

Newburyport Waterfront Trust

July 11, 2011

Police Station Conference Room

Minutes

1. Call to Order

A meeting of the Newburyport Waterfront Trust was called to order by Co-Chair Doug Locy at 7:00 p.m.

2. Roll Call

In attendance were members Cliff Goudey, Joseph Brown, Catherine Russell, Joyce Enderle and Doug Locy and Manager Charlie Nichols.

3. Call for New Agenda Items

None

4. Routine Business

Minutes

Joe Brown moved to approve the minutes of the June 13 meeting as submitted. Cliff Goudey seconded the motion. The motion was unanimously approved.

5. Manager's Report

Charlie Nichols reported that:

- Sue Ferlazzo of the Newburyport Garden Club suggested that a red maple, either *October Glory* or *Red Sunset*, be planted in memory of Maureen Ledwell. If ND Landscape planted the tree it would be covered by a one-year warranty. Joe Brown said he would also like to recognize Stephanie and Fred Hufnagel, who each contributed more than ten years to the Trust, along with donating a large sum of money. Cliff Goudey said many individuals have served the Trust with a great deal of generosity and it would not be fair to single out others for recognition.
- Jonathan Van Kamp has requested permission to install a rack for brochures on the inside of the door of the ticket booth. The brochures would be available only when the ticket booth is open. The requested was approved.
- the plant materials have been installed in the bump outs. Some of them have wilted due to a lack of water. Joe Brown moved to hire ND Landscape to water the plants in the bump outs for three weeks. Catherine Russell seconded the motion. The motion was unanimously approved.
- he has arranged for two groups to clean up in the park after the Riverfest concert.
- two "no bike riding" signs were stolen. Joe Brown moved to approve the purchase of three signs for \$157. Catherine Russell seconded the motion. The motion was unanimously approved. Two signs will be installed and one will be reserved for future use. The "no skateboarding" signs were also stolen. Replacements for these signs do not need to be purchased at this time, as back-up signs were on hand.
- the Big Boy trash compactor has been installed.
- the damaged light pole has been replaced, along with all of the light bulbs along the boardwalk and in the park.

- additional planks on the boardwalk must be planed. Joyce Enderle moved to approve the planing of an additional 20 boards. Joe Brown seconded the motion. The motion was unanimously approved.
- he purchased numbers that will be tacked on the back of the benches in order that they might be identified. Joe Brown moved to reimburse Charlie Nichols \$9.72 for materials. Doug Locy seconded the motion. The motion was unanimously approved.
- the trash in the park is messy and the DPS is not able to pick it up everyday. Catherine Russell will talk with Molly Ettenborough about possible solutions.
- the stage is settling. The Institution for Savings paid for the stage and could be asked to contribute to its repair or replacement. Cliff Goudey said the work should be done in the spring.

6. Treasurer's Report

Joe Brown said the accountant is on vacation and a full report will not be available until next month. He said he has billed all of the accounts receivable. He sent a bill for \$1,500 to the Chamber of Commerce for the two fairs, the Riverfest and the films. He said the second payment from the *Prince of Whales* and the *Ninth Wave* is due on August 1. The first payment and signed contracts have not yet been received. He said \$700 is still owed for the *Katie May* for past years. A total of \$1,400 was due and \$700 of that was forgiven. Cliff Goudey will speak with the owners of the *Katie May*, the *Ninth Wave* and the *Prince of Whales*. Joe Brown said he has not received the \$150 due from Fuel, although the group claims to have mailed the check. He will send a bill to the City for \$7,500 for a quarterly payment under the parking agreement for the period between April 16 and July 16.

Doug Locy said that according to Richard Jones the City would like to renegotiate the parking agreement because vehicles are not being parked in the WFT lot. The Trust had earned money in the lot in past years by charging after 6:00 p.m. and charging a higher rate when the demand was greater. Joe Brown noted that last year the NRA charged a higher rate than the WFT, which helped bring business to the Trust's lot. Cliff Goudey said he thinks parking in the lot has been negatively impacted by the three-hour time limit. He moved to allow all-day parking in the lot. Doug Locy seconded the motion. The motion was unanimously approved.

Doug Locy said he is working to change the names on the Fidelity account. The bank has requested that he first change the deed. He moved that Doug Locy and Joe Brown be approved as trustees of the Fidelity account. Cliff Goudey seconded the motion. The motion was unanimously approved.

Doug Locy moved to approve a payment of \$900 for the preparation of Form PC and state tax returns. Joe Brown seconded the motion. Bill Harris said the Trust documents require that a report by made to the City at the end of each fiscal year.

7. Applications for Park Use

There were no new applications for use of the park. The gam is scheduled to take place on Sunday, August 14. The Pedaler agreed to pay the WFT \$150 to display two bikes and a sign on the gravel strip on Somerby's Way along with making improvements to the strip. Cliff Goudey said the payments are to be made in three installments, payable on June 15, August 15 and October 15. Joe Brown said more than two bikes are being displayed and they are not placed in the agreed-upon location. Bikes and a sign are being displayed on the gravel strip and an

additional sign and bikes are taking up a parking space. Cliff Goudey will inform Bill Barrett that he must either abide by the agreement or return to the Trust to change the terms.

8. Reaffirmation of Article IV, Section III of the Declaration

Joe Brown said Trustees must vote on contracts before they are put into effect. Doug Locy said that this would not be a part of the declaration but rather would be a procedural issue. Joe Brown moved that no administrative matter should be entered into without a majority vote recorded at a regular meeting of the Trust, with a co-chair having the authority to take action in the event of an emergency. Doug Locy seconded the motion. The motion was approved with Cliff Goudey and Joyce Enderle voting in opposition.

9. Agreement with Atlantic Fuel

Doug Locy said a certificate of insurance must be on file before fueling is allowed at the transportation dock. Without adequate coverage, the Trustees are personally at risk. Bill Harris said the Trust must be protected. Cliff Goudey asked if the fueling contract would be reviewed each year. The contract is for a one-year period and the situation might change in the interim. Doug Locy moved to send a letter to Jon Savage of Atlantic Fuel, Inc. stating that the following four documents to be provided to the Trust before August 15, 2011: 1) marine fueling permit from the State Fire Marshal's Office, 2) permit from the Newburyport Fire Department, 3) certificate of insurance releasing the Trust from liability and indemnification and 4) a spill prevention plan. Joyce Enderle seconded the motion. The motion was approved.

10. Other Business

Doug Locy said Peter Kelly requested that a sign be placed on the side of the Firehouse indicating that parking is allowed by permit only. The DPS plans to install curbing to prevent cars from crossing the sidewalk to park on the west side of the Firehouse. Joe Brown said he would like a bollard with a lock to be installed instead of the curbing. The Trustees voted at the June 13 meeting to notify the SDAH that parking would not be allowed on the west side of the Firehouse.

Joe Brown said the WFT should be listed as a coinsured on the fishing boat policies. He said the WFT should work with the Harbormaster to obtain insurance that could be purchased by the boat owners who do not have policies.

Cliff Goudey will prepare a vision statement for the August meeting.

Doug Locy said the City would be able to remove snow from the boardwalk, but would charge overtime rates. Charlie Nichols said the amount would be less than what is being charged by ND Landscape. Joyce Enderle asked that the item be placed on the agenda for the next meeting.

Charlie Nichols said he would like to discuss applying for CPA funding at the next meeting.

11. Upcoming Meetings

The next meeting of the Waterfront Trust will take place on Monday, August 1.

Newburyport Waterfront Trust
July 11, 2011

12. Adjournment

Joe Brown moved to adjourn the meeting at 9:54 p.m. Doug Locy seconded the motion. The motion was unanimously approved.