

Newburyport Waterfront Trust
Police Station Conference Room
April 18, 2018
Minutes

1. Call to Order

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

2. Roll Call

In attendance were Dan Mello, Matt Pieniazek, Steve Hines and Sean Bradley. Wilbur Shenk was absent.

3. Minutes

Matt Pieniazek moved to approve the minutes of the March 21, 2018, meeting as submitted. Dan Mello seconded the motion. The motion was unanimously approved.

4. Treasurer's Report

The cash balance on March 31 was \$224,979, \$3,772 higher than the previous month. Receipts for the month totaled \$7,327 and included \$2,216 for the Firehouse lease, \$1,100 for winter fishing boat leases, \$2,011 from the NRA and a \$2,000 donation from the Fidelity Charitable Foundation. Expenses for the month totaled \$1,724 and included \$55 for website security, \$74 for bank fees and \$1,593 for the park manager and minute taker.

Bills paid to date in April have included expenses approved in March in the amounts of \$1,593 for the park manager and minute taker and \$200 for the portable toilet rental. Dan Mello moved to approve the payment of invoices received in April for bookkeeping services in the amount of \$701, from Connolly and Connolly in the amount of \$5,687.65 for legal services and from the City in the amount of \$2,000 for snow plowing. Steve Hines seconded the motion. The motion was unanimously approved.

Checks deposited to date in April include \$275 for a September wedding, \$1,000 from Fuel and \$389.81 from the NRA. Dan Mello move to issue an invoice to the NRA in the amount of \$779.62 for reimbursement for the months of February and March. Matt Pieniazek seconded the motion. The motion was unanimously approved. Invoices for the *Captain's Lady* lease and the *Ninth Wave* and *Yankee Clipper* electrical services are outstanding.

5. Chair's Report

Steve Hines reported the City Council was not in favor of the vote taken at the March 14 NRA meeting to transfer parcel D2 to the Custom House Maritime Museum. This vote is to be rescinded at the next NRA meeting, which is scheduled for April 25. He said some of the items included in an email from Bob Uhlig to the Trust, Mayor Holaday and the City Council had previously been resolved. The Trust has incurred a great deal of legal expenses to date and he believes at this point the NRA and City Council should be left to resolve the issues themselves. The email from Mr. Uhlig included a provision that land would revert back to the NRA if the design and construction of the park were not

Newburyport Waterfront Trust
April 18, 2018

completed by certain deadlines. Also of concern to the Trustees were the statements the Trust would assume the responsibilities of the NRA and would accept the land with the soil conditions that exist at time of the conveyance and the Settlers would disband.

6. Parks Committee Report

Dan Mello moved to accept an estimate from the Handyman, Inc. in the amount of \$1,700 to eliminate the tripping hazard at the entrances to the boardwalk. Sean Bradley seconded the motion. The motion was unanimously approved.

Matt Pieniazek received an estimate in the amount of \$2,500 to inject 28 sycamores with a fungicide to treat them for anthracnose disease. The charge would be for the injection of 25 trees and the treatment of three trees would be donated. Some of the trees are on NRA property. The treatment should be done on a regular basis and added to the budget. A maintenance schedule for the park should be developed.

Matt Pieniazek moved to approve expending \$750 to share in the cost with the NRA of replacing 13 bayberries along Somerby's Way. Sean Bradley seconded the motion. The motion was unanimously approved.

Park Use Applications

The Trustees have frequently waived the park use fee for non-profit organizations. They agreed to impose the minimum fee of \$135 that is indicated on the application to offset the cost of maintaining the park.

Matt Pieniazek moved to renew the Fuel contract for the fee of \$1,000. Sean Bradley seconded the motion. The motion was unanimously approved. The committee intends to increase the fee to \$1,250 in the future.

Matt Pieniazek moved to approve an application from the performing arts department of the Newburyport Public Schools for the use of the stage on June 9 for the reduced fee of \$250. Dan Mello seconded the motion. The normal fee for an event of this size would be \$1,200. The motion was unanimously approved.

A letter will be sent to the Yankee Homecoming committee indicating the fee for the use of the park this year would be \$3,500. The committee intends to increase the fee \$250 each year until it reaches \$4,000.

Matt Pieniazek moved to approve an application from a non-profit Taoist organization and a for-profit Tai chi school for the use of the park by 25 people from 10:45 a.m. to 12:00 p.m. on National Tai Chi Day for the fee of \$135. Dan Mello seconded the motion. The motion was unanimously approved.

Park Manager Report

Edith Heyck reported the spring clean up of the park has taken place. The public restrooms are to open on May 1. She will inform the schools when the landscape contractor applies treatment to the grass.

Newburyport Waterfront Trust
April 18, 2018

7. Public Comment

Rob Germinara, 2 Ashland Street, said Settlers do not have an intention of dissolving and wish for the Waterfront Trust to own and control all of the NRA land. In his opinion the members of the NRA whose terms have expired should not be eligible to participate in that group's business.

8. Adjournment

Dan Mello moved to adjourn the meeting at 8:11 p.m. Sean Bradley seconded the motion. The motion was unanimously approved.