

## **Newburyport Waterfront Trust**

July 16, 2012

Police Station Conference Room

Minutes

### **1. Call to Order**

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

### **2. Roll Call**

In attendance were members Co-chairs Cliff Goudey and Doug Locy, Catherine Russell, Joe Brown and Scott Sutherland and Manager Charlie Nichols.

### **3. Minutes**

Joe Brown moved to approve the minutes of the July 2 meeting as amended. Doug Locy seconded the motion. The motion was unanimously approved.

### **4. Fueling**

The discussion on fueling was tabled at the last meeting. The *Bounty* did not require fuel during her visit. Cliff Goudey said Atlantic Fuel no longer wishes to make deliveries in Massachusetts. He read a copy of a letter to Dennis K. Burke, Inc. and apologized for not sending it to the other Trustees for review. He said Burke was not aware of the \$.05 per gallon charge and is currently not authorized to deliver fuel across Trust property. He plans to draft a new agreement for approval at the next meeting. Joe Brown said that according to the most recent vote of the Trust, only the *Prince of Whales* was authorized to fuel at the Transportation Dock and he was under the impression the authorization would only be valid for the term of the contract. Scott Sutherland pointed out that several vessels are listed on the agreement with the Fire Marshall. Cliff Goudey said that while he believes the *Lisa Ann II* is currently fueling at the Fish Pier, he would not want to exclude this boat from fueling at the Transportation Dock, as it cannot be fueled at the Fish Pier after the Harbormaster removes the docks for the winter. Joe Brown said there is no record of the agreement with the Fire Marshall having been approved by the Trustees. Doug Locy said he is concerned about fueling at the Transportation Dock because of the possibility of spills, saying there are provisions for them at the Fish Pier. Cliff Goudey said the most likely place for a spill is on the boat, where the Fish Pier catch basins would have no impact.

The Trustees will review the authorization and protocol for a vote at the August 20 meeting. The proposed contract to deliver fuel over Trust property for 2012 will be circulated for review prior to that meeting. Cliff Goudey will also provide the Trustees with a package of materials that had been available at the beginning of the fueling program approximately six years ago before the meeting. The package is not a part of the Trust's files at City Hall. It includes such items as the dated and signed approval of the order of conditions by the local Fire Chief and State Fire Marshall. Any and all

correspondence from the City Solicitor on the issue should be a part of the package, along with the record of the approval by the NRA.

The *Prince of Whales* will need to fuel before the August 20 meeting. After Bill Harris stated that in his opinion the acceptance of a fee changes the standard of care, Doug Locy suggested the \$.05 fee be waived until the vote is taken on August 20. Cliff Goudey was opposed to this, saying it sets a bad precedent. No vote was taken on the issue.

### **5. Manager's Report**

Charlie Nichols reported that:

- the park was not as clean as he expected after the Riverfest. He said Ann Ormond was not pleased with the cleaning contractor. Joe Brown said there are not enough facilities for large crowds. Scott Sutherland suggested the provision of port-a-potties should be a component of park use applications. He will research the number needed for various sized crowds.
- the Handyman has been flipping the planks on the boardwalk. Joe Brown moved to pay the Handyman, Inc. \$1,535 for the flipping of the planks, the stainless screws for the lampposts and 44-foot trench and conduit for the hose. Doug Locy seconded the motion. The motion was unanimously approved.
- the banks have agreed to contribute to the cost of the flagpole. Joe Brown moved to pay \$550 for the refurbishment of the eagle and \$995 to Wharf Marine Services for the work on the flagpole. Scott Sutherland seconded the motion. The motion was unanimously approved. Joe Brown will put together a package to seek reimbursement from the banks after the work has been completed.
- he received an email from Richard Jones about a sign was taken down that he wants returned. The work could be completed by the Handyman, but will not be undertaken until Richard Jones has communicated with the Trustees.

Joe Brown moved to reimburse Charlie Nichols in the amount of \$278.89 for lunch for the inmates, a nozzle, duck tape, paint and hoses from Home Depot and a \$50 Dunkin Donut gift card for the Fire Department. Catherine Russell seconded the motion. The motion was unanimously approved.

### **6. Treasurer's Report**

The SDAH submitted a payment in the amount of \$4,800 for two years of past rent. A payment in the amount of \$50 was received from the Easy Peddler.

Doug Locy said he divided the FY 2012 income and expenditures into major categories. Joe Brown said the figures might be misleading because bills totaling approximately \$15,000 have yet to be paid. He also said the income for the previous year was greater than projected because past debts were collected. The new bylaws require the treasurer to develop a budget. Scott Sutherland will help Joe Brown prepare a draft income and expenditure projection.

## **7. Other Business**

### **Parking**

Richard Jones has indicated he would like parking stickers to be accepted in the Trust's lot. Joe Brown is concerned that spaces might not be available for park users, especially after the Davis Electric building has been redeveloped.

### **Ticket Booth**

There was a miscommunication about burying of the cord at the ticket booth and the work has not yet been done. Cliff Goudey will speak with George Hilton and does not expect there to be an issue.

### **Boat Leases**

The first payment for the *Yankee Clipper* has been received and the second is due on August 1. According to Cliff Goudey, payment has yet to be received for the *Prince of Whales* due to a misunderstanding between George Hilton and his bookkeeper. Insurance information for one boat is outstanding.

### **Park Use Applications**

The Salvation Army has requested to use the stage on July 25 from 3:00 p.m. to 9:00 p.m. for a free performance of *The Witch and Wardrobe*. Joe Brown moved to waive the fee for the use of the park. Scott Sutherland seconded the motion. The motion was unanimously approved.

The calendar makes no mention of the Chamber of Commerce's film series. Ann Ormond said she recently requested the use of the park, but no paperwork is on file.

### **Open Space and Recreation Plan**

The Trust's land now been included in the revised open space plan, but some factual errors must be corrected. Cliff Goudey will circulate his revisions to the Trustees for comment and discussion at the next meeting.

### **Signage**

The Trustees have been considering signage for the lot that would provide direction to businesses in an effort to eliminate a-frame signs. Further discussion is needed about the purpose of a signage program and the businesses that would be served by directional signage. Bill Harris said the Trustees should only consider signage that supports the Trust's mission and direct abutters should not be listed if they are not related to the purpose of the Trust.

### **Park Manager Position**

The Trustees discussed the job description for the park manager. Charlie Nichols requested a two-year agreement and agreed to train his successor. It was decided the manager should: 1) report to the parks committee, 2) manage landscape contracts, 3) seek approval from the co-chairs for expenditures, 4) provide written reports for the monthly meetings of the Trust and 5) oversee signage related to maintenance activities. Doug

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Locy moved to approve the job description as amended. Joe Brown seconded the motion. The motion was unanimously approved.

**Communication**

Cliff Goudey said communications regarding the Trust should come from the group as a whole and not from individual Trustees. He also said communications within important relationships should be carefully constructed.

**12. Adjournment**

Doug Locy move to adjourn the meeting at 10:45 p.m. Joe Brown seconded the motion. The motion was unanimously approved.