

Newburyport Waterfront Trust
Online Meeting
March 17, 2021
Minutes

1. Call to Order

Chair Wilbur Shenk called an online meeting of the Newburyport Waterfront Trust to order at 7:00 p.m.

2. Roll Call

In attendance were Trustees Wilbur Shenk, Matt Pieniazek, Dan Mello and Mike Sullivan. Sean Bradley was absent.

3. Minutes

Matt Pieniazek moved to approve the minutes of the January 20, 2021, meeting. Mike Sullivan seconded the motion. The motion was approved by a 4-0 vote (Wilbur Shenk, yes; Matt Pieniazek, yes; Dan Mello, yes; Mike Sullivan, yes).

4. Treasurer's Report

Wilbur Shenk reviewed the written report Sean Bradley submitted. The cash balance on February 28 was \$272,722. Cash disbursements for operations exceeded cash receipts by \$1,183 for the month. Cash receipts totaled \$616 and included \$6 in interest; a payment for winter dockage in the amount of \$750 and a net loss from park use activity in the amount of \$140. A loss of \$667 was realized in the Fidelity investment account. Expenses for the month were \$1,798 for the monthly payments to the park manager and minute taker.

The Firehouse owes \$3,164. The City has an amount due of \$7,573, along with two old NRA bills that total \$2,114. Mayor Holaday has said these invoices would be paid shortly.

Mike Sullivan moved to approve payments to Connolly and Connolly in the amount of \$3,764.50 for legal fees for 2020 and 2021 to date; Wilbur Shenk in the amount of \$55 for reimbursement for website backup and Port Sign Works in the amount of \$72.28 for signage for the boardwalk. Dan Mello seconded the motion. The motion was approved by a 4-0 vote (Wilbur Shenk, yes; Matt Pieniazek, yes; Dan Mello, yes; Mike Sullivan, yes).

Matt Pieniazek moved to approve the sending of an invoice to the City in the amount of \$441 for the monthly payment of 27% of the park manager's salary. Mike Sullivan seconded the motion. The motion was approved by a 4-0 vote (Wilbur Shenk, yes; Matt Pieniazek, yes; Dan Mello, yes; Mike Sullivan, yes).

5. Ongoing Projects

a) Shipbuilder Memorial Project

At the February 24 meeting, James Hyland described his proposal for a memorial that would be located on the central waterfront to commemorate Newburyport as the birthplace of both the Coast Guard and the clipper ship. The Trustees voted at that

meeting to support the concept of a maritime memorial on the waterfront. Matt Pieniazek reported that the Ad Hoc Central Waterfront Committee is also supportive of the concept of commemorating the shipbuilding history of Newburyport. It is too early in the design process for the expanded park to make a decision about a specific proposal.

b) Ad Hoc Park Expansion Plans

Matt Pieniazek said that at the last meeting of the Ad Hoc Central Waterfront Committee, a fishing boat captain discussed his concerns about the development of the park. He spoke of the problem of siltation in the embayment. It has created space limitations and boats must raft together rather than tying up alone. He said it is difficult to park to be able to check his lines and he believes safety equipment would have difficulty in accessing the embayment in an emergency. He asked that the need to access boats in the embayment be considered in the park design.

Dan Mello said Jim Ford has also expressed concerns about the lack of water in the embayment. The Army Corp. is planning to dredge the mouth of the river in the fall. Additional areas could be dredged while the equipment is available. The Trustees would be willing to contribute funds for the dredging the embayment and the commercial dock. The Trustees could work with the Harbormaster to determine the amount of dredging that is needed and the expected cost of the work. The Harbormaster and Fire Department should be consulted about the ability of emergency personnel to access the embayment with their equipment.

c) Memorandum of Understanding

Matt Pieniazek and Wilbur Shenk met with Mayor Holaday on March 10. An agreement on the matter is being delayed by the issue of indemnification. The Trustees will continue to work towards a resolution and will attempt to schedule a meeting with the attorneys for both parties.

d) Parking Agreement

The issues of the lease with the City/Harbor Commission and the MOU with the City should be resolved before the renewal of the parking agreement is negotiated. The City continues to make payments under the terms of the previous agreement.

e) Light Replacements

The light poles have been received and are being stored at the DPS facility.

f) Boardwalk Repairs

Wilbur Shenk asked Mike Sullivan to begin working with him to identify contractors that could be asked for quotes to replace approximately 90 planks on the boardwalk. The condition of the supporting structure underneath the planks is not known. It might be prudent to begin the project with a smaller scope of work.

Matt Pieniazek commented that the boundaries of the design area for the park do not include the boardwalk. The condition of the boardwalk and the bulkhead

should be addressed. Mike Sullivan added that in order to create a healthy waterfront, both landside and waterside concerns should be taken into consideration.

6. Waterfront Committee Report

a) Summer Commercial Leases

The existing contracts are set to expire in September and October. The Trustees discussed the rate that should be in effect for 2021. A discounted rate was charged in 2020. One approach discussed was to start the year at the full rate and negotiate with the captains as needed. A second option would be to continue the discounted rate for the first half of the year and increase it for the second half of the season, when it is expected normal operations could resume. The Trustees also discussed the length of the contracts. The two captains that are currently under contract are good tenants and the Trustees would like to retain them. The opening for a third vessel has proven difficult to fill. Shorter leases might be financially beneficial to the Trust, but with an annual lease, the reduced time to find a replacement boat could be problematic. The uncertainty related to the development of the surrounding park might make two-year leases desirable. It was decided that the season would begin with the reduced rates that were offered in 2020. The rates would be returned to their regular levels for the second half of the season.

7. Parks Committee Report

a) Park Use Applications

Sarah Oleson submitted an application for Sunday morning yoga classes. The 15 sessions would take place from 8:30 to 9:30 a.m. She was not asked to pay a fee last summer. The sessions were well attended. The previous year she had been charged \$350. The impact Covid-19 will have this summer is still unknown. It is reasonable to expect the fee would increase from one year to the next, but it seems this summer could be a transitional one. Due to the special circumstances, the rate will remain at \$350 this year but an increase should be expected for 2022.

Matt Pieniazek moved to approve the application from Sarah Oleson with a fee of \$350. Dan Mello seconded the motion. The motion was approved by a 4-0 vote (Wilbur Shenk, yes; Matt Pieniazek, yes; Dan Mello, yes; Mike Sullivan, yes).

A check has been received for a wedding in October. An application has been received for a wedding brunch planned for Sunday, June 13 at 10:00. Tables and chairs would be set up on the stage for 25 guests. It was decided a fee of \$100 would be charged. Sarah Oleson will be informed that it would be necessary for her to hold the class in a different location in the park that week.

Matt Pieniazek moved to approve the applications for the October wedding and the June 13 wedding brunch. Dan Mello seconded the motion. The motion was approved by a 4-0 vote (Wilbur Shenk, yes; Matt Pieniazek, yes; Dan Mello, yes; Mike Sullivan, yes).

b) Park Manager's Report

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Edith Heyck reported she has contacted the electricians, weeders and irrigation-system contractors in anticipation of preparing the park for spring. She is speaking with Tony Furnari about Somerby's Way, where the plantings were damaged by snow plowing. Signage was installed along the boardwalk for pedestrian safety and a crossing marker will be added by Green Street. A \$275 deposit had been accepted for a wedding that was postponed and rescheduled. The event is being postponed for a second time and a refund has been given.

8. Public Comment

Jane Snow recommended that the Trustees inquire about the fees that are charged for the use of other parks in the city.

9. Adjournment

Matt Pieniazek moved to adjourn the meeting at 9:16 p.m. Dan Mello seconded the motion. The motion was unanimously approved. The next meeting of the Newburyport Waterfront Trust will be scheduled for Wednesday, April 21, 2021 at 7:00 p.m.