

The Special Meeting of the Waterfront Trust held on May 25, 2012, was called to order at 12:00 noon by Co-Chair Doug Locy.

In attendance were Trustees Brown, Goudey, Locy, and Russell. Trustee Sutherland was absent. Also in attendance were guests Bill Harris, David Murphy, Andy Port, Joe Webster, and two representatives from the Open Waterfront Committee.

The first item on the agenda was the proposed permit to Newburyport Crab Cake Co. Co-Chair Goudey summarized the proposed permit to the Crab Cake Co. and Mr. Webster stated that he was in agreement with its proposed terms.

Co-Chair Locy summarized the legal opinion rendered to Mayor Holaday on this matter and Atty. Harris presented documentation dated May 25, 2012 titled Park Use Permits within Trust Property and Options for Food Product Sales on Trust Property.

After an hour-long discussion, Trustee Goudey made a motion, seconded by Trustee Brown, to disapprove the draft permit with Newburyport Crab Cake Co. at this time. The vote was 4 Trustees in favor of the motion; 0 opposed.

A second motion was made by Trustee Goudey, seconded by Trustee Locy, to have the Co-Chairs meet with the Mayor to discuss and attempt to bridge the differing positions of the Mayor and Trust on food vendor permits on Trust Property. The meeting would take place prior to the next meeting of the Trust (scheduled for June 11, 2012). The vote was 4 in favor; with none opposed. In the interim, the Trust will proceed with the concept of special permits for transient permits that support Charitable Organizations. In addition, Trustee Goudey asked that the Trust's June meeting agenda also include a discussion on direct vendor permits on Trust property as opposed to working through third parties who permit vending on Trust Property.

The last item on the Special Agenda was Landscaping on Somerby's Way. Trustee Brown stated that at the last Trust Meeting, a vote was taken and approved to enter into a contract with N+D Landscaping based on their proposal dated May 7, 2012 in the amount of \$8,507.49. At that May 7 meeting, Trustee Locy had asked that the actual contract be held in abeyance until he could confer with the NRA; Trustee Locy stated that he has since met with the NRA and that we now could proceed.

Trustee Brown stated that he and Charlie had worked out a substitute to the N+D package for a total maximum cost of \$3,000, which represents a substantial savings. The substitute plan would still include identical plants and similar materials to be arranged though Harbor Gardens of Salisbury for an estimated cost of \$2,750. In support of this, Charlie had arranged to have Essex County Correctional services for approximately 3 days (after the Memorial Day rush) to perform the actual plantings. However, the Trustees decided that they wanted a professional job and decided to stay with N+D. Trustee Brown agreed to advise Charlie on this matter.

The meeting was adjourned at approximately 1:30pm.