

**Newburyport Redevelopment Authority**  
City Council Chambers  
August 13, 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, Adam Guild, Leslie Eckholdt and Bob Uhlig. Carol Powers was also in attendance.

**3. Minutes**

Leslie Eckholdt moved to approve the minutes of the July 23, 2014 meeting as amended. Bob Uhlig seconded the motion. The motion was unanimously approved.

**4. Election of Officers**

The election of officers will take place after the appointment of Andrew Sidford has been confirmed.

**5. Treasurer's Report**

Adam Guild said the balance in the checking account is \$6,194.61 and the balance in the money market account is \$152,228.28. Checks were received from Not Your Average Joe's in the amount of \$250 for dumpster area rent for August and the City in the amount of \$11,584.71 for parking revenue from May.

Adam Guild moved to approve a payment to National Grid in the amount of \$195.75 for service for the month of July. Leslie Eckholdt seconded the motion. The motion was unanimously approved.

Adam Guild moved to approve a payment to Waterfront Trust in the amount of \$2,401.12 for 27% of the NRA landscaping contract and park manager's salary, additional lawn care and repairs to the boardwalk by the Harbormaster's shack. Bob Uhlig seconded the motion. The motion was unanimously approved.

Adam Guild moved to approve a payment of \$150 for minute taking for the August 13 meeting. Bob Uhlig seconded the motion. The motion was unanimously approved.

**6. Old Business**

**DEP Site Work**

Bid packages were sent to five companies. One, Weston and Sampson, which has done work for the NRA in the past, did not respond. The work does not have to be completed by September, as was originally thought, but rather by November. One company provided a cost assessment on a reduced scope of work. DEP has reportedly revised its

regulations because the strict regulatory structure was too costly and resulted in properties becoming unusable. As a result additional borings might not be necessary, but this has not been confirmed. Bob Uhlig moved to authorize Adam Guild to revise the scope of work in order to allow the NRA to make an accurate assessment of the bids. Leslie Eckholdt seconded the motion. The motion was unanimously approved.

### **Transfer of Property Rights**

Carol Powers explained that the Waterfront Trust was established as a result of a Land Court case. The decision references the plans and documents that were submitted as a part of the case and they are therefore not available through a regular title search. She has contacted a title examiner about conducting research at the registry. She recommended that after the information has been gathered, the NRA should meet with members of the Waterfront Trust, representatives of the City and the Harbormaster to review it. She said meeting minutes showed the impetus for the revision to the Trust was to make the land behind the Firehouse available for rent to a restaurant. The revision did not specifically mention the right to rent wharfs. She said in her opinion the revision was an establishing document that gave certain powers and authorities to an existing entity. It was not a conveyancing document; the NRA did not convey rights to the Trust through the revision. Leslie Eckholdt moved to authorize Florrie Denhard to conduct title research on the submerged tidelands for an amount not to exceed \$2,000. Adam Guild seconded the motion. The motion was unanimously approved.

### **Meeting with City Council and Mayor**

Tom Salemi said he has informed the Mayor and City Council the NRA is interested in meeting with them. He will send possible meeting dates to members.

## **7. New Business**

### **Not Your Average Joe's Dumpster**

Photographs were circulated showing the trash that had collected on the ground around the dumpster. The dumpster should be emptied frequently enough that trash does not overflow and no trash should be placed outside of it. Carol Powers said a new contract with the restaurant should be put in place now that the location of the dumpster has changed. She suggested a penalty for not keeping the area clean be added to the agreement. She stressed that she was never in favor of allowing the dumpster to be placed on NRA property, but it was done to accommodate the restaurant, which in turn benefited the Firehouse. Signage might be added that indicates the dumpster is for restaurant use only. Tom Salemi moved to authorize Carol Powers to engage the restaurant and draft a new lease agreement for review at the next meeting. Leslie Eckholdt seconded the motion. The motion was approved with Adam Guild abstaining.

### **Creating Public Spaces**

Bob Uhlig said certain areas between the NRA and Waterfront Trust properties are being damaged due to misuse. Vegetation has been lost from the berm. He suggested boulders might be obtained from Moseley Woods to better define the areas. He also said it might

be desirable to add movable tables and chairs to spaces that are not currently being used. He will bring a small plan and information on site furniture to the next meeting.

### **Momentum Theater Troupe**

The Momentum Theater Troupe would be interested on holding performances on NRA property on August 19, 20, 23 and 24. The group does not have insurance and would be willing to sign document that would hold the NRA harmless. Carol Powers said the NRA members must protect the land they steward and allowing a group without insurance to use the property could put the land in jeopardy. The members agreed that they must only work with groups that follow the set application process and have insurance.

### **Public Use Application**

The owner of a food truck that wished to operate for the Brewfest and the Battle of the Bands submitted an application during a period in which the NRA did not hold a meeting. The appropriate insurance was in place. Tom Salemi moved to ratify the approval of the past application for the operation of the food truck during Yankee Homecoming. Adam Guild seconded the motion. The motion was unanimously approved.

### **Adoption of New Public Use Application**

Carol Powers will review the public use application and draft any changes she views as being necessary. She recommended applications be due a specified number of days prior to the meeting before the event.

### **8. Upcoming Meetings**

Meetings will be scheduled for the second Wednesday of each month. Upcoming meetings will take place on September 10, October 8, November 12 and December 10.

### **9. Public Comment**

Bill Harris suggested the NRA contact Christine Lombard of the EPA, who helps facilitate project conclusions for brownfield sites. He said the EPA has a different set of interests than the DEP and might be a source of funding. Actions taken for the DEP might serve as the first phase of an EPA site assessment.

### **10. Adjournment**

Leslie Eckholdt moved to adjourn the meeting at 8:55 p.m. Bob Uhlig seconded the motion. The motion was unanimously approved.