



**Provincetown Public Pier Corporation (PPPC)  
Judge Welsh Room - Town Hall  
Meeting Minutes of Thursday, April 24, 2014**

**Members Present:** Kerry Adams (KA) (left at 6:03 P.M.), Carlos Verde (CV), Ginny Binder (GB), Scott Fraser (SF) and Herbie Hintze (HH).

**Members Absent:** None.

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

Chair Kerry Adams called the Public Meeting to order at 5:01 P.M.

## **AGENDA**

***Public Hearing to consider changes to Chapter 1 of the Harbor Regulations and Appendix B for rates (continued from March 27, 2014) -***

### ***Public Statements***

John Santos asked about the subject of the Public Hearing. RM replied that there were a number of issues being discussed, including a refinement of the definition of a resident, non-resident and occupant of the Town, an embarkation fee for excursion vessels, changes regarding the removal of vessels tied to the Pier for non-payment or other issues and proposed rate changes for transient vessels. Mr. Santos said he was glad that some of these issues were being discussed. In his opinion, only Provincetown resident fishers should get a subsidized rate. Everyone else should pay a market rate. He was concerned about the presence of empty slips on the finger piers last year and the Board's reliance on a proposed excursion fee to make up for a shortfall in its budget. The Pier is a valuable asset and should be maintained. The Town and its taxpayers should not be subsidizing the dockage of fishers from Truro, Wellfleet and other towns, but the Pier should be charging a fair market rate for those slips. The Pier will always have to be subsidized and wasn't meant to make money. He suggested letting the commercial fishers raft together on the finger piers and use the available slips for recreational boats or whatever will make the most money.

Rich Wood stated that raising the charter boat fee above market rate is causing a hardship for the charter tenants and the proposed \$.50 embarkation fee is adding to the burden and causing those tenants to seek other options. He suggested renting the 10W trapshed in order to make money. A charter boat captain he had spoken to earlier suggested that the Board should charge taxis an additional fee for each of their customers as well.

KA read a letter from Jim King suggesting that 10W be used for short-term rentals.

KA read a letter from Jon Salvador regarding the need to dredge at float space 1W and requesting a discounted fee for the 2014 season.

### ***Public Statements***

Eddie Ritter spoke about the proposed regulation to restrict boats on the beach from November 15<sup>th</sup> through April 15<sup>th</sup>. He believes that boats should be allowed on the beach year round. He stated that there have always been boats on the beaches of Provincetown. He keeps a dory on the beach from May to the end of the year. He keeps prams that he uses throughout the year on the beach. It would be a waste of fuel, time and energy to have to haul his pram from storage each time he needed to use it. Many people do not have yards in which to store boats. He suggested asking beached boat permit holders how long their boats will be on the beach. He claimed that boats are not eyesores. He suggested that the Town build storage racks for kayaks and give beached boat permit holders designated spots on those racks. The Town could also charge for winter storage. He didn't understand that if kayaks were the problem why all boats were being banned. He also suggested promoting and planning events involving kayaks and looking for grants for those events. Kayaks and their owners should be accommodated.

Jim King reiterated the suggestions he made in his letter to the Board. Renting 10W for short periods of time would not make a great deal of money but would be of great convenience to local boaters.

### ***Special Agenda***

None.

### ***Review of Minutes***

***A motion was made to approve the minutes of the Public Meeting on 03/27/14 as written.***

***Motion:*** Carlos Verde                      ***2nd:*** Ginny Binder

***Vote:***

***Yes:*** 5              ***No:*** 0              ***Abstain:*** 0

***Motion passes.***

RM pointed out a correction to the minutes of 3/31/11. To eliminate confusion, the motion on page 2 of the minutes should read, "A motion was made to accept the changes to the Harbor Regulations Chapter 1 – Pier Regulations as published in the Public Hearing Notice dated March 17, 2011."

*A motion was made to approve the minutes of the Public Meeting on 03/31/11 as amended.*

**Motion:** Scott Fraser                      **2nd:** Herbie Hintze

**Vote:**

**Yes:** 5                      **No:** 0                      **Abstain:** 0

*Motion passes.*

**Public Hearing changes:**

*A motion was made to adopt Harbor Regulation 1-1-3 (a), (b) and (c) as written.*

**Motion:** Scott Fraser                      **2nd:** Herbie Hintze

**Vote:**

**Yes:** 5                      **No:** 0                      **Abstain:** 0

*Motion passes.*

*A motion was made to adopt the re-numbering of Harbor Regulation 1-6-6 to 1-6-7 in order to correct a previous error.*

**Motion:** Ginny Binder                      **2nd:** Herbie Hintze

**Vote:**

**Yes:** 5                      **No:** 0                      **Abstain:** 0

*Motion passes.*

*A motion was made to adopt Harbor Regulation 1-6-8 as written.*

**Motion:** Scott Fraser                      **2nd:** Herbie Hintze

SF suggested that the Board emphasize to excursion boat owners that this was not an increase in their rental fee, but an embarkation fee and was an additional charge to their customers. This was not a fee to be paid by the excursion boat owner. He would like to see something to that effect in the excursion boat's literature, clearly stating that the \$.50 fee would be an excursion fee charged by the Pier Corp. and not by the owner of the vessel. The excursion boat owner's rent was not being raised, but the Pier Corp. would be charging the excursion boat customers for the use of the Pier. GB suggested changing the language in the proposed Regulation and labelling the \$.50 fee as a 'PPPC embarkation fee'. GB suggested language to the effect that the customers shall pay to the PPPC an embarkation fee of \$.50 separate from the ticket price charged by the operator. CV asked how that \$.50 would be handled by a business. SF replied that it would be



the appointing authority, to make the decision. HH was comfortable with SF taking a leave of absence.

***A motion was made to grant Scott Fraser a leave of absence from the Pier Corp. Board of Directors for a year.***

***Motion:*** Herbie Hintze

***2nd:*** Ginny Binder

GB would like to amend the motion to add that concurrent with the start SF's leave of absence the process of creating alternate positions for the Board will begin. KA would like to have two separate motions. CV thinks that SF should resign from the Board and when he returns to Town, if there is still a position available, he should apply for it. GB thinks that the learning curve for anyone coming onto the Board at this point, in view of the fact that negotiations with the Town are in a preliminary phase, would be too great. She would hope that SF could still be able to contribute to those discussions, albeit not in the Board's bi-monthly meetings. She feels comfortable with SF taking a leave of absence. KA added that he has no problem with SF taking a leave of absence and supports the creation of alternate positions.

**Vote:**

**Yes:** 3      **No:** 0      **Abstain:** 2 (SF and CV)

***Motion passes.***

***A motion was made to draft a petition for two alternate positions on the Board.***

***Motion:*** Ginny Binder

***2nd:*** Herbie Hintze

**Vote:**

**Yes:** 5      **No:** 0      **Abstain:** 0

***Motion passes.***

**Ginny Binder:** She thought what Mr. King said was interesting and made a lot of sense. She agreed with his suggestion about using slips for short-term stays. The issue with not implementing it has always been the lack of a mechanism to coordinate it. It would be prudent for the Board to find a way to pursue it.

KA left the Meeting and SF chaired the next portion of the Meeting.

SF introduced Tony Marini, the PPPC's auditor, who called into the meeting to discuss some financial issues. The most important issue surrounds the differences in the cash balance between our accounting system (Quickbooks) and the Town's accounting system (MUNIS). This situation has been happening for several years. He suggested implementing a monthly reconciliation between the two systems in order to avoid the discrepancies from continuing. He discovered the differences when he was involved in the resolution of other financial issues between the Town and the Pier Corp. He is not sure why or what is causing the differences. SF suggested a meeting

of the various parties involved. Mr. Marini would like to meet with the Town's auditors and Dan Hoort to work out a process that would allow for a reconciliation of cash on a monthly basis. SF would like to find the least expensive way to resolve the issue without continuing to incur the fees from our auditors. One option would be to make an accounting entry to deal with it, but then the cause would remain unknown. The Board will have to incur costs in order to solve the problem. The Board discussed how to proceed. It was decided that Mr. Marini will do some investigation, including contacting Mr. Hoort and getting access to the MUNIS system, and report back to the Board as to what the issue might be and the scope of work that might be involved in resolving the problem. SF suggested having KA write a letter to the appropriate Town officials, copying the Board of Selectmen, explaining the situation and proposing a way of dealing with it and asking for its cooperation and support. Mr. Marini said he would write the letter

***A motion was made to authorize Tony Marini to write a letter that the Board can submit to the appropriate Town officials describing the problem regarding the differences in the cash balances between the Pier Corp. and the Town, explaining how the Board proposes to resolve it, asking for their full support and cooperation and requesting access to whatever information Mr. Marini needs in order to resolve the problem and to also ask Mr. Marini for an estimate of the cost and scope of the work involved.***

***Motion:*** Ginny Binder

***2nd:*** Herbie Hintze

The Board discussed the motion.

**Vote:**

**Yes:** 5      **No:** 0      **Abstain:** 0

***Motion passes.***

GB chaired the remainder of the Meeting.

### ***Working Group Reports***

None.

### ***Pier Manager's Report***

RM reported that the Port Security grant for security cameras and for work associated with Hurricane Sandy is being audited by FEMA. He will report on the new Homeland Security grant at the next Meeting.

He is still waiting to hear from Town Counsel about a written one-year extension with the BOS in regard to the management contract. A joint meeting with the BOS prior to the end of the fiscal year will be held in order to agree to a contract extension. He has created a stub budget for FY15.

A Public Hearing notice needs to be advertised for the float space licenses. This is an annual occurrence and will happen this year on May 22<sup>nd</sup>.

RM has been contacted by Josh Rowan about the Hindu. He would like to bring the vessel to the Pier. SF suggested giving him a discount on the 'T', on a per diem basis. GB said that Mr. Rowan should submit a written, formal business proposal including what he would be willing to pay, what his commitment would be and what he is proposing to do, instead of continuing his running dialogue with RM. HH suggested charging a non-refundable deposit. RM will convey that message to Mr. Rowan and ask for his proposal in time for the next meeting. It can be voted on at that point and, if approved, will be added to the public hearing process at that point.

SF thanked RM for creating a security plan for the Pier.

The squid fishing issue will be placed on a future agenda. There have been suggestions about making it into an event and about how the Pier might generate money from the activity.

Meeting adjourned at 6:35 P.M.

Respectfully submitted,  
Ellen C. Battaglini,  
PPPC Administrative Coordinator

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Kerry Adams, Chair