

**Newburyport Waterfront Trust**  
May 19, 2015  
Police Station Conference Room  
Minutes

**1. Call to Order**

Chair Scott Sutherland called a meeting of the Newburyport Waterfront Trust to order at 8:00 a.m.

**2. Roll Call**

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

**3. Minutes**

George Ellison moved to approve the minutes of the April 15, 2015 meeting. Steve Hines seconded the motion. The motion was approved.

**4. Treasurer's Report**

Income in the amount of \$18,465 was received in April and expenses for the month totaled \$9,730, bringing the account balance to \$212,489. Checks have been received in the amount of \$2,750 from the Yankee Homecoming committee and \$2,250 for the *Ninth Wave*. A check was also received from the City for parking for the month of April. A payment for the *Yankee Clipper* is outstanding.

Wilbur Shenk moved to approve the payment of invoices in the amount of \$462 from International Bronze for bench plaques, \$720 from the Handyman for the installation of three plaques, \$4,000 from Chicora Tree Service and \$750 from Fraga Cleaning for the cleaning of the stage; to reimburse Edith Heyck for the bill from the Link House for the cleaning of the chips following the grinding of the stumps and to enter into a contract in the amount of \$1,175 for the planting, care and fall removal of the whiskey barrels. George Ellison seconded the motion. The motion was unanimously approved.

The vinyl letters have peeled from the sign at the bottom of Green Street due to snow being packed around it this winter. It might be preferable to install the sign in a new location after the construction of the Ale House has been completed. Jen Wright provided an estimate of \$600 for the reinstallation of the letters. The background paint on the sign is also damaged and would continue to deteriorate if not repaired. George Ellison moved to approve a payment of \$978 for the repair of the paint and the re-lettering of the sign. Scott Sutherland seconded the motion. The motion was unanimously approved.

George Ellison moved to approve the proposed spending plan for fiscal year 2016. Wilbur Shenk seconded the motion. The motion was unanimously approved.

**5. Parking Report**

Steve Hines said in March and April parking revenue was increased over last year's figures and it is expected this trend will continue. The soil on Trust property was analyzed for its structural suitability for the culvert. Additional samples are to be taken to test for contaminants.

The parking agreement with the City had been extended for three months and is now set to expire on June 30. Scott Sutherland recommended extending the agreement for an additional

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three months. George Ellison and Joe Brown disagreed, saying the current rates are below market value and an extension would prevent the Trust from realizing increased revenue by capitalizing on the busy summer traffic season. Scott Sutherland said he agrees the rates should be increased but at this time he would rather focus on other issues involving the City. In addition the Trust is only able to negotiate what it receives from the City, not what the City charges for parking. He would like a decision on the extension to be made at the June meeting. The topic will be discussed at an upcoming joint meeting between the City, the Trust and the NRA.

The Trust receives \$32,000 for parking revenue annually under the current agreement. Last year the City took in \$42,000 in meter revenue and \$17,000 for violations. The cost of running the lot is \$20,000, leaving the City with a profit of \$7,000. Joe Brown would like the Trust to receive \$20,000 per quarter. This would be equal to the amount the City would receive from the meters if the rates were to be increased from \$.50 to \$1 per hour.

#### **6. Parks Committee Report**

Edith Heyck distributed a list of achievements for the month of April. She reported the restrooms were opened on May 1. Concrete footings must be installed for two additional trash barrels in the park. She will get a quote for this work, along with estimates for installing three additional bench plaques, repointing the granite stage and repairing the fence on Merrimac Street. She intends to interview handymen, as she believes she could receive a more reasonable rate. She is working with David Zinck to have all of the lights made operable. She said she is having difficulty communicating with McCarthy Landscaping and found the backflow preventer was installed without the system being tested. She wishes to have advanced notice when work outside the contract is being performed. She and Wilbur Shenk have prepared a request for quotes for replanting the grass in the locations where the trees were removed, improvements to the rhododendron bed and Somerby's Way and establishing a connection between the west lot and the boardwalk.

#### **7. Park Use Applications**

Wilbur Shenk said he and George Ellison met with Jason Lacroix regarding the Yankee Homecoming application and recommended the application be approved. The committee for the event has scheduled a meeting with the Police Department in June. Joe Brown moved to approve the application pending the receipt of a security plan. Wilbur Shenk seconded the motion. The motion was unanimously approved.

#### **8. Waterfront Committee**

Joe Brown said three of the four tour boats have been put in the water and the first payment has been received for three of the four boats. Only one certificate of insurance has been received to date. George Charos has repaired, repainted and added protection for the pilings. The operators of the other three boats have not yet made these improvements. The Harbormaster must be contacted to turn on the water at the beginning of the lease period.

#### **9. Chair's Report**

Scott Sutherland said he received a notice of a public hearing for the application for a special permit for 40 Merrimac Street, LLC from the Zoning Board. The Planning Board will review the plans for the Harbormaster's/Transient Boaters' facility on May 20. The Community

Preservation Committee will begin deliberations on the FY2016 grant applications at its May 28 meeting.

#### **10. Riverside Park Reconfiguration**

Scott Sutherland distributed a site utilities and lighting plan for Riverside Park. The Trustees will request that a triangular island be reconfigured to improve traffic flow. Joe Brown said he is not in favor of further reducing the amount of green space in the park. David Zinck recommended moving the lights to the outside of the walkway to provide better light for the parking spaces, but this would allow them to be more easily damaged. Steve Sawyer is working with the City to coordinate the installation of the underground wiring with the construction of the new culvert. The Trustees would like the work to be done after Labor Day so that it does not interfere with Yankee Homecoming or the Riverfront Music Festival. The NRA is arranging for National Grid remove the light poles from its west lot in July. The new light fixtures for the Trust property could be obtained at a reduced cost if ordered at the same time as the NRA's fixtures. Joe Brown said the lights would not be needed for another year. Wilbur Shenk moved to issue a check in the amount of \$11,000 for the purchase of the light fixtures. George Ellison seconded the motion. The motion was approved with Joe Brown abstaining.

#### **11. Easement Discussion**

The City is seeking easements from the Trust for the Rail Trail, the culvert in Riverside Park and the utility line under Custom House Way. Attorney Doug Bolick has determined the granting of easements is not allowed under the Declaration of Public Trust and an amendment of the Trust would be required. Scott Sutherland has compiled a list of additional issues that could be addressed if the Trust were to be amended. He asked George Ellison to work with him on ad hoc committee. He believes a lease agreement could be entered into that would allow work to progress while the Trust is being amended.

#### **12. Public Comment**

Rob Germinara, 2 Ashland Street, requested that future Trust meetings be held in the evening. He also said the Trust should reclaim the Way to the Water on the east side of the Custom House. Joe Brown moved to authorize Doug Bolick to proceed with the removal of the AUL from Trust property. Steve Hines seconded the motion. The motion was unanimously approved.

Karen Huston and Judy Avery of the Newburyport Horticultural Society said the group raises funds to plant and maintain gardens in the city. They submitted a proposal to improve two beds on Trust property at no cost. The proposal calls for the installation of easy to maintain and colorful perennials and shrubs. Joe Brown moved to authorize the Newburyport Horticultural Society to work with the parks committee to improve the beds. George Ellison seconded the motion. The motion was unanimously approved.

Jim McCauley, 27 Storeybrook Avenue, commented that plans to expand the park on the NRA east lot could result in the Harbormaster's facility being landlocked.

#### **13. Adjournment**

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George Ellison moved to adjourn the meeting at 10:10 a.m. Steve Hines seconded the motion. The motion was unanimously approved. The next meeting of the Waterfront Trust will be held on Tuesday, June 16 at 7:00 p.m.