

Newburyport Waterfront Trust
March 18, 2015
Police Station Conference Room
Minutes

1. Call to Order

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

2. Roll Call

In attendance were Trustees Scott Sutherland, Wilbur Shenk, George Ellison and Joe Brown.

3. Minutes

Joe Brown moved to approve the minutes of the February 18, 2015 meeting as amended. George Ellison seconded the motion. The motion was approved.

4. Treasurer's Report

Income in the amount of \$12,139 was received in February and expenses for the month totaled \$6,805, bringing the account balance to \$202,731. The projected year-end balance based on the approved spending plan would be \$73,000. Joe Brown requested a line item in the amount of \$2,000 be added to the spending plan for payments to the Firehouse.

Scott Sutherland moved to approve payments to DCI in the amount of \$1,875 and Edith Heyck in the amount of \$47.67 for sand and melting crystals. George Ellison seconded the motion. The motion was unanimously approved.

Joe Brown said income from rentals since November 18, 2014, the date the contract with the Firehouse was signed, totals \$570. He would like to submit a payment to the Firehouse after April 1 for 20% of this total along with 20% of the fee for any applications approved at this meeting. Scott Sutherland said approval to make the payments each quarter would not be necessary, as the Trustees had previously approved the action. The amount of each payment will be included in future financial reports.

5. Park Use Applications

FUEL

The Fuel Training Group submitted the same application as it has in previous years for the use of the 25-foot area at the west end of the boardwalk. The area would be used for ten minutes at the beginning and end of its classes, which are held on Monday, Wednesday, Friday and Saturday mornings. Wilbur Shenk recommended that a fee of \$800 be charged to the group. Joe Brown spoke in favor a higher fee. He said FUEL is a profit-making group and the Trust must raise revenue in order to accomplish its goals. He added the group must continue to abide by the rules that had previously been put in place, such as no group jogging on the boardwalk. Wilbur Shenk moved to accept the application with a fee of \$800. George Ellison seconded the motion. The motion was unanimously approved.

Team Paul and Eve Spinathon

Team Paul and Eve is a supporter of the Pan-Mass Challenge, which raises money for the Jimmy Fund. The event would be held on Saturday, May 16 and would be moved indoors in the event of rain. Six 50-minutes spin classes would take place on 25 bikes that would be set up on the boardwalk behind the stage. All of the money raised from the spinathon would go to team Paul and Eve, who will be riding in the Pan-Mass Challenge. Wilbur Shenk moved to approve the application and waive the fee. Joe Brown seconded the motion. The motion was unanimously approved.

Waterfront Movie Series

Ann Ormond requested the use of the park on the Wednesday evenings of August 5, 12 and 19, with a rain date of August 26. She will provide a certificate of insurance at the time the policy renews in June. She said some vendors would set up on the grass to the right of the walkway. Wilbur Shenk moved to accept the application and waive the fee with the condition the walkways are kept clear. Scott Sutherland seconded the motion. The motion was unanimously approved.

Riverfront Music Festival

Ann Ormond said the 14th annual Riverfest would be held on Saturday, September 5. Set up would take place on Friday afternoon between 3:00 and 6:00. She is working with Marshall Howard and Steve Hines on a plan for crowd control. The flower beds would be protected, 18 Port-a-potties would be installed on both sides of the park and a dumpster would be added. A walk through would be arranged for Sunday after the clean up has been completed. The Trustees requested that additional trash barrels be placed around the park. They would like Steve Hines to work out the details of managing parking.

Wilbur Shenk recommended a fee of \$3,000 be charged for the event. Ms. Ormond said she was not aware of the fee increase the time she prepared her budget and while she would be willing to pay the \$3,000 fee in 2016, she would like the fee to be \$2,500 this year. Joe Brown said the number of people that attend the event exceeds that which is allowed under Trust rules. He added the use of the park becomes limited after the event while new grass is becoming established. He said the fee charged is not sufficient to cover the cost of repairing the park, especially now that 20% is passed along to the Firehouse. He also said a new addition to the park-use application is a separate booth fee. Wilbur Shenk moved to accept the application with a \$2,750 fee and no additional fee for booths and to increase the fee to \$4,000 in the future. George Ellison seconded the motion. The motion was approved by a three to one vote.

6. Project Updates

Harbormaster and Transient Boaters Facility

Geordie Vining handed out the plans for the facility, which are at the 75% percent complete phase. In the most recent version of the plans the structure would be lower than originally proposed and the second floor would be smaller.

Newburyport Waterfront Trust
March 18, 2015

The Trust provided a letter of support for a boating infrastructure grant in the fall. The plans originally included the addition of a sewer line under Custom House Way. The engineer now has indicated a gas line must be run to the site as well. Mr. Vining requested the Trust approve the expanded use of Custom House Way as a utility corridor and submit a letter of support to the Planning Board for a site plan review hearing that would be held in May.

Permitting for the project should be in place by the end of the spring and the project would be put out to bid in the summer. Construction would begin in the fall and continue through the winter. Under this schedule Custom House Way would not be disrupted during the summer months.

George Ellison moved to expand the existing concept of Custom House Way from a sewer line to a utility line and to submit a letter of support to the Planning Board that expresses the desire of the Trustees for the restrooms to be open on a year-round basis. Wilbur Shenk seconded the motion. The motion was unanimously approved.

Rail Trail

The Trustees had previously voted to allow the Rail Trail to cross Custom House Way. Because state and federal transportation funds are to be used for the project, temporary and permanent easements must be obtained. Scott Sutherland moved to approve the donation of a permanent easement for the Rail Trail across Custom House Way and temporary easements as needed for construction in concept, the details of which would be provided to the Trust at a later date for approval. Joe Brown seconded the motion. The motion was unanimously approved.

Bulkhead

The first phase of the bulkhead repair project focused on the section to the west of the embayment. Funds are not available at this point to continue the project to the east side of the embayment. Geordie Vining will prepare an application for additional funding to the Seacoast Advisory Council and will forward it to Scott Sutherland for review. The bulkhead in the embayment was repaired and no further work is planned for the area at this time.

7. Strategic Plan

George Ellison distributed a compilation of the material that was discussed at the February meeting. The document included the following elements: the Trust's mission statement; a list of the stakeholders; a list of projects for which \$134,600 has been allocated to date; a list of priority items that totals \$222,500; timelines with immediate, 2015, 2016 and longer term items; and a list of potential revenue opportunities.

The document showed that \$664,100 would be needed over the next three years. The cash available during this time totals \$466,546, leaving a shortfall of \$197,554. Additional sources of potential revenue could bring in \$192,000, which would result in a final shortfall of \$5,544. The Trustees will forward their comments to George Ellison for further discussion at the next meeting.

Newburyport Waterfront Trust
March 18, 2015

Joe Brown commented the leasing of the bulkhead would provide an additional source of revenue. The NRA disagrees that it conveyed the leasing rights to the tidelands to the Trust and is in the process of preparing a legal opinion.

8. Meeting with Mayor

Scott Sutherland said he met with Mayor Holaday to discuss the upgrade to Riverside Park, the completion of the bulkhead lease, the expansion of the restroom hours and the renewal of the parking lease. She said the City's opinion on the bulkhead leave should be ready around the time of the next meeting. She agreed to keep the restrooms open through Columbus Day. The date they will be opened in May is still being discussed.

9. Joint CPC Application with the NRA

The total cost of lighting and Riverside Park improvements is \$482,000. A total of \$300,000 has been committed, leaving a shortfall of \$182,000. The Trustees are looking to a CPA grant and \$50,000 from the City in the form of cash or in-kind services to make up the shortfall. The presentation before the CPC is scheduled for April 28.

10. Riverside Park Reconfiguration

The City Engineer has decided to terminate a five-foot diameter drainage pipe that is currently located underneath the Leone and Murphy buildings and replace it with a new pipe that would run below Trust land. The Riverside Park lot would be impacted by this work during the month of July. It would not be possible to postpone the work because this would delay progress on the Leone building. The Trustees will negotiate with the City for lost parking revenue.

The project provides the Trust with an opportunity to accomplishment some of the work needed to upgrade Riverside Park. The City must acquire an easement from the Trust for the pipe. The Trustees must decide what they would like to receive from the City in compensation for the easement. Having the City perform the underground work that is needed at the same time the pipe is installed would present a great cost savings. Scott Sutherland will contact DCI about working with the City on behalf of the Trust.

11. Park Manager Report

Edith Heyck reported that six benches would be delivered shortly and the handyman would assemble them. She spoke about her concerns with the ice on Central Wharf Way. She has been adding salt and sand. She was advised to use only sand and no salt. The Trustees will decide how to resolve the issue next season. Signs advising pedestrians to proceed at their own risk might be installed or the Trust might return to having the walkways maintained by a contractor rather than the DPS.

12. CPC Application for Tree Removal

The application for funds for the replacement of the trees by the Firehouse will be presented at the March 24 CPC meeting. The Tree Commission will make a non-binding recommendation on the treatment of the trees after a site visit.

Newburyport Waterfront Trust
March 18, 2015

13. Parking Lease

The parking agreement with the City will expire at the end of the month. Joe Brown moved to renew the lease under the existing terms for three months. Wilbur Shenk seconded the motion. The motion was unanimously approved.

14. Adjournment

Joe Brown moved to adjourn the meeting at 9:20 p.m. Wilbur Shenk seconded the motion. The motion was unanimously approved.