

TRUSTEES OF THE TRUST FUNDS
CITY OF PORTSMOUTH, NEW HAMPSHIRE
MINUTES OF MARCH 31, 2016 MEETING

A regular meeting of the Trustees of the Trust Funds for the City of Portsmouth, New Hampshire was held on March 16, 2016 at the 3rd Floor Conference Room of the Seybolt Building at Portsmouth City Hall. The meeting was called to order at 7:30 a.m.

Present were Trustees Phyllis Z. Eldridge, Thomas R. Watson and Dana S. Levenson by telephone. Also present were Michael Warhurst, Robert Sullivan, Molly Bolster, David Moore, Christine Dwyer, Mary Krempels, Kathy Baker, Mark Brighton, Joseph Jalli, and Alan Brady.

The minutes of the March 16, 2016 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. She reported that the installation of the new dock and ramp is complete but for the installation of safety netting. She anticipates there will be a ribbon-cutting ceremony during the second half of April.

Ms. Bolster also stated that The Gundalow Company is interested in installing historic markers adjacent to the new dock that will provide historical information concerning the gundalow and the maritime history of the region. She would like to install the markers on three piers. She stated that the markers will incorporate the design elements of the City's Historic Marker Program. Mr. Moore applauded the decision to follow the design parameters of the City's Program. He suggested, however, that there is a timing issue. He noted that signage and other design elements of the Park are likely to be a topic of the master planning process for Prescott Park just started by the City and suggested that it would not be appropriate to plan on installing any new signage until the Master Plan has been completed.

Ms. Bolster also reported that The Gundalow Company desires to again host its River Rats Camps during the weeks of July 11-14 and July 18-22. In addition to river sails, the camp will include shore side activities, some of which are contemplated to be conducted in the Park. Other shoreside activities will likely occur on Pierce Island, Strawberry Banke Museum, and in the neighborhood proximate to the Park. Ms. Bolster inquired as to whether such activity requires the approval of the Trustees and whether there are any limitations or parameters on the activities. Mr. Watson explained that all organized activities in the Park are subject to Trustee approval but that the River Rats Camp, as described, would be consistent with approvals granted to other groups in the past. He noted that there may be conflicting scheduling issues that would control the location of the Camp activities, citing as examples, PPAF's children's acting camp in the stage area of the Park and the free yoga classes conducted on the South lawn. Ms. Eldridge also noted that the River Rats Camp would be subject to the same prohibition that applies to PPAF's camp that prohibits the dropping off and the picking up of children on Marcy Street. Ms. Bolster was asked to return to the Trustees once she has more details on the dates and activities to occur in the Park as part of the Camps.

Ms. Bolster also reported that The Gundalow Company has partnered with Strawberry Banke Museum to host a maritime themed camp for children during the week of June 20-24. The shoreside activities will occur on the museum property but the programming also includes sail trips that will result in the campers passing through the park as a group.

Ms. Bolster inquired as to the status of the master planning process. Ms. Eldridge and Ms. Moore filled her in on that status. Each noted that there will be significant opportunities for public input in the process. Mr. Moore reported that the next meeting of the Mayor's Blue Ribbon Committee on the Master Plan will occur on April 13, 2016 at 7:30 am.

Mr. Warhurst gave his Park report. He advised the Trustees that Robert Snover is coordinating with the City's public works department to conduct an underwater inspection of the new docks to confirm that the chains holding the docks in place continue to be secured and to look for other structural issues. Mr. Warhurst also reported that the City will be performing inspections of the Park's truck and riding lawn mowers to check for mechanical issues and address any needed repairs. Finally, Mr. Warhurst reported that he received two additional requests for applications for seasonal dock licenses. Presently, five of the applicants have fully paid their seasonal dues.

Mary Krempels next addressed the Trustees. She stated that she lives in the neighborhood adjacent to the Park. She expressed her concern about some of the publicity that has appeared in the Portsmouth Herald in the last few weeks. She believes that there have been inaccuracies and misstatements in many of the pieces. She also wished to impress upon the Trustees the burden that the Arts Festival places on the neighborhood during the summer season. She noted that the Festival's schedule last year had 90 events during the summer, most of which employed the new speaker system. Many of these events called for sound testing as early as the mid-afternoon. She says that the higher level of the sound created by the new speaker system and the frequency of its use make it very difficult to enjoy her home. She reports that several other neighbors feel the same way. Ms. Krempels asked the Trustees if there is anything further that they can do to reduce the sound impacts.

Ms. Eldridge responded by explaining that the Arts Festival is subject to certain noise limits and performance hours that were developed by the Mayor's Working Group in 2015 and because the City has begun the Master Planning Process for the Park, it was agreed that those guidelines remain in place during 2016. Mr. Watson added that the subject of the intensity of the use of the Park will be an element of the Master Planning process and he encouraged Ms. Krempels and others in the neighborhood to actively participate in that process, particularly when the public input sessions are scheduled.

Mr. Jalli applauded the Blue Ribbon Committee's plans to include a lot of public input in the master planning process. Mr. Brighton expressed his curiosity as to how the Arts Festival can be offering seasonal passes to the public, with special seating and treatment, at a cost of \$1,600, in light of his understanding that the Park, including any performances performed in it, is to be available without cost to the general public. Mr. Sullivan explained that all events in the Park are to be made available to the public without cost but that the "special offerings" advertised by the Arts Festival are voluntary contributions. Ms. Baker interjected that the system set up in the Park by the Arts Festival to collect voluntary contributions, including the use of "toll booth" like structures to channel attendees, is designed and administered in a fashion that

does not suggest that contributions are voluntary. She described several personal experiences where the attendants were aggressive in trying to solicit contributions from her.

Ms. Eldridge reported that she had an opportunity to review the financial statements received from PPAF at the last Trustee meeting and believes that they do not provide adequate information concerning PPAF's finances. A discussion then ensued concerning what additional information should be requested. Ms. Dwyer suggested that the PPAF financial statement submitted at the last meeting may be misleading because PPAF is not properly segregating certain components. Mr. Moore offered to have the City assist the Trustees in formulating a list of additional financial information / statements from PPAF. The offer was graciously accepted.

Ms. Eldridge then addressed the issue of PPAF's failure to provide the Park's superintendent with keys and /or security system codes for the concessions/bath building and the merchandise building. She reported on a series of communications with PPAF's representatives concerning the issue. Mr. Warhurst clarified that he has keys to each of the buildings but without the security codes he cannot access the buildings without setting off alarms. Mr. Sullivan stated that his communications with PPAF suggests that its primary concern surrounds the concession building. In particular, PPAF is concerned that Park staff do not have food safety training that might jeopardize PPAF's food license with the City. As part of the discussion, Mr. Warhurst stated that his need to access the concession building in the absence of an emergency is largely limited to the beginning of the season when he requires access to de-winterize the building and at the end of the season when he winterizes it. Mr. Sullivan stated that the agreement between the City and PPAF governing the concession building requires that the City have access to the structures at all times but it does not differentiate between the Trustees, the Public Works Department, or any other division of the City. After further discussion, it was agreed that PPAF to be required to immediately provide Mr. Allen, Mr. Moore, the Police Department and the Public Works Department with current keys and alarm codes for the concession building and that Mr. Warhurst will have access to that building through these sources when necessary to prepare the building at the beginning and the end of each season. PPAF will also provide current keys and alarm codes to Mr. Warhurst for the merchandize building.

Ms. Eldridge next addressed the proposal by the City of Portsmouth to provide bookkeeping services by the Trustees' current bookkeeper who recently moved from the School Department to the City's Finance Department. Mr. Watson noted that the Trustees have received a memo from Mr. Torrey summarizing the current financial arrangement with the bookkeeper as an independent contractor and the proposed arrangement with the bookkeeper as a City employee and he believes that the move is "budgetary neutral."

Mr. Sullivan stated that he has reviewed the legal issues associated with contracting with the City. Given the fact that the Trustees have been contracting with a private individual to provide those services, in his opinion, there is nothing that prevents the Trustees from contracting with the City to have the same services provided. In other words, Mr. Sullivan does not see any legal obstacles to the proposed arrangement. In response to Mr. Watson's questions concerning whether the Trustees will be required to pay increases to the City for these services in step with annual increases in compensation paid to the bookkeeper under the City's Collective Bargaining Agreement, Mr. Sullivan advised that, while such increases will not be directly in lock-step, they will occur indirectly.

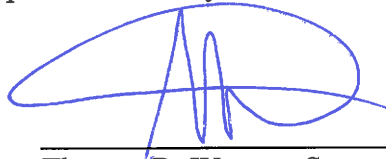
Mr. Levinson stated that while he supports the current proposal, he does not want it to be viewed as establishing a precedent for other City departments to invoice the Trustees for other services provided to the Park. Mr. Watson stated that he will support the proposal with the understanding the Trustees are agreeing to this arrangement for fiscal year 2017 and will review the arrangement each year to determine whether it is still in the best interest of the Trustees.

Ms. Eldridge next called for a discussion on the proposal to enter into an agreement with Dockwa to provide an internet-based reservation system for the Prescott Park transient docks. Mr. Moore provided a historical overview of the current reservation system. Mr. Brady, the City's information technology director, presented an overview of the process by which marina reservation systems were reviewed and evaluated. He reported that his office and Mr. Warhurst examined various options, including expanding upon the City's current recreational reservation system. Ultimately, they narrowed the search to three options. The first two of those options he described as requiring substantial financial outlay for hardware and needing technical expertise to operate efficiently. In the end, they determined that the third option, Dockwa, to be the preferred choice because the system is more streamlined, the user interface is easier and there is no required financial outlay. He noted that the only cost to the Trustees is the 3.5% fee of all bookings made through Dockwa.

Mr. Watson noted that the presentation by Dockwa's representative at the last meeting indicated that Dockwa offered two levels of service. The first is simply an interface with a marina's current reservation system. The second is a system that handles all reservations for the marina. Mr. Watson opined that since the existing reservation system in the Park is largely a "paper" one, the Trustees should select the comprehensive reservation system. After further discussion, upon motion duly made and seconded, the Trustees unanimously resolved to proceed with the installation of the Dockwa system subject to the review of all licenses and other legal documentation by Mr. Sullivan and the review of all technical documentation by Mr. Brady.

The chair reported that the next meeting will take place on April 14, 2016.

There being no further business, upon motion duly made and seconded, the meeting was adjourned at 8:41 a.m.



Thomas R. Watson, Secretary