

**Newburyport Waterfront Trust**  
Online Meeting  
March 16, 2022  
Minutes

**1. Call to Order**

Chair Wilbur Shenk called an online meeting of the Newburyport Waterfront Trust to order at 7:02 p.m.

**2. Roll Call**

In attendance were Trustees Wilbur Shenk, Leslie Eckholdt, Matt Pieniazek, Mike Sullivan and Dan Mello.

**3. Minutes**

Leslie Eckholdt moved to approve the minutes of the February 16, 2022, meeting. Mike Sullivan seconded the motion. The motion was approved by a 5-0 vote (Wilbur Shenk, yes; Matt Pieniazek, yes; Leslie Eckholdt, yes; Mike Sullivan, yes; Dan Mello, yes).

**4. Regular Business**

**a) Treasurer's Report**

Wilbur Shenk reported that the cash balance at the end of February was \$312,017. Income for the month was interest in the amount of \$3. The expenses totaled \$2,082 for the monthly payment to the park manager and minute taker.

Checks that have been received but not yet deposited include \$5,000 from the Harbormaster for the lease of the docks, \$135 for a park use application for April 28 and \$686.67 from the City for 40% of the park manager's salary.

**b) Approval of Bills**

Bills to be paid in March total \$2,525.15 and include payments to Edith Heyck in the amount of \$1916.67; to Gretchen Joy in the amount of \$165; to Ritz Payroll Services in the amount of \$78.50 for the generation of 1099s; to The Home Depot in the amount of \$14.98 and to Tom Joy in the amount of \$350 for handyman services.

**5. Ongoing Projects**

**a) SLS Contract**

The Trust is entering into the third year of its three-year contact with SLS for landscaping services. The base contract is approximately \$21,000 per year. Additional projects are quoted individually. The maintenance for the two new City lawn areas and the City's Pop Up Park are also separate and are billed to the City.

Leslie Eckholdt moved to renew the SLS contract for the third year. Mike Sullivan seconded the motion. The motion was approved by a 5-0 vote (Wilbur Shenk, yes; Matt Pieniazek, yes; Leslie Eckholdt, yes; Mike Sullivan, yes; Dan Mello, yes).

**b) Commercial Boat Leases**

Bob Yeomans has agreed a two-year lease, with full market rate being reached in the second year. He would like to make his first payment at the end of April rather than

in the first week of that month. Chris Charos will submit his signed contract and will invoice the Trust for the scraping and painting of the pylons and the winter storage of the docks. The captains of the two winter fishing boats have submitted their \$1,000 payments.

**c) Parking Agreement**

Negotiations on a new contract will be initiated with the Mayor in April.

**d) Ad Hoc Central Committee on Market Landing Park Expansion**

The Trustees discussed at length the proposed new restroom facility. The recommendations they made at the February 16 meeting were sent to the Committee of the Whole on February 21. The Committee has changed its position of the orientation of the structure, which would now be perpendicular to the street. The group is considering a shift in the location of the structure to the corner of the parking lot near the water. There has not been a consensus on the internal organization of the facility. The majority of the members of the Committee of the Whole seem to favor a gender-neutral restroom in which the stalls face a common sink area. The Trustees expressed some concern about the safety aspects of this design, especially for young girls, who would be separated by several doors from parents waiting for them outside. They would prefer the alternate gender non-specific design, in which each stall would have its own sink and door that would lead to a more open area. The concerns of the Trust are for cost and safety. Leslie Eckholdt and Mike Sullivan will each send their impressions from the meeting to the other Trustees. If a consensus is reached, a letter of recommendation will be sent from the Trust to the Committee of the Whole.

Wilbur Shenk reviewed the six points he made in a memo to Andy Port after the March 10 presentation on the Market Landing Park expansion by Sasaki Associates. He asked the Trustees to review the presentation and submit their comments on the following six items within a week in order for the position of the Trust to be forwarded to the Ad Hoc Committee.

1. It would be sufficient to have two handicap spaces, instead of the four that have been proposed, in the Trust's parking lot. One space should be near Merrimac Street and the other should be near the water. Two handicap spaces should also be allocated in the City's west lot, for a total of four in these two lots.
2. The kiosks in the two west lots should remain separate, with the income also being separate and allocated to their respective owners.
3. Vehicular access to the Commercial Dock should be provided from the northeast corner of the new parking lot without the loss of a parking space. The tour boat and whale watch must be able to deliver supplies and remove trash on a daily basis. A season parking space should be dedicated to the captains of the three commercial boats to allow them to run their businesses.
4. Access should be provided from the east lot to the Firehouse and restaurant, even if this would result in the loss of some trees. This access should be close

Newburyport Waterfront Trust  
March 16, 2022

to the location of the existing brick sidewalk. The dumpster must also remain in its current location.

5. The shared-use path should be ten feet wide with a one-foot berm on each side. The path would most likely be of asphalt.

6. The turnaround near the fish pier should not be made into an attractive gathering space for families, as this could result in a conflict with truck traffic.

**e) Bulkhead Repair**

The Trust voted at its February 16 meeting to commit \$50,000 to the bulkhead repair project. The City has secured \$2.25 million in federal funding for the repair of the bulkhead. The City and Trust are joint applicants for a \$1.65 million grant through the Merrimack Valley Planning Commission. Wilbur Shenk signed a letter drafted by Geordie Vining that was sent on March 10 to the ADA in support of the application. The letter states that the Newburyport Waterfront Trust is a public charitable trust and is the owner of the bulkhead.

Dan Mello moved to approve the letter that was sent to the ADA on March 10. Matt Pieniasek seconded the motion. The motion was approved by a 5-0 vote (Wilbur Shenk, yes; Matt Pieniasek, yes; Leslie Eckholdt, yes; Mike Sullivan, yes; Dan Mello, yes).

**f) Bill Harris Memorial**

The total of donations has not changed and is \$2,600. The Maritime Society is planning to commemorate Mr. Harris as well.

**g) Brown's Wharf Sidewalk Extension**

Design Consultants, Inc. has submitted a proposal for engineering services for the extension of the sidewalk from the Black Cow along the front of the Brown's Wharf building. The cost of the preliminary design phase would be \$1,700, which the Trust would split with David Murphy.

Mike Sullivan moved to proceed with the preliminary design phase of the Brown's Wharf sidewalk extension project and to provide 50% of the preliminary design cost, with the condition the total cost does not exceed \$2,000. Matt Pieniasek seconded the motion. The motion was approved by a 5-0 vote (Wilbur Shenk, yes; Matt Pieniasek, yes; Leslie Eckholdt, yes; Mike Sullivan, yes; Dan Mello, yes).

**6. Parks Committee Report**

**a) Park Use Applications**

Leslie Eckholdt moved to approve an application from the City for Riverfest with a fee of \$4,000. Dan Mello seconded the motion. The motion was approved by a 5-0 vote (Wilbur Shenk, yes; Matt Pieniasek, yes; Leslie Eckholdt, yes; Mike Sullivan, yes; Dan Mello, yes).

Newburyport Waterfront Trust  
March 16, 2022

The Chamber of Commerce has submitted an application for Spring Fest, an arts and cultural festival that is scheduled for May 14 and 15. The baseline fee for the event would be \$1,600. Edith Heyck will obtain more information on the festival, such as the fees that are being charged to vendors and food booths.

Dan Mello moved to approve an application from Sarah Oleson for 13 Yoga sessions with a fee of \$325. Mike Sullivan seconded the motion. The motion was approved by a 5-0 vote (Wilbur Shenk, yes; Matt Pieniazek, yes; Leslie Eckholdt, yes; Mike Sullivan, yes; Dan Mello, yes).

Mike Sullivan moved to approve an application from Runway for Recovery for an exercise class on April 28 with a fee of \$325. Dan Mello seconded the motion. The motion was approved by a 5-0 vote (Wilbur Shenk, yes; Matt Pieniazek, yes; Leslie Eckholdt, yes; Mike Sullivan, yes; Dan Mello, yes).

Millennium Running has submitted an application for the Newburyport Marathon, which would begin and end at the Cashman Park on October 16. The boardwalk would be used as a path to connect runners with the Rail Trail. Cones would be placed on the boardwalk and marshals would be stationed along it to direct runners and pedestrians. It is expected that 500 runners will take part in the marathon.

Mike Sullivan moved to approve the application from Millennium Running for the use of the boardwalk on October 16 with a fee of \$200. Dan Mello seconded the motion. The motion was approved by a 5-0 vote (Wilbur Shenk, yes; Matt Pieniazek, yes; Leslie Eckholdt, yes; Mike Sullivan, yes; Dan Mello, yes).

**b) Park Manager's Report**

Edith Heyck said Tom Joy will be assembling the new Adirondack chairs, checking the boardwalk for tripping hazards and improving the trash barrels. Jim Maranto is working to repair the electrical boxes along the bulkhead. He said some boxes are corroded and it will be necessary to replace them at some point. The Greenskeeper has been contacted about planting and watering the granite circles by the Firehouse.

Wilbur Shenk moved to approve a proposal from SLS for adding plant materials to the garden by the shed in the amount of \$1,500. Leslie Eckholdt seconded the motion. The motion was approved by a 5-0 vote (Wilbur Shenk, yes; Matt Pieniazek, yes; Leslie Eckholdt, yes; Mike Sullivan, yes; Dan Mello, yes).

A quote was received in the amount of \$2,307 to add cobblestones around the gardens near the stage to prevent their expansion. This work will be put on hold. It might be possible to add edging for all of the planting beds to the plans for the expanded park.

Wilbur Shenk moved to approve the removal of a scrub tree near the memorial garden at the cost of \$845. Leslie Eckholdt seconded the motion. The motion was approved by a 5-0 vote (Wilbur Shenk, yes; Matt Pieniazek, yes; Leslie Eckholdt, yes; Mike Sullivan, yes; Dan Mello, yes).

Newburyport Waterfront Trust  
March 16, 2022

A quote was received in the amount of \$700 to remove the scrub rose in the elk garden. This garden will not be a part of the final park plan. The plant will be trimmed and not removed at this time.

**7. Executive Session**

The meeting was adjourned at 9:10 p.m. in order to enter into an executive session to discuss the rate of compensation for the garden helpers. The meeting was reconvened at 9:28 p.m.

Wilbur Shenk moved to increase the compensation for the garden helpers from \$25 per hour to \$27 per hour. Dan Mello seconded the motion. The motion was approved by a 5-0 vote (Wilbur Shenk, yes; Matt Pieniazek, yes; Leslie Eckholdt, yes; Mike Sullivan, yes; Dan Mello, yes).

**8. Adjournment**

Matt Pieniazek moved to adjourn the meeting at 9:30 p.m. Dan Mello seconded the motion. The motion was approved by a 5-0 vote (Wilbur Shenk, yes; Matt Pieniazek, yes; Leslie Eckholdt, yes; Mike Sullivan, yes; Dan Mello, yes).