

Newburyport Waterfront Trust
May 5, 2014
Police Station Conference Room
Minutes

1. Call to Order

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

2. Roll Call

In attendance were members Doug Locy, Jody Fraser, Si Morrill, Joe Brown and Scott Sutherland.

3. Minutes

Doug Locy moved to approve the minutes of the April 2, 2014 meeting as amended. Joe Brown seconded the motion. The motion was unanimously approved.

4. Treasurer's Report

Joe Brown said credits for the past month totaled \$112 and debits totaled \$1,858, bringing the account balance to \$197,783. Checks that have been received but not yet deposited include the first payment for the whale watch in the amount of \$4,250, for the Victor wedding on October 18 in the amount of \$200 and from Roots to Wings Yoga in the amount of \$100. The first payments are due for the other two tour boats. A bill was sent to the NRA on May 1 for the payment of 27% of both the landscaping contract and the park manager's pay for the month of April.

Si Morrill moved to approve the payment of invoices for the adverting of the landscape maintenance bid package in the amount of \$205.75; from the Handyman, Inc. for the repairs of lag bolts and nails on the boardwalk, repairs to the boardwalk from snow plow damage and work related to the installation of a plaque on a metal bench in the amount of \$765; and for accounting services for March in the amount of \$362.50. Jody Fraser seconded the motion. The motion was unanimously approved.

Scott Sutherland moved authorize the CPA to prepare the IRS tax returns and Secretary of State report for a cost of \$950. Jody Fraser seconded the motion. The motion was unanimously approved.

5. Park Use Applications

Chamber of Commerce Events

Ann Ormond spoke about the applications for the free Tuesday night movie series and the Riverfront Music Festival, which will take place on Saturday, August 30. Ms. Ormond said the number of Port-a-Potties would be increased for the Chamber's large events. It was clarified that while banners that list event sponsors are acceptable, there is to be no commercial activity on Trust property. The Trustees would like the planting beds to be protected during the Riverfest. Joe Brown asked that it be confirmed that the vendors

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that set up tents on the sidewalk are on City property. He said he is appreciative that the food vendors have been removed from Railroad Avenue. Ms. Ormond will provide a certificate of insurance. Doug Locy moved to approve the applications for the Riverfest and the movie series. Scott Sutherland seconded the motion. The motion was unanimously approved.

Yankee Homecoming

Mike Volpone said the application for the event has not significantly changed from the one submitted last year. The events to be held include the High School Battle of the Bands on Friday, July 25; the Brewfest on Saturday, July 26; and the concerts from Sunday, July 27 to Saturday, August 2. He said vendors would be kept from Trust property. He requested that a walk-through take place before and after the event and asked to receive an itemized list of expenses that were incurred for clean up after the event last year. The Trustees encouraged both the Chamber of Commerce and the Yankee Homecoming committee to make a voluntary contribution to the Firehouse to help cover the expense of the increased usage of the restrooms during their events. Joe Brown moved to approve the Yankee Homecoming application. Si Morrill seconded the motion. The motion was unanimously approved. A check in the amount of \$2,000 was submitted that included the \$1,500 fee and \$500 for the damage from the event in 2013.

Roots to Wings Yoga

Joe Brown moved to approve a revised application from Mike Houlihan for free yoga classes on Friday mornings from June 6 to August 15 with donations to support the Pettengill House. Si Morrill seconded the motion. The motion was unanimously approved. Mr. Houlihan had initially submitted an application that indicated he would charge \$10 for each class, of which \$5 would be donated to the Pettengill House.

Wedding Applications

Joe Brown moved to approve the application for the Victor wedding on October 18 with the condition information is provided about the clean-up coordinator. Doug Locy seconded the motion. The motion was unanimously approved.

Doug Locy moved to approve an application for the Bissinger wedding on October 11 contingent upon payment having been received. Si Morrill seconded the motion. The motion was unanimously approved.

6. Riverside Park Parking Lot

Steve Sawyer presented a conceptual plan for the reconfiguration of the parking lot. The goal of the new design is to make the area more park-like while retaining the view corridor. The plan calls for a one-way circulation pattern, with two-way traffic permitted between Brown's Wharf and the Ale House. Angle parking would allow the extension of a sidewalk along Brown's Wharf. The work would be timed to coordinate with that being done on the Ale House. The next step in the process would be to address underground wiring and an irrigation system. The contract with DCI must be extended to

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allow the design work to progress. Si Morrill moved to approve the conceptual plan. Jody Fraser seconded the motion. The motion was unanimously approved.

7. Park Committee Report

Si Morrill reported the new landscape contractor is doing a good job. Trash receptacles are needed at the entrance of Waterfront Park and Railroad Avenue. Jody Fraser moved to increase the salary of the park manager for the 2014-2015 year to \$10,000 effective May 1 to compensate for the additional work of overseeing the maintenance of NRA property. Scott Sutherland seconded the motion. The motion was unanimously approved.

Dumpster Relocation

Doug Locy said he would seek a proposal for the landscaping of the area from which the dumpster is to be moved. He added the Health Inspector requires the dumpster to be placed on a slab in its new location. He is not able to approach the NRA about covering the expense at this time because the group does not have a quorum. Si Morrill moved to authorize the expenditure of up to \$1,200 for the installation of the concrete slab. Jody Fraser seconded the motion. The motion was unanimously approved.

Signage

Only one of the four signs that been installed to inform visitors of the locations of public restrooms is still in place. The provision of public restrooms was a condition of the Chapter 91 licenses for the Black Cow and Michael's Harborside. Joe Brown will work with Jen Wright and Edith Heyck to incorporate this and other information into one design.

Slacklining

The Trustees discussed providing an area for the activity to take place. Signage would be installed, mulch would be added and the trees would be wrapped. Coordination with the NRA would be needed, as the possible location would straddle the property line. There is a concern that the provision of an area for the activity would expose the Trust to liability. Joe Brown moved to authorize Doug Locy to seek a legal opinion from Kopelman and Paige. Si Morrill seconded the motion. The motion was unanimously approved.

8. Land Survey

Doug Locy reviewed the history of the efforts to clarify the boundaries between the Trust and NRA properties. The purpose of the survey is to delineate the metes and bounds and not to identify future conveyances. The NRA has agreed in principle to some, but not all, of the land conveyances. The survey will not be recorded until the outstanding property issues with the NRA have been resolved. The AUL that was erroneously placed on Trust property is to be removed after the survey has been recorded.

The Trust is working to reach an agreement with the City to lease the entire bulkhead for full and fair market value. The Harbor Commission has indicated it does not wish to reduce the compensation it receives. Joe Brown said the right to lease the waterside of the bulkhead is the biggest asset of the Trust. The tour boats to which it

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leases dock space accommodate many more people than there are private boaters. He places the value of the leasing rights at \$100,000. Doug Locy said he wishes to lease the entire bulkhead to the Harbor Commission for full and fair market value. The City would be responsible for the day-to-day operations at the docks but the Trust would determine the number and types of vessels to be accommodated.

Si Morrill moved to extend the meeting by 20 minutes. Doug Locy seconded the motion. The motion was unanimously approved.

9. Parking Advisory Committee Report

Scott Sutherland said for the contract year that ran from April 1, 2013 to March 31, 2014, meter revenue generated in the Trust lot was \$35,332, up from \$21,500 for the prior year. Across the City meter revenue has been flat. The total revenue to the City has gone down due to a decrease in violations. Ticketing has increased in the Trust lot, but meter revenues have grown at a greater rate and now exceed ticket revenues.

10. General Business

Annual Report

Trustees were asked to submit their comments on the draft annual report to Doug Locy. The report, which will cover the period between January 1, 2013 and June 30, 2014, will be issued on July 1.

Firehouse Lease

Si Morrill and Jody Fraser are scheduled to meet with Peter Kelly and Maureen Daley on May 7 and will report on the discussion at the next meeting.

FY2015 Spending Plan and Five-Year Capital Plan

Joe Brown distributed a spreadsheet and asked to receive comments no later than ten days before the next meeting.

Meeting Schedule

Meetings will be moved to the fourth Wednesday of each month. The next meeting will take place on Monday, June 2. The new schedule will be effective Wednesday, June 23.

11. Adjournment

Scott Sutherland moved to adjourn the meeting at 9:50 p.m. Joe Brown seconded the motion. The motion was unanimously approved.