

TRUSTEES OF THE TRUST FUNDS  
CITY OF PORTSMOUTH, NEW HAMPSHIRE  
MINUTES OF JULY 10, 2014 MEETING

A regular meeting of the Trustees of the Trust Funds for the City of Portsmouth, New Hampshire was held on July 10, 2014 at the 4<sup>th</sup> Floor Law Library at Portsmouth City Hall. The meeting was called to order at 7:34 a.m.

Present were Trustees Phyllis Z. Eldridge, Dana S. Levenson and Thomas R. Watson. Also present were Peter Torrey, Michael Warhurst, Robert Sullivan, Molly Bolster, Jeff McMenemy, John Bohenko, David Moore and Peter Rice.

The minutes of the June 19, 2014 meeting were reviewed and, upon motion duly made and seconded, approved.

Payroll and operating expense checks were reviewed and signed.

Molly Bolster appeared on behalf of The Gundalow Company in follow-up to her letter of June 28, 2014 with respect to the potential availability of a Maritime Heritage Grant from the National Park Service. She explained that funds have recently been made available under the National Maritime Heritage Program to both governmental entities and non-profits for projects which achieve the goals of preserving significant maritime structures or materials or educating the public on the maritime heritage of the nation. The grants will be issued on a competitive basis.

Ms. Bolster stated that The Gundalow Company is interested in collaborating with the Trustees of the Trust Funds and the City of Portsmouth in applying for a grant under this program which would be used to create a maritime-related exhibit and educational program in the Sheafe Warehouse. She noted that the Sheafe Warehouse had recently been placed on the New Hampshire Register of Historic Places. She suggested that use of the warehouse for maritime-related exhibitions and education would be consistent with that listing. She also stated that the deadline for applying for the grant is mid-August.

Mr. Sullivan and Mr. Bohenko responded on behalf of the City. They indicated that the decision to apply for and accept grant money from federal programs is a policy-making one which requires an analysis of the program requirements and conditions, particularly any long-term commitments, a more detailed proposal of what the project would entail and the relative responsibilities of the City and The Gundalow Company and, ultimately, approval by City Council. In the discussion that ensued, there appeared a consensus that it is highly unlikely that all necessary review, preparation and approval could occur before the grant deadline. Mr. Bohenko suggested that the concept, however, may be worth further exploration.

Mr. Watson also suggested that the use of Sheafe Warehouse for exhibition space and/or educational programming has appeal and that perhaps The Gundalow Company should separate the proposed funding mechanism from the proposed use. He also noted, however, that both the

New Hampshire Art Association and the Prescott Park Arts Festival currently use and occupy the Sheafe Warehouse and any proposals to change its use should include the input of those organizations. After further discussion, Ms. Bolster stated that The Gundalow Company will give further thought to developing a more specific vision of the concept.

Mr. Torrey next presented his financial report. He distributed and led a discussion of the revenue and expense summary for the fiscal year ending June 30<sup>th</sup>. He also distributed and led a discussion of quarterly and annualized summaries of the trust funds under investment as well as a report of fund growth. Finally he distributed and led a discussion of the marine maintenance trust fund performance.

Mr. Moore advised the Trustees that the City of Portsmouth is in the process of establishing a Historic Cemetery Trust for purposes of creating a repository for all funds authorized, contributed or received by the City of Portsmouth for the conservation, restoration and repair of cemeteries, burial grounds and burial sites owned by the City. Mr. Moore and Mr. Sullivan advised the Trustees that the sole role of the Trustees in the creation of such a trust was to oversee the management of the trust funds. The Trustees will have no role in the management of or the improvement of the cemeteries. They explained that all disbursements from the trust will be made only after authorization from the City Council and written direction from the City Manager. A proposed form of the Trust Agreement was submitted for the Trustees' review. After further discussion, the Trustees unanimously voted to enter into the Trust Agreement and accept and manage the funds associated therewith. Mr. Sullivan stated that he will prepare a final version of the trust document for the review and signatures of the Trustees.

Mr. Moore also provided a brief update on the dock replacement project. He noted that the bids for completing the project have been received and are currently under review. The City is still confident that the work can be performed in time for the opening of the boating season next spring. Mr. Moore also noted that the tests performed in conjunction with preconstruction work on the project indicate that an additional transformer will be required in order to provide adequate electrical service to the docks. He stated that the City is working on finding a suitable location for the transformer which will not unnecessarily burden the appearance of the park.

Mr. Warhurst next provided his Park Report. He advised the Trustees that he has secured a 9<sup>th</sup> seasonal boater for the docks and has expressions of interest from two other boaters for the 10<sup>th</sup> and final slip. He hopes to have that slip under agreement soon. Mr. Warhurst reported that there is a wedding scheduled in the field behind the Players Ring building for July 19<sup>th</sup>. He reported that the parties involved have expressed concern that that area is now visually impacted on two sides by virtue of the fencing surrounding the backstage area of the Arts Festival and the scaffolding on the rear side of the Players Ring building. The parties have requested the ability to move the location of the wedding to a spot easterly of the test gardens. After further discussion, the Trustees authorized Mr. Warhurst to work with the wedding group at finding a more appropriate location for the event.

Mr. Warhurst reported that the Park suffered the loss of a lamp post when it was struck by a truck operated by a representative/employee of Prescott Park Arts Festival on July 5, 2014.

After discussion, Mr. Warhurst was asked to obtain a quote for a replacement lamp post so that the same can be delivered to PPAF with a request for payment.

Mr. Warhurst reported that a representative of Custom Pools, Inc. recently inspected the Hovey fountain in conjunction with ongoing issues of the fountain failing to hold water. That individual confirmed that the fountain will require repair work, possibly including a new liner. Mr. Warhurst reported that the representative of Custom Pools also indicated a willingness to donate the labor associated with doing the repair work if the materials were purchased from the company. Mr. Warhurst was asked to secure an estimate of the cost of materials. Mr. Torrey suggested that there may be funds available from the Hovey trust to cover all or a portion of the repair requirements and stated that he would review the trust documents with Mr. Sullivan for that purpose. Mr. Warhurst also reported on the failure of one of the backflow preventers in Park which will likely require replacement.

Mr. Bohenko and Mr. Rice brought the Trustees up-to-date on the proposal to install parking meters in the north parking area of the Park. A discussion thereafter ensued on parking issues generally within the Park. After discussion, Mr. Watson moved that the Trustees withdraw their request for installation of parking meters in the Park and, instead, request that the Public Works Department perform an evaluation of the parking configuration and signage in the north lot and to examine ways in which that lot might be more efficiently utilized. Mr. Levenson seconded the motion and, after further discussion, it was unanimously approved.

Ms. Eldridge brought to the Trustees' attention that there have been certain operational issues with the Arts Festival that have developed since the season opened at the end of June. These include festival-related parking on lawn areas; areas of the perimeter fence remaining without screening; PPAF-related signage in place when shows are not in progress; the removal and disappearance of the "No Blankets on the Lawn" signs; and issues regarding the placement of gates during performances in the entrances to the formal garden which obstruct access to the Park. After further discussion, the Trustees resolved to ask PPAF to:

- Consistent with long-established policies, PPAF may not place gates in the entrances separating the formal garden from the Park area more than two hours before commencement of a performance and during all intermissions. PPAF is also to use the white picket fence which was made for this purpose.
- All signage listing sponsors of PPAF may only be displayed immediately prior to and during programs.
- The rear portion of the perimeter fence must be covered with the green mesh utilized in other portions of the fence or the signage previously approved by the Trustees.
- No cars may be parked anywhere on the lawns of the Park, particularly in the lawn area to the rear of the Players Ring building as the vehicles hurt the lawn growth, cause damage to the in-ground sprinkler systems and make it difficult for working vehicles to pass through.

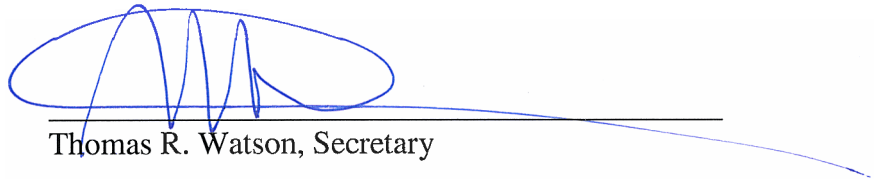
- The “No Blankets on the Lawn” signs prepared and installed at the request of the Trustees must not be removed and PPAF is reminded of the need to enforce the blanket rules previously adopted by the Trustees.

It was noted that each of these items call adherence to previously established rules and regulations.

Mr. Watson expressed his concern with the current appearance and location of the dumpsters at the entrance to the north parking lot in the Park. He opined that the appearance creates a bad first impression for visitors to the Park approaching through that entrance. This is particularly true given that a second dumpster has been placed there by PPAF at the direction of the City’s health inspector. Mr. Warhurst also noted that the dumpsters gave off an odor. It was suggested that the Trustees consider relocating the dumpsters to their previous location at the entrance to Four Tree Island. After further discussion, the Trustees resolved to look into alternative locations for the dumpsters.

The chair reported that the next meeting will take place on July 24, 2014.

There being no further business, upon motion duly made and seconded, the meeting was adjourned at 9:45 a.m.



Thomas R. Watson, Secretary