

Newburyport Waterfront Trust
Joint Meeting with the Newburyport Redevelopment Authority
City Hall Auditorium
July 18, 2018
Minutes

1. Call to Order

Bob Uhlig called a joint meeting of the Newburyport Redevelopment Authority and Newburyport Waterfront Trust to order at 7:00 p.m.

2. Roll Call

In attendance were Trustees Dan Mello, Sean Bradley, Matt Pieniazek and Steve Hines and Attorney Grace Connolly. Wilbur Shenk was absent. Also in attendance were NRA members Bob Uhlig, Leslie Eckholdt and David St. Cyr and Attorney Kathleen O'Donnell.

3. Soils Update

Work on the AUL for the west lot is progressing. The final report should be available in August. Steve Hines said TRC has been working to compile historical information on the site. Additional information is being requested from the NRA's consultant. Once this has been received, an internal review will take place and a draft report will be issued in two to four weeks. After the results of the phase 1 assessment have been received, TRC will be asked to determine what additional investigations, if any, would be required.

4. Parcel Disposition Plan

Kathleen O'Donnell described the draft RFP for the disposition of the three parcels of registered land near the Custom House. A restriction would be included that would require the property to be used for museum or cultural arts purposes, as would a clause indicating the property would revert to the NRA or its successor in interest if this use were to cease. The property would be conveyed subject to the existing restrictions on the title, which are a 99-year ground lease to the Maritime Society, a preservation restriction on the Custom House and a license for the Rail Trail. An easement for the lawn on the river side of the Rail Trail would be granted to the Maritime Society, which has recently funded the installation of an irrigation system in this area. The property would be sold "as is" and neither the City nor the NRA would be responsible for the remediation of any soil contamination. It is anticipated that the portion of the parcel between the Rail Trail and the river that is not lawn would be deeded to the City.

Attorney O'Donnell explained that because the urban renewal plan has expired, the Chapter 30B exemption to the procurement laws has been lost and the RFP process must be followed to dispose of the property.

Sharif Zeid said he is opposed to the RFP process. He is concerned the land could be transferred to an unknown party, or, if no bids were received or if all of the proposals were rejected, the NRA would have made no progress in the disposition of its property. Bob Uhlig said that the NRA is confident the RFP would not be overly restrictive and interested parties, including the Maritime Society, would respond. Attorney O'Donnell reiterated that the NRA must follow the Commonwealth's procurement laws and the only

Newburyport Redevelopment Authority
July 18, 2018

option for the conveyance of the land is the RFP process. Mayor Holaday said the selection committee should be inclusive and not made up of NRA members alone. Bob Uhlig responded that while the makeup of the review committee has not yet been determined, the RFP addresses this issue.

The NRA members will review the document and forward their comments to Attorney O'Donnell. When finalized, the RFP would be advertised in the Central Register for at least 30 days and the NRA would review the proposals over the next three to four weeks.

5. Waterfront Trust Business

A. Minutes

Dan Mello moved to approve the minutes of the June 20, 2018, meeting as amended. Sean Bradley seconded the motion. The motion was unanimously approved.

B. Chair's Report

Steve Hines said he anticipates that before the next meeting, a subcommittee of Waterfront Trust and Harbor Commission members will have had the opportunity to discuss future financial arrangements.

C. Treasurer's Report

The cash balance on June 30 was \$216,318, a decrease of \$27,261 from the previous month. Receipts totaled \$6,686 and included payments from the Chamber of Commerce for the Riverfest in the amount of \$4,000; from the NRA in the amount of \$1,169; from the Newburyport Whale Watch for electricity in the amount of \$1,509 and \$8 in interest. Payments have been received in full for docking fees for the tour boats for the first half of season.

Expenses for the month totaled \$27,854 and included \$7,048 for general landscaping services; \$600 for storm clean up; \$3,220 for fertilizing; \$5,410 for the repair of the boardwalk; \$1,225 for the repair of the sprinkler system; \$671 for flowers and fertilizer; \$401 for cigarette butt receptacles; \$86.97 for miscellaneous equipment; \$1,774 for the minute taker and park manager; \$8,672 for legal services and \$4,986 for upgrading the parking lot islands.

Matt Pieniazek moved to send invoices to the NRA in the amounts of \$1,902 for reimbursement for landscaping services and \$389 for standard monthly expenses for June; to the Firehouse in the amount of \$2,215 for the July-September payment and to the City for parking from April to June.

Matt Pieniazek moved to payments to Comak Brothers for the repair of leaks in the sprinkler system in the amount of \$613.56 and sprinkler head adjustment in the amount of \$95; to Edith Heyck for compensation for the summer intern in the amount of \$90, to the Handyman for boardwalk repair in the amount of \$446.50; to Wilbur Shenk for website security in the amount of \$95.61; to SLS Landscape for storm clean up in the amount of \$600 and insect treatment in the amount of \$1,000; for bookkeeping services and postage in the amount of \$916.25 and the Amazon Prime fee of \$119 for a card used to purchase supplies. Dan Mello seconded the motion. The motion was unanimously approved.

D. Park Manager's Report

Edith Heyck reported:

- the islands in the parking lot have been replanted.
- the Rhythm and Roots festival was held in the park.
- the benches have been painted.
- the irrigation box has been replaced.
- the locks on the granite stage are being replaced.
- a plaque was sold for a bench on Custom House Way.

Matt Pieniazek moved to approve a payment to the Handyman, Inc. in the amount of \$810 for a 50% deposit on work to repair the boardwalk. Sean Bradley seconded the motion. The motion was unanimously approved.

E. Park Use Applications

Matt Pieniazek moved to approve a fee of \$135 for the application from the Firehouse for a bluegrass bank on August 22. Steve Hines seconded the motion. The motion was unanimously approved.

Matt Pieniazek moved to approve an application from the Chamber of Commerce for the Waterfront Movie Series on August 8, 15 and 29 for a fee of \$400. Sean Bradley seconded the motion. The motion was unanimously approved.

Matt Pieniazek moved to approve an application for a wedding on July 26 and accept a payment of \$100 because an old application was submitted. Steve Hines seconded the motion. The motion was unanimously approved.

6. Adjournment

The Waterfront Trust portion of the meeting was adjourned at 7:55 p.m. The next joint meeting will be scheduled for August 15.