

Newburyport Waterfront Trust
Police Station Conference Room
August 7, 2019
Minutes

1. Call to Order

Chair Steve Hines called a meeting of the Newburyport Waterfront Trust to order at 7:00 p.m.

2. Roll Call

In attendance were Trustees Sean Bradley, Steve Hines, Wilbur Shenk, Dan Mello and Matt Pieniazek.

3. Minutes

Dan Mello moved to approve the minutes of the June 26, 2019 meeting as submitted. Matt Pieniazek seconded the motion. The motion was unanimously approved.

4. Treasurer's Report

The cash balance on July 31 was \$254,493, up \$2,921 for the month. Income for the month totaled \$9,224, which consisted of \$2,500 in dockage fees, \$2,216 from the Firehouse, \$3,750 for Yankee Homecoming; \$750 for the bank beds; \$1,150 from the Fidelity Assets Management Account and \$8 in interest.

Expenses for the month totaled \$7,453 and included \$2,141 for the park manager and minute taker; \$2,349 for the monthly landscaping contract; \$2,363 for additional landscaping work and \$600 for septic services.

Amounts due or received but not yet deposited include \$4,431 from the Firehouse, \$3,009 from the NRA; \$5,500 for the *Captain's Lady*; \$250 for the *Yankee Clipper* and \$17,500 for the parking contract.

Dan Mello moved to send an invoice in the amount of \$1,043.82 to the NRA for its share of the monthly landscaping contract. Wilbur Shenk seconded the motion. The motion was unanimously approved.

Wilbur Shenk moved to approve the payment of an invoice from Roz Manley in the amount of \$852.50 for second quarter bookkeeping services. Matt Pieniazek seconded the motion. The motion was unanimously approved.

Matt Pieniazek moved to approve the payment of invoices from Tom Joy for handyman services in the amount of \$215.25; from Benjamin's Power Washing in the amount of \$1,200 for cleaning the Matthews memorial and the new dock; from SLS in the amount of \$2,726.67 for converting the mulch beds in the parking lot to stone; from the Greenskeeper in the amount of \$240 for plant maintenance; from Sue Raines in the amount of \$120 for weeding; from Kathryn Russell in the amount of \$525 weeding; from Nancy Esposito in the amount of \$44 for weeding and for the purchase and assembly of Adirondack chairs in the amount of \$2,717.60. Dan Mello seconded the motion. The motion was unanimously approved.

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Dan Mello moved to approve the payment of invoices from Roy Spittle Associates in the amounts of \$4,171.16 and \$402.58 for the replacement of light bulbs and the repair of a broken socket and ballast. Sean Bradley seconded the motion. The motion was unanimously approved.

5. Chair's Report

The NRA voted on June 11 to convey 50% of the ownership of the submerged tidelands to the Waterfront Trust subject to an easement for the bulkhead and pilings. The deed was recorded the following day. This gives the Trust the exclusive right to the two feet built out from the bulkhead. The City has filed a complaint against the NRA, claiming the Open Meeting Law was violated. The position of the City is that the vote to transfer the tidelands was not on the agenda and the transaction should be voided. Dan Mello moved to authorize Grace Connolly to draft a letter to the Mass. Attorney General that emphasizes the importance of the deed transfer to the mission of the Waterfront Trust. Sean Bradley seconded the motion. The motion was unanimously approved.

The parking contract with the City has expired. Wilbur Shenk and Matt Pieniazek will work with the City Clerk and Mayor Holaday to negotiate a new contract.

6. Park Use Applications

No new applications have been received.

7. Park Committee Report

Wilbur Shenk moved to prohibit dogs from the lawn between the rear of the Firehouse and the stage due to a concern for the health of park users. Steve Hines seconded the motion. The motion was unanimously approved.

Edith Heyck, Wilbur Shenk and Matt Pieniazek worked together to generate a list of potential projects for 2020. They will add estimates of the cost to complete each item on the list.

A bill for \$250 was received from a man who required stitches after being injured on a tree branch. The payment of the bill by the Trust would set a precedent and it will be instead forwarded to the City.

Edith Heyck reported the waterfront was named the best family entertainment by the *Newburyport Daily News*. The Chamber of Commerce sent a letter of congratulations. Dead trees have been removed from the park and the crabapples have been pruned. Additional Adirondack chairs have been ordered and the Matthews memorial has been power washed. Sea Level employees have been leaving trash on the ground beside the dumpster, which should be emptied more than once per week.

8. Waterfront Committee Report

An advertisement for a sailboat should be placed to fill the vacancy on the docks for next season. The committee will look into the length of the available space, the depth of the water in that location and the amount of revenue that might be generated.

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9. Public Comment

Bill Harris said the Public Settlers held a special meeting at which they voted to send a supplemental letter to the Mass. Attorney General. The letter stated that the transfer of the submerged tidelands was not subject to the public procurement law and the City is acting to divert funds to which the Waterfront Trust would be entitled.

10. Adjournment

Wilbur Shenk moved to adjourn the meeting at 8:20 p.m. Dan Mello seconded the motion. The motion was unanimously approved.