

**TOWN OF PROVINCETOWN - BOARD OF SELECTMEN**

**EXECUTIVE SESSION – OCTOBER 15, 2003**

**JUDGE WELSH HEARING ROOM**

Acting Chairman Cheryl Andrews called the meeting to order at 4:12 pm noting the following attendees: Board of Selectmen Members: Cheryl Andrews, Michele Couture, Sarah Peake and Richard Olson.

Excused Absence: Mary-Jo Avellar, conflict of interest as her husband is Assistant Harbormaster.

Others Present: Town Manager Keith Bergman, Town Counsel John Giorgio, Provincetown Pier Corporation Board of Directors: Joyce Guide, George Hitchcock, Pier Manager Rex McKinsey and PPPC Counsel Larry Urchill.

Recorder: Cheryl Andrews

The following are meeting minutes, in brief.

1. **MacMILLAN PIER PROFISH SUB-LEASE**

Meeting with Pier Corporation, Town Counsel [MGL C.39§23B Clause 6]

**MOTION**: *Move that the Board of Selectmen vote, pursuant to MGL Chapter 39, section 23B, clause 6, to go into executive session to consider the sub-lease of MacMillan Pier, and to convene in open session thereafter [roll call vote].*

**Motion by**: Michele Couture      **Seconded by**: Richard Olson      Yea 4    Nay 0

**Roll Call**:      Michele Couture - Yes      Sarah Peake - Yes  
Richard Olson - Yes      Cheryl Andrews - Yes

Larry reported to us. Re: PPPC meeting with Profish 3 members (Chris King, Gene Fortier, Phil Michaud, & their counsel Bill Henchy)

PPPC will extend till December 1<sup>st</sup>.

PPPC wants business plan; they agree. Initial draft within one to two weeks.

Date of final plan presentation? Larry says if by December 1<sup>st</sup> it's not done, PPPC says they are not adverse to another extension but prefer December 1<sup>st</sup>.

Then Larry says - next step is Sign Lease. 20 years does not begin on sign date. It begins with signing of Certificate of Occupancy for Building. Milestones are there first. Larry suggested a 6-18 months interim term.

Cheryl Andrews asked specifically what would be the term if the building never happened, 1 yr, 2.5%? Potentially five-year term. They haven't talked / not Profish / not PPPC. John Giorgio - five years not more.

PPPC talked about forming a sub-committee to deal with operational issues (especially enforcement). John mentioned that Bill Henchy has concerns about how PPPC is treating Profish. Cheryl Andrews asked Keith Bergman to review "operating agreement" and who is responsible for what.

We discussed parking regulations. We would have Board of Selectmen pass regulations for parking. Rex talks about our harbor regulations (today October 15<sup>th</sup> - interim December 1<sup>st</sup>)

It's all there. Business Plan. Miscellaneous issues. Current. 1. Fees - arbitration 2. We said no more.

Motion to adjourn by: Sarah Peake Seconded by: Michele Couture Yea 4 Nay 0

Motion to adjourn at 5:32 pm.

Minutes transcribed by: Vernon Porter, Secretary to Board of Selectmen  
October 21, 2003