

Newburyport Waterfront Trust
Police Station Conference Room
September 18, 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 and Matt Pieniazek. Dan Mello was absent. Attorney Grace Connolly was also in attendance.

3. Minutes

Wilbur Shenk moved to approve the minutes of the August 7, 2019, meeting as submitted. Matt Pieniazek seconded the motion. The motion was unanimously approved.

4. Treasurer's Report

The cash balance on August 31 was \$270,778, an increase of \$2,309 from the previous month. Income for the month totaled \$21,303 on consisted of \$2,750 in dockage fees, \$17,500 in parking revenue and \$1,044 from the NRA.

Expenses for the month totaled \$19,007 and included \$3,559 for the park manager and minute taker; \$4,443 for the landscaping contract; \$2,272 for a partial payment for the conversion of parking lot islands from mulch to stone; \$1,200 for power washing the stage; \$1,600 for tree trimming; \$309 for handyman services; \$309 for the Home Depot; \$240 for the Greenskeeper; \$900 for ETR Labs; \$70 for the filing fee for Form PC and \$2,718 for Adirondack chairs.

Amounts owed include \$4,431 from the Firehouse and \$5,096 from the NRA. A payment of \$5,500 has been received for the *Captain's Lady* but has not yet been deposited.

Wilbur Shenk moved to approve payments including \$3,000 for the refund of a bench deposit; to Roz Manley for new checks; Byfield Builders for the repair of the dock and gangway; Newburyport Signworks in the amount of \$385; Tom Joy for handyman services in the amount of \$549.16; Edith Heyck in the amount of \$196.93 for miscellaneous expenses; Sue Raines for weeding in the amount of \$410 and Nancy Esposito for weeding in the amount of \$663. Matt Pieniazek seconded the motion. The motion was unanimously approved.

5. Chair's Report

Steve Hines reported he attended a meeting of the parking advisory committee. The City is considering adding loam and seed to the areas in the east and west lots from which parking spaces have been eliminated.

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The former captain of the *Ninth Wave* has indicated he is looking for a boat for the Transportation Dock for next season. The Trust will continue with its plan to place an advertisement to fill the vacancy on the dock.

In response to the City's complaint that the NRA had violated the Open Meeting Law, a letter was sent to the Mass. Attorney General emphasizing the importance of the transfer of 50% ownership of the tidelands to the Waterfront Trust. The NRA responded to the complaint and the City has not commented further.

The work to repair the lighting on the boardwalk is nearly complete. Some of the ballasts still need to be replaced. Some of the lights that were repaired are on City property.

6. Parking Contract

Wilbur Shenk met with Richard Jones to review income and expenses from the parking lot. Mr. Jones asked about allowing the permit parking in the lot, which would not be permissible.

7. Park Use Applications

No new applications have been received.

8. Park Committee Report

The scope of work for the landscaping contract is being revised and a request for quotes will be issued in October. Derek Conrad of Swazy Alexander Landscaping attended the meeting to discuss the ways in which some aspects of the scope of work, such as weeding and fertilizing, might be handled.

Wilbur Shenk said the stage should be resealed. It would make sense to do this in the spring, after the granite has been pressure washed.

Edith Heyck reported that the new Adirondack chairs should be received shortly. The fence along Merrimac Street has been repaired, mums have been planted and the trees and shrubs on berms have been pruned.

9. Public Comment

Bill Harris distributed figures he received from the City Auditor. He said the City has diverted \$476,000 in revenue from the central waterfront without any legal basis. The Harbormaster's Department takes in \$80,000 to \$85,000 per year from the docks. He said the best use of the waterside is visits from tall ships, which generates a great deal of income, especially for the Custom House. The Waterfront Trust should be receiving a portion of this income. He added the Public Settlers held a special meeting at which they voted to send a supplemental letter to the Mass. Attorney General that states 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 should be entitled.

10. Adjournment

Wilbur Shenk moved to adjourn the meeting at 8:07 p.m. Sean Bradley seconded the motion. The motion was unanimously approved.