

**Newburyport Waterfront Trust**  
City Hall Auditorium  
September 7, 2016  
Minutes

**1. Call to Order**

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

**2. Roll Call**

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

**3. Minutes**

Wilbur Shenk moved to approve the minutes of the August 3, 2016 meeting. Steve Hines seconded the motion. The motion was unanimously approved.

**4. Treasurer's Report**

Wilbur Shenk moved to approve the payment of the following bills:

- from Sonora DesignWorks in the amount of \$31.25 for the website.
- from Seacoast Lock and Safe in the amount of \$338.35.
- from The Handyman, Inc. in the amount of \$1,470 for repairs to the boardwalk.
- for rodent control in the amount of \$60.
- for plant materials for the rhododendron garden in the amount of \$1,500.
- from McCarthy Landscaping in the amount of \$250.
- from the Greenskeeper in the amount of \$180 for maintenance for July and August.
- from The Handyman, Inc. in the amount of \$780 for bench plaque installation.
- from The Handyman, Inc. in the amount of \$90 for pruning.
- from John Hartnett in the amount of \$2,850 to repair a leak in the irrigation system.
- from O'Brien and Sons in the amount of \$2,835 for three benches.
- from the Home Depot in the amount of \$183.52 for trash receptacles for Yankee Homecoming.

Steve Hines seconded the motion. The motion was unanimously approved.

Scott Sutherland reported income for the month of August totaled \$10,000 while expenses were \$12,000, resulting in a negative cash flow of \$2,000. The year-to-date expenses equal the amount of income received. The cash balance is \$207,000, which has increased slightly due to activity in the investment account.

**5. Riverside Park Parking Lot Update**

Work to improve the Riverside Park parking lot is progressing. A work order has been placed with National Grid for the removal of the poles. The light pole bases have been ordered. A meeting is scheduled with the City for September 12 to discuss logistics.

Joe Leone said he received a proposal from F & S Construction, LLC in the amount of \$3,750 to install the curbing in the lot. The quote was based on the ability of

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the contractor to reuse the curbing. Some curbing has already been removed and given to the City. The cost estimate must be revised if this curbing cannot be reclaimed. F & S Construction also quoted a price of \$7,050 to cut the pavement, remove curbing and asphalt and patch the pavement. These quotes are for the Waterfront Trust's portion of the project. If approval is granted and a deposit made, the contractor would be secured and would be able to complete the work in a four week time period. The DPS will remove the kiosk and the plantings from the island.

A second proposal had been received from DeRosa Curb. This quote was not accurate because it did not include site work. The contractor is no longer available.

Wilbur Shenk moved to accept the proposal from F & S Construction, LLC in the amount of \$10,800 and pay a deposit of 50% to secure the contractor. Steve Hines seconded the motion. Scott Sutherland said the regulations require them to get three bids for a project of this size. However, the regulations allow a particular contractor to be used in extenuating circumstances. He said this case would qualify as an exception due the coordination that is needed with the Mr. Leone's project. The motion was unanimously approved.

Wilbur Shenk moved to authorize a payment not to exceed \$2,500 for curbing to complete the islands if necessary. Steve Hines seconded the motion. The motion was unanimously approved.

Wilbur Shenk moved to hire Everett Chandler for a cost not to exceed \$1,000 to determine the elevations of the curbing. Steve Hines seconded the motion. The motion was unanimously approved.

Mr. Leone wishes to change the area near the restaurant that is specified as grass in the plans to beach stones due to the need for mowing and anticipated damage from dog spots. Plantings would be added among the beach stones. The treatment would be similar to that which currently exists in front of the Black Cow. The change would require Planning Board approval. Wilbur Shenk said the Trust would be willing to support Mr. Leone with the Planning Board. Steve Hines said he approves of the alternative because it reduces the amount of maintenance and water needed and he likes its appearance. Scott Sutherland said the trees that are planted in this area should be low enough so as to not block the Green Street view corridor. He asked Mr. Leone to send him a letter for his signature that describes the proposed change and requests the Trust's acceptance of it. He will endorse the proposal to the Planning Board and a Trustee will attend the Planning Board meeting with Mr. Leone to provide support for the proposal. Wilbur Shenk moved to accept and support the proposal for the rock garden approach for this area. Steve Hines seconded the motion. The motion was unanimously approved.

#### **6. Ad Hoc Central Waterfront Committee**

A meeting is scheduled for September 27 for the City, the Trust and the NRA to discuss the timetable put forth by Jared Eigerman. Scott Sutherland and George Ellison will represent the Trust at the meeting. A plan for the distribution of the NRA land is to be completed by the end of September. In October legal and financial agreements are to be drawn up along with the amendments to the Trust documents. Carol Powers and Bill Harris are reviewing the proposed revisions to the Trust documents. They have a shared vision for the improvement of the documents but also must overcome some hurdles.

### **7. Parking Report**

Revenue for June was \$10,630, which is an increase of \$7,500 over last year. Approximately 20% of the parking in the lot was lost to due the construction of the Ale House, which does not impact the amount to the Trust is to receive. The contract calls for quarterly payments to be made in arrears. As the contract was signed in June, the first payment should be expected at the end of September. The report shows violation income for the quarter was \$7,000, which is more than half of what was collected all of last year.

### **8. Chair's Report**

Scott Sutherland reported he was contacted by the attorney for a woman who was injured during a fall on the boardwalk. He turned the matter over to the City, which insures the Trust.

### **9. Waterfront Committee Report**

Steve Hines said he is scheduled to meet with the tour boat operators on September 13 about renewing their leases for next season. He is considering a change to one-year leases for the smaller boats, while the leases for the larger boats would stay at three years. The work to protect the electrical boxes will be done before the fishing boats enter the embayment for the winter.

### **10. Park Use Applications**

Wilbur Shenk moved to approve an application from John Heaton for a wedding on October 15. Scott Sutherland seconded the motion. The motion was unanimously approved.

Ashley Matthews submitted an application to teach a one-hour yoga class on Saturdays in the fall and next summer. Wilbur Shenk moved to approve the application for six weeks this fall for a fee of \$135. He said while this is a low-impact use, the business is a for-profit one and he thinks the fee should be higher. He recommended that the Trust not to commit to classes next summer at this time. Steve Hines seconded the motion. The motion was unanimously approved.

Joe Brown forwarded a photograph showing the size of the crowd attending the Riverfest.

### **11. Parks Committee Report**

Edith Heyck submitted a written report. She said three pines are to be planted on the berm and the rhododendron garden is in the process of being redesigned.

### **12. Berm Project with NRA**

Five quotes are being sought for a simplified plan for the area between the embayment and the NRA's west lot. No granite blocks would be added under this plan. The area near the berm would be filled to a 2% slope. The slope would increase to 50% near the parking lot. No treatment is being proposed for the edge where the grass and stone dust of the parking lot would meet. Wilbur Shenk moved to approve the project with a spending cap of \$25,000 and the condition the NRA agrees to pay half the cost. Steve

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Hines seconded the motion. The motion was unanimously approved.

**13. Firehouse Roofing Project**

The work to replace the roof on the Firehouse is to begin shortly. Scaffolding will be placed around the building. The truck that will receive the old materials will not be located on the Railroad Avenue side of the building. Railroad Avenue will only be reduced by the width of the scaffolding.

**14. Other Business**

The next meeting of the Waterfront Trust will be scheduled for Wednesday, October 19.

The Chamber of Commerce provided a certificate commemorating the 25<sup>th</sup> anniversary of the Trust.

**15. Adjournment**

Wilbur Shenk moved to adjourn the meeting at 8:25 p.m. Steve Hines seconded the motion. The motion was unanimously approved.