

**Newburyport Redevelopment Authority**  
City Council Chambers  
May 10, 2017  
Minutes

**1. Call to Order**

Chair Bob Uhlig called a regular meeting of the Newburyport Redevelopment Authority to order at 7:00 p.m.

**2. Roll Call**

In attendance were members Leslie Eckholdt, Bob Uhlig, Andy Sidford and David St. Cyr. Marian Levy was absent.

**3. Old Business**

**A. Somerby's Way**

The beds along Somerby's Way previously included twelve Bayberries that were planted behind the four benches. Only three of these shrubs are still viable. Nine additional shrubs, six of which would be located on NRA property, would be needed to provide shade and screening for the benches. The cost of these plants is not yet known. A quote has been received for \$3,900 for 13 weeks of watering. A commitment of two years would be needed for the watering. The Waterfront Trust would be responsible for \$700 of the cost each year. To date Dave Dylewski has billed the NRA \$1,865 for labor for the beds, leaving \$3,135 remaining of the \$5,000 approved for the project at a previous meeting. The approval of \$2,400 in additional funds for the project would provide \$3,200 for the first year of watering and \$2,335 for the purchase of pachysandra. The cost of the bayberries is not included in this figure. Leslie Eckholdt moved to approve \$2,400 in additional funds for the Somerby's Way project. Andy Sidford seconded the motion. The motion was unanimously approved.

**B. Soils Testing in West Lot**

ESS has corresponded that remediation does not appear to be necessary for the soil contamination in the west lot. A report will be sent to DEP. Bob Uhlig reviewed the permanent AUL that was placed on the east lot in 2011 due to the elevated concentration of lead found between two and 15 feet beneath the surface. The contamination poses no health risks under the current land use. It would be necessary to follow a protocol if any of the impacted soils were to be disturbed during the construction of a park. The AUL would only be lifted if 15 feet of soil were to be removed across the entire site, which is unlikely.

**C. Tree Work**

The work to prune the trees in the east lot and to remove and replace the trees in poor condition at the entrance to the lot has been completed. A decision must be made on whether or not the Rosa rugosa should be removed. It has been cut but was left in the ground.

#### **D. Submerged Tidelands**

Carol Powers reported the potential for a conflict of interest would prevent Glen Wood from representing the NRA. She has spoken with Jamy Madeja, an attorney with expertise in the area of submerged tidelands who would be interested in working with the NRA. She would provide information on how the NRA might be able to generate income from the submerged tidelands. She would require a \$5,000 retainer.

#### **E. Property Improvements**

##### **1. West Lot Park Expansion**

Weather has delayed the start of the project to expand the berm being undertaken jointly by the NRA and the Waterfront Trust. The work must be completed by May 30. Some granite blocks displaced by the installation of a new ticket booth will be used along the edge of the berm. Bob Uhlig is seeking a quote to remedy an unsafe ground condition between the information booth and the restroom. Andy Sidford will determine if any steps should be taken to improve the appearance of the restroom structure.

##### **2. Seasonal Planters**

Richard Jones will order two replacement planters for the east lot. The planters provide a base for permit parking signs. Andy Sidford moved to approve a payment to Gretchen Joy in the amount of \$1,000 for the installation and maintenance of materials in the planters in the east lot and PUP. Leslie Eckholdt seconded the motion. The motion was unanimously approved.

##### **3. Recycling Accommodations**

The City has requested that restaurants make accommodations for recycling. David St. Cyr will work with the Sea Level Oyster Bar to create a recycling area outside of the dumpster enclosure.

#### **F. Agreements and Leases**

##### **1. Custom House and NRA Irrigation System Agreement**

Carol Powers has been working with Lisa Mead on an agreement for the irrigation system for the Custom House lawn. The work will now be done in the fall. The Custom House wishes to install 65 cleats in the lawn to simplify the use of tents. These cleats are not a part of the agreement for the lawn that is in progress and would disturb the soil below the two-foot depth referenced in the AUL. Bob Uhlig will contact ESS about the potential this might have to trigger any protocols.

#### **G. Bank Accounts**

Bob Uhlig and Leslie Eckholdt will sign the necessary documents for the new account at the Institute for Savings.

### **I. Central Waterfront Update**

Bob Uhlig asked for feedback on the report of the Ad Hoc Central Waterfront Committee. Andy Sidford said the report focused on the City's view of the way in which the land and funds should be distributed but the concerns of the City are not the same as the concerns of the NRA. More attention was paid in the report to the dissolution of the NRA than to resolving the issue of the design of the waterfront. He said the NRA is the steward of the land and the way in which it might be disbursed is up to its members. The group has been consistent in its message that before any property is transferred a design for the park will have been developed and the means for funding its maintenance in perpetuity will have been determined. He said the NRA does not have to rush to relinquish the control of its land and should not do so until the members are satisfied with the direction that is being taken with regards to the design and funding of the park.

Bob Uhlig said he can envision the Waterfront Trust managing the park and potentially all of the land, but he is as yet unsure about the future of the waterside. Leslie Eckholdt said she would not be in favor of passing the revenue from parking and the tidelands to the City. She would share revenue with the City to fund the cost of capital improvements. She said the group that ultimately oversees the land should be independent of the Mayor's office.

The members discussed at length the possible make up of the group that would oversee the park and the way in which its members would be selected. They also discussed the timing of the disbursement of the land and the ways that would best guarantee a funding source for the park. Andy Sidford would like the NRA to retain control of the land until the plans have been engineered and put out to bid. Bob Uhlig responded it would not be possible to complete the design until it is known who would be responsible for capital improvements and maintenance. At this time the group does not have a unified plan and the discussion will continue at upcoming meetings.

### **4. New Business**

None

### **5. Reports**

#### **A. Clerk's Report**

No report.

#### **B. Treasurer's Report**

Leslie Eckholdt reported that on April 30 the account balance was \$307,812.45. Since that date \$1,800 has been paid to Dave Dylewski for work preparing the beds on Somerby's Way. Andy Sidford moved to approve the following payments: Dave Dylewski in the amount of \$65 for the pruning and removing of shrubs on Somerby's Way; Tom and Gretchen Joy in the amount of \$189.45 for PUP maintenance between December 8 and May 5; Gretchen Joy in the amount of \$150 for minute taking for the May 10 meeting and to the Waterfront Trust in the amount of \$180 for the repair of a teak bench.

**C. Counsel's Report**

Carol Powers will contract the Sea Level Oyster Bar about repairing the shed.

**6. Minutes**

Due to the length of the meeting, the approval of the minutes was tabled until the June 14 meeting.

**7. Public Comment**

Bill Harris, 56 Lime Street, said the City should be weaned off of revenue from waterfront parking. The funding of the park by the City would be an unfunded mandate and would be negated if the City were to file for bankruptcy. Rob Germinara, 2 Ashland Street, said the NRA should take a position on the disposition of the east lot and the PUP. Elizabeth Heath, 25 Oak Street, said COW is not concerned with what is best for the City but rather with what is best for the waterfront. Sandy Small, 25 Oak Street, said parking revenue would not be sufficient to maintain an expanded park when the size of the lot has been reduced.

**8. Upcoming Meetings**

The next meeting of the NRA is scheduled for Wednesday, June 14 at 7:00 p.m.

**9. Adjournment**

Andy Sidford moved to adjourn the meeting at 8:35 p.m. Leslie Eckholdt seconded the motion. The motion was unanimously approved.