

Newburyport Waterfront Trust
January 7, 2013
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 Co-chairs Cliff Goudey and Doug Locy, Catherine Russell, Joe Brown and Scott Sutherland.

3. Minutes

Joe Brown moved to approve the minutes of the November 8 meeting as submitted. Doug Locy seconded the motion. The motion was unanimously approved.

4. Montessori School

Mayor Holaday received a letter from students from the Montessori Middle School, which she forwarded to the Trust. Two seventh-grade students, Emily and Grace, attended the meeting to discuss the use of the park for recess. They said they had been told they could not play on the grass because the lawn had been reseeded and then were told they could not climb the trees. As a result, they have only an indoor area for recess. Doug Locy explained that many people enjoy using the park and it is the job of the Trust to maintain it. The park was not designed as a recess area and a younger class at the Montessori School uses it as well. The park receives a great deal of foot traffic and the students must keep off the lawn when it is reseeded each year. Mr. Locy also requested that the students not climb the trees. He would like them to play in the areas to the east and west of the park rather than in its center. He said he forwarded the students' letter to the Parks Commission and encouraged the girls to file an application for playground time to determine if the use of a combination of parks could resolve their needs.

5. Whale Watch Boat Lease Amendment

The *Prince of Whales* was sold with one year remaining on its lease at the Transportation Dock. The *Captain's Lady III*, owned by Captain's Fishing Parties, will be docked in its place and will offer the same services. Joe Brown said the vessel should be used primarily for whale watching excursions so that it does not compete with the other businesses using the Transportation Dock. The operators of the vessel, Chris, Ryan and George Charos, would install new a new ramp and docks to replace the ones owned by George Hilton that had been damaged by the storm. They said the addition of the new docks represents a substantial investment and they would like the agreement to extend beyond one year. Joe Brown said the Trust should go out to bid at the expiration of the lease. Cliff Goudey said that while he cannot predict what would happen at the end of the year, he has been satisfied with the existing boats and he does not see the need to

repeat the RFP process. He said the boats help the Trust fulfill its mission and other operators who wish to offer competing services have not approached the Trust. Harbormaster Paul Hogg said he has participated in the meetings and is satisfied with the arrangement. Joe Brown moved to approve the draft contract as amended. Scott Sutherland seconded the motion. The motion was unanimously approved.

6. Transportation Dock Oversight

Cliff Goudey and Scott Sutherland are members of an ad hoc committee put together to oversee the transportation dock. The group met last month to discuss the installation of new docks. Quotes were obtained that are now not necessary due to the agreement with Captains' Fishing Parties. Cliff Goudey pointed out that if the City were to own the docks, it would impact the Trust's ability to negotiate with boat owners. He also said he thinks the Trust benefits by not having responsibility for the installation, removal and maintenance of the docks and he would like to see an expansion of the docks to the west to accommodate a water taxi. Paul Hogg said he would look into a possible expansion during the season, when the docks are in place.

7. Merrimac Ale House

The plans for the restaurant have not been significantly been changed, but the sidewalk on Trust property and the awning have been removed. Joe Leone said DEP would be satisfied with a five-foot walkway on the west side of the building. Andy Port said it would be a public benefit to have a sidewalk on both sides of the property. He said the City would like a sidewalk to be installed on the east side of the building that would be seven feet in width and this might be made a condition of permitting by the Planning and Zoning boards. He said there is no proposal to block the access between this building and the one owned by David Murphy. Cliff Goudey said he does not see the sidewalk as providing a public benefit, as it would terminate at the neighboring property and would not extend to the water. Mr. Leone said the restaurant's primary entrance would be on Merrimac Street. A secondary access would be on the east side, in its existing location, with steps that extend onto Trust property. Scott Sutherland said he would not want the addition of a sidewalk to result in the loss of any parking spaces for the Trust and the steps from the structure should not infringe on the sidewalk. Bill Harris, of the Chapter 91 Citizens Committee, said the sidewalk on the west side of the structure is important to his group. He said that motorists using the restaurant should not displace those wishing to use Riverside Park. For this reason the citizens committee might insist on valet parking. He said the use of the park for the Trust's primary mission must be protected. Doug Locy said the restaurant would benefit from the use of the parking lot and he would like Mr. Leone to install lighting similar to that used throughout the downtown in the parking lot. Mr. Leone said he has financial obligations and he would not be able to make any short-term commitments to improving the park. Joe Brown emphasized that the Riverside Park is not City land. Scott Sutherland moved that the Trust draft a statement indicating it is in favor conceptually of a seven-foot walkway being added along the east side of the structure provided it does not result in the loss of parking spaces. Joe Brown seconded the motion, adding that the statement should be very general in nature. The motion was unanimously approved.

8. Boundary Survey

Everett Chandler revised the survey after a meeting was held with the NRA at which boundary issues were discussed. Joe Brown moved to approve the changes made to the survey. Scott Sutherland seconded the motion. The motion was unanimously approved. Joe Brown moved to approve a payment to Everett Chandler in the amount of \$2,400 for the markers, which would be issued when the final stamped plan has been received. Doug Locy seconded the motion. The motion was unanimously approved.

9. Parking Agreement

The parking agreement between the Trust and the City will soon expire. Doug Locy said he would like two Trustees to be a part of the negotiations for the renewal of the agreement. Bill Harris urged the Trustees to renew the lease for one year rather than two, saying that after the Merrimac Ale House has opened, the Trust may wish to return to its previous system of charging at night and charging higher rates on weekends. Joe Brown said the Trust should formally request to receive information from the City about the income for the lot for the past two years. He volunteered to take Cliff Goudey's place on the ad hoc parking committee.

10. Market Landing Park Stage

More information on the stage is needed and a discussion about pledging \$5,500 towards its purchase was deferred to a future meeting.

11. Water Usage

More information on the water usage issue is needed and the discussion was deferred to a future meeting.

12. Annual Report

Doug Locy requested that the Trustees send him comments on the draft annual report.

13. Treasurer's Report

Joe Brown said that according to the financial statement for the end of 2012 the balance in the Trust's account is \$171,555. January's accounts receivables should include SDAH rent, parking revenue from the City and payments for two fishing boats.

Doug Locy moved to approve a payment to the Handyman, Inc. in the amount of \$742.50 for the replacement of the "no bikes" signs. Scott Sutherland seconded the motion. The motion was unanimously approved.

Scott Sutherland moved to approve a payment to Jen Wright for an additional "no bikes" sign. Doug Locy seconded the motion. The motion was unanimously approved.

Scott Sutherland moved to reimburse Doug Locy \$21.05 for lumber. Joe Brown seconded the motion. The motion was unanimously approved.

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Joe Brown said a contribution of \$500 to the Sexton Fund was received from Fred Hufnagel.

14. Park Committee Report

Catherine Russell said 11 new signs have been installed and the twelfth sign is in process. She recommended that additional text be added to the back of the sign that is to be installed at the foot of Green Street, saying with the logo alone, too much space remains for graffiti. A double-faced sign would cost \$3,169. The Trustees had previously approved an expenditure of \$2,785 for the sign. Scott Sutherland moved to approve the additional expenditure of approximately \$400 to add more text to the back of the sign. Catherine Russell seconded the motion. The motion was unanimously approved.

15. Manager's Report

Doug Locy said an estimate of \$3,500 was received from Wilson Welding for the repair of the fence. Wilson Welding also estimated that a metal gate could be installed at the gangway for between \$1,500 and \$2,000. Doug Locy will suggest to the tour boat operators that they install the gate.

Doug Locy moved to approve an estimate from the Handyman, Inc. for the preparation and painting of 20 benches in the amount of \$1,100. Scott Sutherland amended the motion to include all of the benches, providing they could be done for a cost of \$80 each or less. Joe Brown seconded the motion. The motion was unanimously approved.

16. Other Business

Elizabeth Heath distributed to the Trustees copies of a letter sent to the NRA on behalf of the Citizens for an Open Waterfront.

Cliff Goudey had submitted a letter of resignation that would be effective in 30 days. Doug Locy thanked him for his years of service to the Trust.

17. Adjournment

The meeting was adjourned at 9:15 p.m.