

Newburyport Redevelopment Authority
City Council Chambers
November 12, 2014
Minutes

1. Call to Order

Chair Tom Salemi called a regular meeting of the Newburyport Redevelopment Authority to order at 7:06 p.m.

2. Roll Call

In attendance were members Tom Salemi, Leslie Eckholdt, Andy Sidford, Adam Guild and Bob Uhlig. Carol Powers was also in attendance.

3. Minutes

Bob Uhlig moved to approve the minutes of the October 8, 2014 meeting as amended. Andy Sidford seconded the motion. The motion was unanimously approved.

Tom Salemi moved to approve the minutes of the September 30, 2014 joint meeting with the City Council as submitted. Bob Uhlig seconded the motion. The motion was unanimously approved.

4. Weekly Inspection of Property

Leslie Eckholdt said the weekly inspections of the NRA property have proven to be useful and should be continued. She reviewed some of the issues that were revealed by the inspections and will develop a list of action items to address them. It was found that despite their often-untidy appearance, the restrooms are cleaned frequently. An agreement should be entered into with the City about the restrooms because they are on NRA land. It would found that the parking ticket kiosks do not function well. Richard Jones agreed to double the number of times per year they are serviced. Some of the signage in the lots should be improved. The dumpster area has been clean but the dumpster and the enclosure have not always both been locked. Potholes in the lots should be filled before winter. The Harbormaster has stored boats among the floats in the east lot, which raises a concern about liability.

5. DEP Site Work

Adam Guild introduced Mark Casey from ESS, who said the DEP Phase 1 report for the west lot was submitted on November 7. A low level of petroleum was found in the southwest corner of the lot. Regulations require that the horizontal and vertical extent of the contamination be delineated through testing. The results of the testing would determine the amount of remediation that would be required. The deadline for the next submittal of a report would be November 2017. Mr. Casey will send a copy of the complete phase 1 report to Carol Powers, who will forward it to the Planning Board. The City has applied for a brownfields grant to obtain an opinion from an LSP on the steps that would be required to provide for different types of activities on both lots.

6. Tree Maintenance

A joint meeting with the Waterfront Trust took place on November 1 for the purpose of assessing the condition of the trees on the properties of both groups. Arborist Ben Staples provided a report on recommended work items and their associated costs. Both short-term and long-term tasks were identified. The short-term items, which would cost approximately \$5,385, are safety related. The cost of the total package would be \$14,438.35. The report covers trees on both NRA and Waterfront Trust properties and a copy was sent to the Trust. The NRA members agreed to spend up to \$5,000 on the work, which is approximately one-third of the total cost. Tom Salemi moved to authorize Bob Uhlig to enter into a discussion with the Waterfront Trust for the purpose of reaching an agreement on the maintenance of the trees. Bob Uhlig seconded the motion. The motion was unanimously approved.

7. Secretary's Report

Leslie Eckholdt asked about setting up an account with *Daily News* to facilitate the posting of legal notices but it was determined this would not be necessary. She will post the meetings for 2015, which will continue to be held on the second Wednesday of each month. The members discussed the possibility of setting up subcommittees to allow progress to be made outside of meetings. After a review of the open meeting law, they decided against the creation of subcommittees.

8. Lighting in Parking Lots

Leslie Eckholdt said she met with Scott Sutherland of the Waterfront Trust, Steve Sawyer, David Zink and Daniel Sancomb from National Grid about proposed changes to the lighting in Riverside Park. The Waterfront Trust wishes to convert to underground wiring, which would involve trenching in the west lot because the transformer is located on NRA property. Because the NRA is concerned about the disturbing the soils, the best solution might be for the Trust to run the lines along the berm.

The west lot is currently not well lit, which is a concern to the members of the business community who make use of the long-term parking spaces and should be considered as the extension of paid parking into the evening hours is discussed. While the lot should be well lit for safety and liability purposes, the placement of fixtures would not be determined until the long-term plans for the property have been developed. The members discussed temporary solutions, such as the addition of a fixture on an existing pole. National Grid will research the ownership of the poles and lights in the lot. Bob Uhlig and Leslie Eckholdt will work together on the issue. Tom Salemi moved to authorize Bob Uhlig to work with National Grid to resolve the issue of one light on the west lot that is not working. Adam Guild seconded the motion. The motion was unanimously approved.

9. Parking Alignment

Bob Uhlig distributed a proposed plan for the revised layout of the west lot to make it consistent with the parking in Riverside Park. In the new plan the spaces would be consistently perpendicular to the water. The changes would make the parking more

efficient, while offering protection for the embayment and creating space into which the park might be expanded. A pedestrian way could be added along the berm. The wheel stops would be relocated after the parking lot has been re-graded in the spring.

10. Potential Purchase of Outdoor Furniture

Bob Uhlig presented alternatives for urban site furnishing elements, such as umbrellas, tables, chairs and planters. The members will consider the choices for discussion at the next meeting.

11. Use Application

A vendor has asked to park his food truck in the NRA lots during the Invitation Nights. He must provide a copy of his health permit. He will set up in the west lot for the first Invitation Night and the east lot for the second. He will not be charged a fee because a schedule is not in place at this time and the use could be considered a pilot program. A mechanism by which vendors could contribute funds will be considered for the future. Carol Powers said the acceptance of a fee changes the legal dynamic. She said she would be made uncomfortable if the NRA did not receive some degree of compensation for the use of its property. Adam Guild moved to authorize Carol Powers to enter into a license agreement with the applicant and for Tom Salemi to sign the agreement. Leslie Eckholdt seconded the motion. The motion was unanimously approved.

12. Financial Obligations

Tom Salemi said he would like to meet with stakeholders next year to discuss costs and fundraising. Carol Powers said the NRA is not permitted to raise funds, but a non-profit “friends” group could be created.

13. Parking Agreement

Tom Salemi asked the members their opinions on increasing the hours of paid parking and raising rates. He said the NRA must find revenue to fund the large project it has ahead of it. Adam Guild said he would oppose a rate increase because he would not wish to discourage visitors and residents from coming to the downtown. Tom Salemi said it would be worthwhile to research parking fees in other communities. He intends to discuss the issue with Richard Jones and Doug Locy.

14. Treasurer’s Report

Adam Guild reported the balance in the checking account is \$3,567.74 and the balance in the money market account is \$193,123.93. Two checks were received from Not Your Average Joe’s in the amount of \$250 each for dumpster area rent for September and October and checks were received from the City in the amounts of \$19,691.52 and \$21,033.21 for parking revenue from the months of July and August respectively.

Tom Salemi moved to approve an invoice for minute talking in the amount of \$450 for the September 30, October 8 and November 12 meetings. Bob Uhlig seconded the motion. The motion was unanimously approved.

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Adam Guild moved to approve a payment to the Waterfront Trust for landscaping for the month of October in the amount of \$2,542.82. Bob Uhlig seconded the motion. The motion was unanimously approved.

Adam Guild moved to approve a payment to National Grid in the amount of \$338.13 for service in September.

15. Council's Report

Carol Powers said she had not yet received a response from Not Your Average Joe's regarding the revised agreement for the dumpster area. She reviewed a memo she distributed on the history of the NRA's ownership of the submerged tidelands. She said research has not shown that any leasing rights were conveyed to the Waterfront Trust in the 1992 revision to the Declaration of Public Trust. She said the public has the right to use the four parcels of land owned by the NRA. The attachment of floats to the central waterfront bulkhead is an approved use of NRA property and the NRA might wish to consider revenue sharing as it seeks to maximize the income generated by each of its parcels in order to fund improvements. She said the NRA must decide the degree to which it wishes to exert its authority and the issue of the right to the use of the tidelands is made complicated by overlays of ownership. She spoke with an attorney who is very knowledgeable about the submerged tidelands but at times represents New England Development. Tom Salemi moved to authorize Carol Powers to engage more than one attorney for action by the NRA at its next meeting. Bob Uhlig seconded the motion. The motion was unanimously approved.

16. Meeting Schedule

The next meeting will be scheduled for December 10.

17. Public Comment

Rob Germinara, 2 Ashland Street, advised against working with an attorney who is associated with New England Development.

18. Adjournment

The meeting was adjourned at 9:55 p.m.