



**Provincetown Public Pier Corporation (PPPC)
Judge Welsh Room - Town Hall
Meeting Minutes of Thursday, February 27, 2014**

Members Present: Kerry Adams (KA), Scott Fraser (SF) and Herbie Hintze (HH).

Members Absent: Carlos Verde (excused) and Ginny Binder (excused).

Other Attendees: Rex McKinsey (RM), Harbormaster and Ellen C. Battaglini, Administrative Assistant.

Chair Kerry Adams called the Public Meeting to order at 5:00 P.M.

AGENDA

Public Statements

None.

Special Agenda

Draft Public Hearing:

RM reviewed changes to Chapter 1-7-10, which had previously been deleted in March of 2009, and Chapter 1-11-1, per Town Counsel's recommendations. The former limits the PPPC's liability when a tenant's boat is removed from the Pier for non-payment of arrears or for being a hazard. The latter expands on the penalties and enforcement aspects of the regulation, giving the PPPC more regulations to work with in addition to M.G.L. c. 40, s. 21D.

SF raised the issue of requiring the owner of a vessel to certify the rental of a designated suitable mooring prior to signing a dockage contract. If that owner does not have a mooring or, in the judgment of the Harbormaster, the mooring is not suitable, he suggested charging \$100 a day to use a HM mooring. This will encourage tenants to obtain their own holding moorings. This is not stated in the revised Regulations and he suggested placing it in the tenants' dockage contracts. RM will look into it and suggest text for a motion for the Board's approval.

RM is requesting an increase in the commercial transient dockage fee from \$1.00 to \$1.50 per day.

A motion was made to advertise a Public Hearing for proposed changes to Chapter 1 of the Harbor Regulations, including a change in the commercial transient dockage rate in Appendix B from \$1.00 per day to \$1.50 per day, for a Public Hearing.

Motion: Scott Fraser

2nd: Herbie Hintze

Vote:

Yes: 3 No: 0 Absent: 2

An amended motion was made to advertise a Public Hearing for proposed changes to Chapter 1 of the Harbor Regulations, including a change in the commercial transient dockage rate in Appendix B from \$1.00 per day to \$1.50 per day and for language to the effect that a tenant gives the Harbormaster permission to put a vessel on that tenant's holding mooring when the Harbormaster has to remove the vessel from the Pier for designated reasons. If the tenant does not maintain a holding mooring, or the holding mooring is deemed unsuitable by the Harbormaster, the vessel that was removed from the Pier, will be placed on a holding mooring owned by the Harbormaster and a fee of \$100 a day will be charged to the tenant.

Motion: Scott Fraser

2nd: Herbie Hintze

Vote:

Yes: 3 No: 0 Absent: 2

Motion passes.

RM mentioned the Harbor Committee's draft Public Hearing Notice. The commercial fishing rate market survey is not yet complete. Next year's Town Meeting is April 6th, the permit year starts on April 1st and bills don't get sent out until the end of April. If necessary, a Public Hearing could be scheduled during the year if commercial dockage fees were to be revised based upon the market survey. They would then take effect on April 6th of 2015.

The Board discussed the proposed insurance rate requirement.

Review of Minutes

A motion was made to approve the minutes of the Public Meeting on 02/13/14 as written.

Motion: Herbie Hintze

2nd: Scott Fraser

Vote:

Yes: 3 No: 0 Absent: 2

Motion passes.

Directors' Statements

SF: The Board has heard from a ferry operator and an excursion float owner and he is sure that fishermen will appear before the Board and say that they do not want their fees increased. The economic facts are that the Pier Corp. has been losing money and has failed to set aside enough

money for the maintenance reserve resulting in its inability to maintain the Pier in the kind of condition it has for the last ten years. As the Pier ages, the cost of maintenance will rise. If the Pier Corp. accedes to the request of its tenants, either the Pier Corp. has to cut its costs dramatically or the taxpayer will have to make up for the shortfall. He invites anyone, whether tenant, taxpayer or Selectman, to come to the Pier Corp. with specific recommendations on where to cut costs. He would like to hear from the taxpaying public as to whether, and how much, they think they should pay for their Pier and if they think it is a public asset and a valuable magnet for economic activity and thus worthy of public funding. Or if, given the fact that the Pier Corp. provides infrastructure for people in business to make money, it should require those businesses to bear the cost of maintenance.

HH: He is concerned about the speed of cars driving on the Pier. People do not pay attention to the posted speed limit. It is a matter of public safety, especially when kids are diving out on the Pier. He suggested more signage or speed bumps. He would like to see the Pier Corp. install two more trap sheds because it brings foot traffic to the Pier and attracts the attention of ferry passengers when they exit the Pier.

KA: He also is concerned about the speed of vehicles on the Pier. He suggested posting yellow traffic signs on the Pier; one at the beginning, one where the kids swim and one near the ferry traffic. In addition, he suggested installing pedestrian crossing signs, even though there aren't crosswalks on the Pier. He supports the acquisition of more trap sheds as well. The Fishermen's Memorial will need a platform at the end of the bulkhead near the beginning of the Pier. It will have engineering and construction costs associated with it. He is hoping that those expenses can be incorporated into the matching funds that are needed for the FEMA grant for floating dock redevelopment. He still supports the idea of an events coordinator for the Pier.

SF suggested that the Pier Corp. advertise for that position and solicit proposals about compensation from applicants. He recommends that it be on a commission basis.

A motion was made to ask staff to develop an appropriate advertisement to be placed in the appropriate media advertising the Pier Corp.'s need for an events coordinator and solicit proposals from qualified applicants to include how they will be compensated.

Motion: Scott Fraser

2nd: Herbie Hintze

Vote:

Yes: 3

No: 0

Absent: 2

Motion passes.

Pier Manager's Report

Trap Shed –DEP licensing for two more trap sheds should be completed soon. Kim Rilleau, who makes leather sandals, was an artist on the Pier last year and has expressed an interest in a seasonal trap shed. RM has also heard from the Pilgrim Monument and Provincetown Museum,

which is a non-profit, about occupying a trap shed. Non-profits such as Campus Provincetown have occupied trap sheds in the past and he would welcome proposals from other non-profits. The PM & PM is important because of its collection of artifacts and its ability to tell the story of Provincetown as an artists' colony. The sheds will be built by Pine Harbor and will cost about \$11,200 each. The revenue from one shed would be \$9000. Any new shed will be located seaward of the existing dormered trap shed.

A motion was made to purchase a new trap shed.

Motion: Herbie Hintze

2nd: Scott Fraser

Vote:

Yes: 3

No: 0

Absent: 2

Motion passes.

10W – The float has been hauled out of the water and the underwater surfaces are rotten. It was acquired when the Hindu lost the ‘grandfathered’ status of the space. The float was substandard when it was built and has been re-built a couple of times. The area above the water line is in pretty good shape. Home Depot is now selling the black poly tubs with styrofoam in them. These floats are more environmentally friendly because they are sealed and will not slough off styrofoam. RM suggested purchasing 20-24 of them to underlay the float. 10W has not had a successful rental history since the Hindu left. Given that the east side is being redeveloped and there is one float space on that side of the Pier, staff has contacted the owner of the float about moving that space to 10W during the redevelopment process. This would allow the tenant at 9W to move easily back into his slip and get the HM office out of the float space rental business. The HM would then pick up additional spaces on the east side and the berths for the HM boats would move over to the east side. The poly floats would cost about \$4000. The 10W space is valuable and has been used for transient vessels, for the HM boats and for dockage for Schooner Regatta participants.

SF suggested more aggressively marketing 10W to recreational vessels during the summer. RM said that the rate for recreational vessels is \$3/ft. per night. There is only 4’ of usable space on south side of the float by agreement between the HM, DEP and the Whydah Museum. SF suggested trying to rent the north side during the summer.

A motion was made to purchase poly floats for \$4000 and to direct the Harbormaster to inform any staff who answers the phone or the radio in the Harbormaster’s office to accept reservations for 10W before referring them anywhere else.

Motion: Scott Fraser

2nd: Herbie Hintze

Vote:

Yes: 3

No: 0

Absent: 2

Motion passes.

Cash Position – RM reminded the Board that the Pier Corp. can run negative positions year in and year out and still succeed in doing its job, but when it runs out of cash, it goes bankrupt. The current balance at the end of February is \$107,767.91. The projected expenses and payroll for March/April are \$42,600. We start having positive cash flows in May and the projected cash position May 1st will be \$65,167.91. The cost of the trap shed and 10W will be about \$18,000. The Board briefly discussed the issue.

Coastal Resilience Grant – There is a letter of support for the Coastal Resilience Grant program in the packet for the Directors’ review. This grant is for \$200,000 for the completion of the outer cape sediment transport modeling and for starting a pilot project design for dredging/nourishment in the same location as in 2002.

A motion was made to support the Coastal Resilience Grant request.

Motion: Herbie Hintze

2nd: Scott Fraser

Vote:

Yes: 3

No: 0

Absent: 2

Motion passes.

Congressman Keating – RM had a meeting with Congressman Keating last week. The Congressman was given a report about what the Pier has done in terms of federal grants and heard about any problems experienced with those grants in the hope that he might be able to offer some help. The FEMA grant money for the redevelopment of the floating docks is still in the federal pipeline. RM is hoping that the funds will get to us in the next twelve months. The Congressman has asked for more information about the issues with the Army Corps of Engineers so he can inquire into the situation. There is a ports funding bill that is in committee now in the Congress. It is for dredging and other improvements for ports across the country. RM is hoping that the Congressman can push for money to be set aside for small ports and harbors. There was just an announcement in the newspaper about \$33 million dollars being earmarked for the support and reimbursement of Northeast fishermen for problems associated with regulation restrictions. SF suggested that the HM become an advocate and write grants on behalf of the fishermen in getting those funds and the money could be considered an offset against any price increases for commercial fishing tenant dockage. It would remove the need for the Town to subsidize the fishing industry if the federal government is willing to do it.

Seasonal employee ad – An ad will be going into the newspapers and on the website in March for seasonal Assistant Harbormasters. RM pointed out that the ad says ‘up to five positions’ and ‘up to three positions’ because he doesn’t want to have to fill all of the positions unless there are enough qualified candidates to do so. This avoids having employees who cannot provide the services required or cannot finish out the season. First-time employees will earn \$15 an hour, returning employees will earn \$16 an hour and those employees who work with Luis will earn \$17 an hour.

A motion was made to place the employment ad into the appropriate media and on the Town's website.

Motion: Herbie Hintze

2nd: Scott Fraser

Vote:

Yes: 3

No: 0

Absent: 2

Motion passes.

Cruise Ship – An Olivia Cruises sponsored ship, the *ms maasdam*, will be docking in Town on Thursday, May 22nd. The Coast Guard is coming out tomorrow to inspect the site and review the port security plan. RM would like to have the ship's tenders deliver passengers to shore. SF reminded the Board that the Pier staff works hard to facilitate these events and that the main benefit is not to the Pier Corp. but to the Town at large. KA hopes there is some publicity generated about that fact. RM wants to have this be a test for the new port security plan. If a police detail is needed, that cost would be passed on to the cruise ship.

Charles Morgan – People from Mystic Seaport will be visiting in about two weeks to discuss the arrival of the Charles Morgan, the last whaling ship to leave Provincetown Harbor.

SF asked about the status of the Pro Forma. RM wants to call a meeting of that group at the next meeting.

New Business

A motion was made to instruct the Harbormaster to contact the DPW for signage to help reduce the speed of vehicles on the Pier and to inform motorists to be cognizant of pedestrians and children while driving on the Pier and to contact the Police Chief to request that he increase traffic enforcement on the Pier.

Motion: Kerry Adams

2nd: Scott Fraser

SF offered an amended motion.

A motion was made to instruct the Harbormaster to contact the DPW for signage to help reduce the speed of vehicles on the Pier and to inform motorists to be cognizant of pedestrians and children while driving on the Pier, to contact the Police Chief to request that he increase traffic enforcement on the Pier and to research the cost of speed bumps.

Motion: Scott Fraser

2nd: Herbie Hintze

RM stated that he thought speed bumps were not allowed on the Pier because of the design of the Pier, however he will research the legality of the issue and come back to the Board with a proposal. KA suggested installing temporary speed bumps.

Vote:

Yes: 3 No: 0 Absent: 2

Motion passes.

Old Courtesy Float – RM reported that staff recommends that the old courtesy float be surplus. Once that is approved, RM will get three quotes from scrappers to take it away.

A motion was made to declare the old courtesy float surplus.

Motion: Herbie Hintze

2nd: Scott Fraser

Vote:

Yes: 3 No: 0 Absent: 2

Motion passes.

Meeting adjourned at 6:15 P.M.

Respectfully submitted,
Ellen C. Battaglini,
PPPC Administrative Coordinator

Kerry Adams, Chair