

Newburyport Waterfront Trust
August 19, 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, Joe Brown and Steve Hines.

3. Minutes

George Ellison moved to approve the minutes of the July 30, 2015 meeting. Steve Hines seconded the motion. The motion was unanimously approved.

4. Treasurer's Report

Income was received in the month of July in the amount of \$3,945 and expenses for the period totaled \$7,945. The cash and security balance at the end of the month was \$188,931. Joe Brown moved to approve the payment of invoices from Shay Concrete Products in the amount of \$2,325 for the Trust's share of the concrete bases for the parking lot lights, from the Greenskeeper in the amount of \$80 for services in July and DCI in the amount of \$1,215. George Ellison seconded the motion. The motion was unanimously approved.

5. Parking Contract Renewal

The extended parking contract with the City is set to expire on September 30. The Mayor is now interested in increasing the parking rate but has not yet decided what the new rate should be. It is likely the City Council would not approve of the increase until November. The Trust receives the fixed amount of \$8,000 per quarter from the City regardless of the meter revenue. Joe Brown pointed out this amount has been approximately half of the actual revenue. George Ellison moved to enter into a six-month agreement with the City beginning October 1 at the rate of \$16,000 per quarter and renegotiate the contract on April 1, 2016 based on the current rates at that time. Joe Brown seconded the motion. The motion was unanimously approved.

6. Riverside Park Reconfiguration

Andy Port reviewed the plans for the construction of a new culvert in Riverside Park, which have not significantly changed since the last meeting. The boundaries of the project have expanded to include a stockpile area. It had been originally planned that the entrance to the lot would be open during a portion of the construction. Instead the entrance would be closed the entire time and traffic would be directed into the lot through an alley. The Trustees voted at the July 30 meeting to move forward with the donation of a dedication for the culvert provided the Trust receives a guarantor document, a draft

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easement and a commitment from the City to contribute to the parking lot improvements. These documents have not yet been received. It is anticipated that a package will be provided for approval at the September 16 meeting and construction would begin around the beginning of October.

7. NRA Parking Realignment Plan

Joe Brown said the Trust property is protected under Article 97, an amendment to the Massachusetts Constitution that requires that lands acquired for natural resource purposes not be used for other purposes or disposed of without a two-thirds vote of each branch of the legislature. The proposed re-alignment of parking spaces in the NRA west lot intrudes by three feet into Trust land.

George Ellison moved to notify the NRA that the Trust would be prohibited under Article 97 giving away this land. Joe Brown seconded the motion. The motion was unanimously approved.

Bill Harris said the NRA might be required to alter the configuration of parking in the west lot if actions being taking by the Chapter 91 committee are successful. A report prepared by Jamie Fay of Fort Point Studios for the NRA indicated parking should be no closer than 100 feet to the water.

8. Park Use Applications

Wilbur Shenk moved to approve an application from the Newburyport Cultural District Committee for September 12 event and to waive the fee. George Ellison seconded the motion. The motion was unanimously approved.

Wilbur Shenk moved to approve an application for a concert sponsored by Patriots for American Veterans on October 18 and to waive the fee. Joe Brown seconded the motion. The motion was unanimously approved.

Wilbur Shenk moved to approve an application for a wedding on September 17. George Ellison seconded the motion. The motion was unanimously approved.

9. Parks Committee Report

Edith Heyck said the Yankee Homecoming committee did a good job keeping the park clean during the event. One area of concern was the congestion caused by the booths along Railroad Avenue. Next year the Trust might wish to limit the number of booths or control their locations.

The plaque acknowledging the Horticultural Society has been installed. The \$1,500 received annually from the banks for the planting beds goes into the general funds and the Trust's budget includes \$5,000 for plant materials.

Joe Brown moved to approve the expenditure of \$3,390 for the re-grading, grass repair and hydroseeding of three areas in the park. Wilbur Shenk seconded the motion. The motion was unanimously approved.

10. Review and Discussion of the Ways to the Water

Bill Harris talked about the history of the Ways to the Water as they relate to the Trust. He said the 25-foot wide Somerby's Way was situated in its present location so as to not limit the amount of parking available in Riverside Park. As a result 70% of the Way is on NRA property and is to be conveyed to the Trust. Unicorn Street technically runs through the Green Street parking lot and intersects with Merrimac Street at the current entrance of the lot. Central Wharf Way, which would run through the NRA's pop-up park, was to extend from this intersection to the waterfront. Mr. Harris said the Mayor has suggested the west lot would be given to the Trust at the time the NRA disbands. At that time it might be possible to realign the parking in both lots so that the entrance would be at Custom House Way and the exit would be at Riverside Park. Parking might be maintained near the street, which the area near the waterfront might be converted to park. A triangle of land between the buildings along Ferry Wharf Way is to be conveyed from the NRA to the Trust. It might be possible to complete this transfer at the time the Trust documents are amended. The Trust owns the bulkhead and the NRA the submerged tidelands. The repair to the bulkhead resulted in it being located over NRA land. Two feet of these tidelands are to be transferred to the Trust. Without this transfer, the Trust would become landlocked. Mr. Harris said at first it was thought some of the Ways were quite wide. Now they feel congested with the addition of benches and the amount of pedestrian traffic.

11. Adjournment

Joe Brown moved to adjourn the meeting. George Ellison seconded the motion. The motion was unanimously approved. The next meeting of the Waterfront Trust will be held on Wednesday, September 16 at 7:00 p.m.