include a provision that the Trust would agree to accept the east and west lots for an expanded park and the tidelands with the condition the City would agree to extend its indemnification for the Trust and the Trustees to this additional land, with special emphasis on environmental issues.

The next step would be a discussion on the financial part of the arrangement. The City would be responsible for the construction of the expanded park and would work collaboratively with the Trust on funding and design. The Trust, City and Harbor Commission would enter into a mutually acceptable agreement regarding revenue sharing and other issues relating to the use of the tidelands. The maintenance and repair of the bulkhead and boardwalk would be the responsibility of the City with financial contributes from the Trust. The subcommittee meetings with the Harbor Commission should resume shortly.

7. Park Use Applications

Wilbur Shenk moved to accept applications for two weddings planned for June 22 and October 19. Matt Pieniazek seconded the motion. The motion was unanimously approved.

8. Park Committee Report

Wilbur Shenk moved to accept a proposal from Cicoria Tree Service in the amount of \$9,000 for the pruning of the trees along Somerby's Way. The NRA will be asked to contribute \$1,800 towards the cost for the trees located on its property. The work would begin on March 11. Steve Hines seconded the motion. The motion was unanimously approved.

The Riverfest has not yet been scheduled for 2019. Negotiations between the River and the Chamber of Commerce broke down. Both August 31 and September 7 will be held open on the Trust calendar in case the event does become scheduled.

Wilbur Shenk moved to accept a bid of \$700 from Tom Joy for the installation of two benches and their plaques. Matt Pieniazek seconded the motion. The motion was unanimously approved.

Wilbur Shenk moved to increase the salary of the park manager by 5%, effective as of the next pay period. He said he is pleased with the performance of Edith Heyck and a list of new projects for her to undertake has been developed. Matt Pieniazek seconded the motion. The motion was unanimously approved.

9. Public Comment

Elizabeth Heath asked about the proposed placement of artist shanties on the waterfront. She said the City has allocated funds for the structures. Leslie Eckholdt said the NRA has not made any decisions about allowing the shanties on its property. Steve Hines will look into the matter.

10. Adjournment

Wilbur Shenk moved to adjourn the meeting at 7:55 p.m. Dan Mello seconded the motion. The motion was unanimously approved. The next meeting of the Waterfront Trust will take place on Wednesday, March 20, 2019.