

Newburyport Waterfront Trust

August 5, 2013

Police Station Conference Room

Minutes

1. Call to Order

A meeting of the Newburyport Waterfront Trust was called to order by Chair Doug Locy at 7:00 p.m.

2. Roll Call

In attendance were members Doug Locy, Jody Fraser, Joe Brown, Si Morrill and Scott Sutherland.

3. Minutes

Joe Brown moved to approve the minutes of the July 1, 2013 meeting as submitted. Scott Sutherland seconded the motion. The motion was unanimously approved.

4. Park Use Applications

Beth Falconer described the plans for a performance of an abbreviated version of *A Midsummer's Night Dream*. The free performance would take place at 1:00 p.m. on Monday, September 2 in the park and would be billed as a joint production of the Firehouse Center for the Arts and the Waterfront Trust. Electricity would be required for standard work lights and the applicant would be responsible for clean up. The Firehouse would like to set up a table on Railroad Avenue to distribute information on upcoming events. Joe Brown moved to approve the application and waive the application fee. Si Morrill seconded the motion. The motion was unanimously approved.

Dominique Dear requested permission to use Waterfront Park for a gam. The date for the event has not yet been determined. She would like the Trust to be a part of the conversation as one of the stakeholders in the development of the waterfront. She was instructed to file an application that includes specific information on the event for review by the Park Committee. The approval of the application would be a separate issue from the Trust's proposed participation in the program.

5. Manager's Report

Charlie Nichols reported that:

- Flowers and a plastic insert were taken from a metal container on the boardwalk. The items will not be replaced at this point in the season.
- Trees in the park and along Somerby's Way are in need of pruning. The DPS does not wish to do the work and it is beyond the scope of the contract with ND Landscape. An estimate has not yet been received but it would be desirable for the work to take place before the next meeting. The Park Committee will review the proposal when it has been submitted and Doug Locy will approve the expenditure.

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- The bricks on Central Wharf Way have been reset.
- The graffiti on the electrical box has been reported to the police.
- ND Landscape has advised that fertilizer be applied to the lawn after periods of heavy use. The item was removed from the contract several years ago.
- He has hired a woman to weed along Railroad Avenue, as more work is needed than is possible under the ND Landscape contract. Doug Locy moved to approve a payment for the work in the amount of \$44. Scott Sutherland seconded the motion. The motion was unanimously approved.

6. Treasurer's Report

Joe Brown reported that:

- The account balance has reached a record setting \$202,000.
- The contract from the Greenskeeper for planting and maintenance has been received. The cost of the planting is \$595 and \$20 per week is billed for watering and fertilizing during the months of May, June and July. Doug Locy moved to approve the contract. Scott Sutherland seconded the motion. The motion was unanimously approved. It was noted the contract should be submitted earlier in the season.
- He received a bill in the amount of \$600 from Wilson Welding for the repair of two stanchions on the fence along Merrimac Street. Charlie Nichols said the work was done two to three years ago. The Trustees decided to set a policy that invoices are to be received within 60 days. Doug Locy moved to approve the payment of \$600. Joe Brown seconded the motion. The motion was approved with Scott Sutherland abstaining. He said issues such as this must be handled at the committee level.
- Geordie Vining has requested that the \$25,000 committed for repair of the bulkhead be released, saying the execution of the contract is contingent upon its receipt. The project has not yet been put out to bid and therefore it is not known if the additional funds would be necessary. Joe Brown moved to approve the payment to the City for bulkhead repairs after the project has been put out to bid and before the contract has been issued. Doug Locy seconded the motion. The motion was unanimously approved.
- ND Landscape has submitted a proposal in the amount of \$1,400 for the slice seeding of the lawn. It is not known if this work would be done in addition to the aeration that is included in the contract.
- After the last meeting Doug Locy authorized ND Landscape to proceed with a fungicide treatment to the lawn in the park. The cost of the work was estimated at \$720. An invoice has not yet been received. Scott Sutherland moved to approve the payment of an invoice for the treatment contingent upon its review by Doug Locy. Joe Brown seconded the motion. The motion was unanimously received.

7. Riverside Park Improvement

Doug Trees distributed a preliminary plan for the reconfiguration of the parking at Riverside Park. The plan, which meets ZBA requirements, allows for a seven-foot walkway in front of the Murphy building and the New England Development property and includes a new landscaped island at the end of the lot near the water. David Murphy said he thinks a parking engineer should review the configuration due to the demand that the Ale House will place on parking. Scott Sutherland said he would not wish to expend Trust funds until the Ale House plans have been approved. Bill Harris commented that the City has an interest in parking and should contribute to a study. The conversation will be continued upon the issuance of the necessary permits for the Ale House.

8. Park Manager Position

The Park Committee is working to find a replacement for Charlie Nichols, who will be leaving his position as park manager at the end of the year. The committee has interviewed two candidates and has subsequently announced the vacancy in the *Daily News* and placed an ad on the Chamber website. Si Morrill stressed the need to find the right candidate.

9. Review of Yankee Homecoming

Charlie Nichols said he was not happy with the condition of the park after Yankee Homecoming. Si Morrill will inform the event chair that the condition of the park was not up to the standards expected. The Yankee Homecoming Committee will be billed if it is determined necessary to hire outside help for clean up. Joe Brown said the use of Railroad Avenue is a problem each year, as too many booths are located along it, restricting the Way. He said the Trust should work more closely with the event coordinators.

10. T Dock and Pleasure Boat Dock Agreement

Scott Sutherland said he and Joe Brown met with Harbormaster Paul Hogg and the Harbor Commission subcommittee. He would like to begin work shortly to draft an agreement on the management of the T-docks and embayment. He said he is not interested in focusing on an expansion of the docks at this time but would like to investigate the use of a portion of the embayment for a water taxi. He also said he would like to institute a charge for power and water on the docks. The three contracts for the Transportation Dock expire this fall. Joe Brown said he is pleased with the current vendors but would be interested in providing more diversity. Work will begin shortly on the draft leases for the upcoming season. The per foot rate, a charge for water and electricity and the term of the contracts are issues that will need to be discussed.

11. Advertising Signage Policy and Enforcement

Joe Brown said the owner of sandwich shop has been setting up a sign in the parking lot. Scott Sutherland said he discussed the issue with Richard Jones, who agreed to request that the sign be removed. The issue will be discussed further at the next meeting.

David Murphy said his tenants believe they are being singled out for parking tickets. Scott Sutherland said the enforcement has not been directed at any specific business. He noted that while resident stickers are not valid in the lot, tickets have not been issued diligently to cars with stickers. He said a lack of enforcement could possibly jeopardize the parking arrangement if revenues do not reach the expected level.

12. Slacklining

Doug Locy said the activity continues to be a problem in the park. In addition to the damage that is likely to be caused to the trees, the grass is becoming worn and litter is an issue. The participants have been asked to move the other side of the park but this area is less desirable to them. The Trustees will choose an alternate location for the activity in the park and will wrap the trees or set up a line and posts. If the space that provided is not used, the Trustees will ban the activity in the park.

13. Landscaping Contract RFO

The Park Committee intends to recommend changes to the document at the September meeting.

14. Directors and Officers Liability Insurance

Bill Harris said the land that is to be transferred from the NRA to the Trust has been tested for lead but not other contaminants. He recommended that the Trust obtain liability insurance, as it might become responsible for cleaning a contaminated site. Joe Brown will work with him to obtain quotes.

15. Bench Plaques

Five inquiries were made about bench plaques and two checks have been received. Plaques have been installed on all of the existing wooden benches. There is room on the boardwalk for additional benches, but their cost would exceed the amount received for the plaques. The cost of the plaques could be adjusted based on the cost of the benches.

16. Adjournment

Scott Sutherland moved to adjourn the meeting at 9:45 p.m. Si Morrill seconded the motion. The motion was unanimously approved.