

**Newburyport Waterfront Trust**  
Police Station Conference Room  
January 15, 2020  
Minutes

**1. Call to Order**

Chair Steve Hines called a meeting of the Newburyport Waterfront Trust to order at 7:00 p.m.

**2. Roll Call**

In attendance were Trustees Sean Bradley, Steve Hines, Wilbur Shenk, Matt Pieniasek and Dan Mello. Attorney Grace Connolly was also in attendance.

**3. Minutes**

Wilbur Shenk moved to approve the minutes of the November 20, 2019, meeting as submitted. Matt Pieniasek seconded the motion. The motion was approved.

**4. Treasurer's Report**

The cash balance on December 31 was \$246,475, down \$2,274 from the previous month. The only revenue for the month was \$8 in interest. Expenses for the month included \$1,932 for park manager and minute taker and \$350 for repairs to the boardwalk.

The Firehouse owes \$4,431. Executive Director John Moynihan has acknowledged the receipt of the invoices and has committed to their prompt payment. The NRA owes \$6,140 in addition to the amount billed on the February 4 invoice. Steve Hines will check with the City about the outstanding payment for the parking contract. Payments from the quarters ending September 30 and December 31 are due.

Dan Mello moved to approve the following payments: Comack Brothers in the amount of \$100 for winterizing the irrigation system; Fritz DeGuglielmo in the amount of \$950 for the annual non-profit tax filing; \$1,929 for the directors and officers insurance policy; \$3,800 for Swazey and Alexander for composting the planting beds and Grace Connolly for legal services in the amount of \$5,028.50. Wilbur Shenk seconded the motion. The motion was approved.

**5. Chair's Report**

Mayor Holaday has proposed that the Harbor Commission pay the Trust \$5,000 annually for attaching the floats to the bulkhead. The Trustees had previously proposed receiving a percentage of Harbor Commission's income above \$70,000 in addition to a flat rate. Steve Hines said he would be inclined to accept the Mayor's proposal. The Trust is currently operating at a profit and will no longer be responsible for the construction of an expanded park. Dan Mello said including a small percentage could be beneficial in establishing a framework for future adjustments. It would also increase the amount of revenue received for large events. Bill Harris said he favors a three-year lease at a flat rate with no added percentage. He said the lease should be subject to amendments by mutual consent for large events. The joint ownership of the tidelands creates an opportunity for the two groups to work together to provide better events. The lease should not become an obstacle to this.

## **6. Waterfront Committee Report**

Grace Connolly has received the signed lease and payment for one fishing boat using the embayment for the winter. Steve Hines will remind the captains of the *Katie May* and the *Early Times* that the documents are ready to be signed.

There has been no progress in finding a tour boat to replace the *Ninth Wave*. Chris Charos might consider adding a small boat to the dock. Wilbur Shenk will inquire at the Merrohawke Nature School, but it is likely they are satisfied with their current location. Steve Hines will contact Bill Taplin about renewing his lease.

## **7. Park Use Applications**

Wilbur Shenk moved to approve an application for a wedding on August 29. Matt Pieniazek seconded the motion. The motion was unanimously approved.

The Parks Department has submitted an application for a two-day fundraiser to be held on July 18 and 19. They offered to perform maintenance tasks for the Trust in lieu of a fee for the event last year but did not follow through on the commitment. Steve Hines said he would not be in favor of charging a fee to the Parks Department. The Trust should be working in partnership with the City. Wilbur Shenk moved to approve the application and waive the \$1,200 fee. Matt Pieniazek seconded the motion. The motion was unanimously approved.

## **8. Park Committee Report**

Edith Heyck reported:

- The DPS promptly removed a fallen tree, saving the Trust from the expense.
- Swazey Alexander applied the compost to the planting beds and an extra amount was available for the Peace Garden.
- The lamps have been repaired along Commercial Way and Railroad Avenue. A lamp on the boardwalk was damaged when the crane was taking the docks out of the water. A new pole is needed and Paul Hogg said he would be responsible for any expense. Tony Furnari has promised the work would be done before spring.

The Trustees talked about the use of the boardwalk in the winter. The Trust document indicates that the City is responsible for maintaining the boardwalk, which is plowed but is often icy. The Trustees are concerned about liability. They discussed adding signage stating that users do so at their own risk. Grace Connolly will contact the City about the Trust's coverage under the City's policy. Steve Hines will speak with Tony Furnari about treating the brick walkways in the park at the same time the City sidewalks are done.

## **9. Adjournment**

Wilbur Shenk moved to adjourn the meeting at 8:10 p.m. Dan Mello seconded the motion. The motion was unanimously approved. The next meeting of the Newburyport Waterfront Trust will take place on Wednesday, February 19, 2020.