

NEWBURYPORT REDEVELOPMENT AUTHORITY

Approved Meeting Minutes

May 27, 2009

7:00 P.M.

In Attendance: Nat Norton, Rick Taintor, Patty Dorfman, and Tim Brennan, and James Shanley (7:09)

Public Comments

Dominique Dunn, 5 Low Street: She is excited about the upcoming forum and has been getting lots of questions from other people. She met with the Mayor last Thursday and will meet with him again. She also reintroduced herself to Sean Sullivan. She is going to sit and audit the meeting as a way to help her get back being involved in the community.

Approval of meeting minutes

April 22, 2009 meeting minutes

Mr. Shanley made a motion to approve the minutes as submitted.

Patty Dorfman seconded the motion.

The motion passed unanimously.

Treasurer's report

There is no treasurer's report to hand out because Mr. Brennan did not receive the attachment that contained the April/May statements. Mr. Brennan noted that the bank balance matches his records through the end of March.

Mr. Taintor gave Mr. Brennan two National Grid invoices for his review.

Sign / Façade Applications / Waterfront use requests

Newburyport Development, 54 Inn Street (Pleasant Street) – Façade

Patty Dorfman made a motion to approve the façade application.

James Shanley seconded the motion.

The motion passed unanimously.

Katwalk, 46 State Street

Mr. Taintor noted that the applicant needs to obtain the signature of the building owner as well as the business owner's signature.

Patty Dorfman made a motion to approve the request contingent on the applicant obtaining the building owner's signature on the application.

James Shanley seconded the motion.

The motion passed unanimously.

Pathfinder Financial Group, 5 Water Street, Unit 5B

Mr. Taintor asked if this is a new sign that will replace the existing sign at the front corner. The applicant's representative concurred and showed pictures of the sign location.

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James Shanley made a motion to approve the sign application.
Patty Dorfman seconded the motion.
The motion passed unanimously.

Property Use Requests

Yankee Homecoming – Waterfront Concert Parking

In the past, the NRA has donated their portion of the parking fees to support Yankee Homecoming. It ends up being \$5 per car. The check is mailed directly to Standard Parking. Ms. Dorfman will be the contact person for Standard Parking. Mr. Norton will email Ms. Dorfman the contact information for Standard Parking. Ms. Dorfman distributed a list of dates and rates for summer/holiday/Yankee Homecoming parking.

Property Issues

Newburyport Maritime Society – Letter of Intent

Mr. Taintor has received several communications from Fred Phillips, the consultant for the Newburyport Maritime Society. Mr. Taintor has tried to set up a meeting between the NRA, the Newburyport Maritime Society, and Mr. Phillips but they were not able to secure a mutually agreeable date. Mr. Taintor did let the NMS know that if the NRA did not receive any additional information that they would not be able to move forward to a vote on a draft of a letter of intent. Carol Powers is still working on a draft letter of intent with Mr. Phillips. The NMS indicated a real urgency to get the letter approved tonight but has not submitted any of the requested additional information. Mr. Taintor expressed that he is trying to move the process along but has not been able to get the necessary information. Mr. Taintor noted that he is a little concerned because when Tania Hartford called him, she indicated that the NRA signing a letter of intent would be seen by Mass Development as a positive gesture and would help the NRA to obtain funding from them. Mr. Brennan noted that he is still not comfortable with any letter but he will keep an open mind.

5 Water Street – Request for Certificate of Completion

Attorney Bill O’Flaherty was present to represent Daniel O’Reilly of 5 Water Street Realty Trust. Institution for Savings originally bought the property in 1975. They renovated the building and sold it to Dan O’Reilly and his partners. A certificate of completion was obtained for the building but not for the parcel that consists of the parking lot. Mr. O’Reilly currently has a Purchase and Sales agreement for one of the units in the building. The buyer’s attorney did a title search and raised the issue that there was never a certificate of completion obtained for the parking lot parcel. The NRA issued a certificate of completion for everything but the landscaped area. Carol Powers sees no problem with this and suggested that the board approve Mr. Taintor to sign the certificate pending final review by her. Attorney O’Reilly submitted further supporting documents showing NRA approval for air conditioning units and additional parking spaces in the past. Attorney O’Reilly asks if it could be approved tonight so that the applicant can close on the sale of the unit on June 19, 2009.

Nat Norton made a motion to approve signing of the certificate of completion by Mr. Taintor subject to Carol Power’s review.
James Shanley seconded the motion.

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The motion passed unanimously.

Contracted Services

VHB – Invoice: Invoice dated April 2, 2009 and is for \$2329.50. The NRA paid VHB \$705.93 at the end of February. The current invoice is for services from February through March. Mr. Norton stated that the charges seem reasonable but he just wants to check and make sure that the total cost is not over the amount that the board had budgeted. Mr. Norton suggests approving payment pending review of the amount that was authorized.

Nat Norton made motion to approve payment pending review of the amount authorized to fund the project.

James Shanley seconded the motion.

The motion passed unanimously.

Jennifer Stone - Invoice for Minutes: Mr. Brennan stated there are invoices from Jennifer Stone for the minutes of the March and April meetings.

Tim Brennan made a motion to approve payment.

James Shanley seconded the motion.

The motion passed unanimously.

Cecil Group – Invoice: Mr. Taintor has not heard back from David O'Connor regarding the accounting analysis of the Waterfront Park contract to date. Mr. Taintor was asking for an invoice from Cecil Group to bring the balance up to date but has not heard back from him. The invoice is for \$3,385.20.

Patty Dorfman made a motion to approve payment of the invoice.

James Shanley seconded the motion.

The motion passed unanimously.

Mr. Shanley asked if the Cecil Group will accept this as an accurate number. Mr. Taintor stated that they have already invoiced the NRA for more than this amount. Mr. Taintor is documenting that the NRA is paying based on tasks completed. Mr. Norton noted that when David O'Connor came to the last meeting he recognized that the Cecil Group was billing at a higher percentage and that they would accept a lower payment.

N.D. Landscaping – Maintenance Contract

Mr. Norton stated that he was happy with their work last year and suggested keeping the contract the same.

Nat Norton made a motion to approve the maintenance contract.

Patty Dorfman seconded the motion.

The motion passed unanimously.

Weston & Sampson – LSP services update

On Friday, Eric sent a notification to the Conservation Commission, though that's not something that was discussed. Mr. Norton said that it must be standard practice to notify the Conservation

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Commission when they are going to be drilling near any wetlands. They painted the areas where they are going to do the borings. Mr. Norton was not sure if they were on NRA property or not. Mr. Norton emailed Eric a copy of the land survey and informed him that he would need to double check to make sure that the drilling is done on NRA property. Once the drilling started, they went down less than 7 feet and hit water. All appears to be going as planned. Mr. Norton asked Eric to confirm the location of drilling on the plan because he did not see one of the necessary holes on the plan.

East Lot 21E Issues

DEP – Invoice / Past Due Notice / Collection Letter

The NRA received a \$2000 invoice with a past due notice and a collection letter. There is no penalty listed.

Mr. Norton made a motion to approve payment of the invoice.
James Shanley seconded the motion.
The motion passed unanimously.

Paid Parking

Standard Parking update: Mr. Norton got an email with the revenue update for opening weekend. It was the strongest opening weekend since they started in Newburyport. He got more flack than normal from Black Cow employees because they had to pay for parking to go to work. Bruce, the manager at Not Your Average Joe's called to see if the NRA could offer 30 employees per day discounted parking. Mr. Norton will call him and explain the NRA's policy. The only thing the NRA has ever offered is a donation to the Firehouse Center with the understanding that the Firehouse would use the money to pay for parking for their volunteers not employees.

Pay & Display

Mr. Norton met with Cliff and they have solicited quotes from four different equipment suppliers. What the Waterfront Trust is hoping to do is to buy one pay and display machine, maintain and operate it themselves. As far as enforcement, they have already spoken to the Parking Clerk and the parking enforcement officer is willing to go through their lot to look for violations. The deal that they would make with the City is that the City would keep any monies they collected from violations. According to Cliff, the City is willing to work with the Waterfront Trust. He is talking about doing it as early as this summer. Mr. Norton thinks it will take 6-8 weeks to obtain the equipment and get it up and running.

Contract with Standard Parking is automatically renewed in February. Mr. Norton has signed amendments in the past. He told Standard Parking that if the Waterfront Trust moves ahead with the Pay and Display machines then they would want to opt out of parking fee. There had been some talk about the NRA and Waterfront Trust doing something at the same time but that is not happening. The NRA could consider a pay and display in the west lot to start to move this forward. Discussion of number of machines, placement, type of machine, maintenance, enforcement, and time line for possible roll-out of machines. If the Waterfront Trust and the NRA both move forward on this, then it could force the City's hand and make them get involved. Cliff projected that the Waterfront Trust will gross \$43,000 with the Pay and Display machines.

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There was no reason for an amendment to the contract with Standard Parking.

Waterfront Park Planning

Public Forum: There is no new information or need to do anything right now.

Letter from Mayor Moak: Discussion of reaction to the Mayor's letter. He reiterates a lot of the points already made by the NRA. He doesn't seem to be hearing the board. The NRA agrees with the Mayor that they want to work together. The NRA controls 340 parking spaces in the city. Their parking has always been considered a phased plan. The Mayor is working on a parking study, site selection, and design. Mr. Taintor will draft a letter of response and circulate to the board members for review.

Mr. Shanley gets the idea that the Mayor thinks that the NRA's responsibility is to provide parking to the city. He doesn't agree. Mr. Norton stated that parking on the NRA property was always supposed to be temporary and part of the challenge is to change people's view of what purpose that property can serve.

MA Development Loan Application

Ms. Dorfman reviewed the application and supporting information with Carol Powers. Ms. Dorfman stated that a document that breaks down the costs associated with the LSP needs to be provided with the application. Mr. Norton suggested attaching a copy of the LSP contract. Discussion and amendment of the draft application.

Nat Norton made a motion to approve the application as amended.

Tim Brennan seconded the motion.

The motion was approved unanimously.

NRA correspondence / news

The board received a copy of an Order of Conditions (WPA Form 5) from the Massachusetts DEP.

Received certificates of liability insurance for Maritime Society.

A light pole fell down in the parking lot. The City was contacted and the pole was removed. Mr. Shanley will assess the parking lot to see if additional lighting is needed.

Adjournment

Mr. Shanley motioned to adjourn the meeting, Mr. Brennan seconded the motion, and the motion passed unanimously. The meeting adjourned at 8:55 P.M.

Respectfully Submitted,
Patricia Dorfman
Secretary, Newburyport Redevelopment Authority