



Provincetown Public Pier Corporation (PPPC)
Judge Welsh Room
Meeting Minutes of Thursday, March 12, 2015

Members Present: Kerry Adams (KA), Carlos Verde CV) and Herbie Hintze (HH).

Members Absent: Scott Fraser (via telephone) 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 Items:

Steve Milliken: Steve Milliken appeared to request that the Board reconsider the implementation of the \$.50 embarkation fee for excursion and charter vessels. He argued that his business already had numerous expenses to pay, such as float space annual fees, water usage fees, electrical service fees and certificate of inspection fees of \$75 per passenger. In his opinion, the embarkation fee would place an unfair financial burden on his businesses. In addition, not all of his passengers paid for tickets, as he doesn't charge educational groups, and he has donated his boats to various groups for fundraising purposes. In these cases, he wasn't sure who would be responsible for the payment of the fee. He said that his ticket processing system didn't distinguish between various ticket categories and if the embarkation fee were implemented, he would have to pay for extra bookkeeping staff time to deal with the process of analyzing passenger types and counts. He proposed that the Pier Corp. save time, money and legal expenses by raising the price of the certificate of inspection fee.

Mr. Milliken said that at the Board's previous discussion of this issue, he had submitted a packet that outlined some of his operating expenses, however, he claimed that unseen expenses, such as a mortgage for each vessel, advertising, fuel, insurance, payroll, vessel repairs and maintenance of the float space had not been included. He would be willing to look for a reasonable solution with the Board without having to resort to legal remedies. He reiterated that his ticketing system was run by a third party whose software program did not have the ability to distinguish different types of passengers. He claimed that if the embarkation fee were in effect, all calculations of his passenger counts would then have to be processed manually, which would add costs to the ticketing process. His daily reports were done by the dollar amount and did not include breakdowns of specific ticketing types. That would require him to not only hire additional staff, but to purchase new customized ticketing software at a cost to him of thousands of dollars. He

said that higher ticket prices would deter tourists, who have other expenses to pay, such as parking, from coming to Town. Those tourists, if faced with higher ticket prices, would instead travel to Barnstable or Plymouth for whale watching. He has tried to keep his ticket prices competitive with regional whale watching companies. He suggested that the Pier Corp. negotiate with the Town to support the Pier instead of raising prices on the tenants of the Pier.

SF explained why the Pier Corp. was looking to implement the embarkation fee and why it was looking for additional revenue to cover the expenses of the Pier without having to ask the taxpayers for money, which would, in effect, be asking the Town to subsidize businesses operating on the Pier. The Pier was getting older and, as a result, maintenance expenses were rising, as were the costs of materials and labor. He thought that the Board might be able to work out a compromise with Mr. Milliken in terms of sharing any additional expenses that might arise from his business' implementation of the fee. And he said that the Pier Corp. could, for example, also agree not to make proprietary information, such as passenger counts, available to the public. He requested that Mr. Milliken remain open to working with the Pier Corp.

CV stated that he was not in favor of the \$.50 embarkation fee charge because the Pier should not be relying on that type of fee to fund maintenance. In other words, it was an unreliable source of revenue and was dependent upon how well Mr. Milliken's business did on an annual basis, not taking into consideration other factors that might affect the business' success from year to year. In his opinion, the Town needed to help the Pier Corp. financially to maintain the facility.

Aquaculture research project: Steve Wisbauer, Shellfish Constable, and Dan Maggio, a seasonal Assistant Harbormaster, appeared to present the project. RM said that the Board had already started to discuss new revenue sources for the use of the 'T'. The original idea for the development of the 'T' included an off-loading building for the wholesale packing of seafood to support the commercial fishing industry. There is currently an ice machine on the 'T' that supported that industry and has been a revenue stream for the Pier. In addition, there is an on-going pilot project for food vending in the Pavilion. In exploring other possibilities for utilizing the Pier, the idea of an aquaculture use was suggested, as Mr. Maggio was conducting research on public attitudes regarding that topic. Mr. Maggio summarized his research, which showed that it was a good growth option for the Town and a good option for fishing opportunities. Mr. Wisbauer reviewed the report that had been submitted to the Board, which included a building plan.

A motion was made to continue to research grant funding options and formulate a business plan.

Motion: Carlos Verde

2nd: Herbie Hintze

Roll Call Vote:

CV: Yes.

HH: Yes.

SF: Yes.

KA: Yes.

Yes: 4 No: 0 Abstain: 0

Motion passes.

Review of Minutes

A motion was made to approve the minutes of the Public Meetings on 02/26/15 as written.

Motion: Herbie Hintze

2nd: Carlos Verde

Roll Call Vote:

CV: Yes.

HH: Yes.

SF: Abstain.

KA: Yes.

Yes: 3 No: 0 Abstain: 1

Motion passes.

Directors' Statements:

KA: He and SF had talked about doing some open house meetings of the Pier Corp. for the public. The public would be able to ask questions of the Board.

A motion was made to hold public information, open-mike meeting(s).

Motion: Herbie Hintze

2nd: Carlos Verde

Roll Call Vote:

CV: Yes.

HH: Yes.

SF: Yes.

KA: Yes.

Yes: 4 No: 0 Abstain: 0

Motion passes.

CV: He thought the meeting with the Board of Selectmen was somewhat productive. Increasing the 295 budget was a good start in the Town's taking some responsibility for the Pier.

KA: He agreed with CV about the value of getting more information out to the BOS and said that more information was presented at the meeting than had been presented at the Finance Committee meeting.

Working Group Reports

This agenda item will be tabled to the end of the meeting.

Pier Manager's Report

Physical plant report: With the breaks in the weather, the Department of Public Works cleared the deck on the 'T' and the Water Department was repairing water lines.

The crane barge was up on its side waiting for a repair to its bottom. The motor on Marine 2 was swapped so Cavalo's motor could be run to drive out moisture. Quotes for welding repairs and power packs were being collected.

The first two sets of docks will be raised tomorrow for repair. The F/V Chase was on deck as well. It was damaged in the first winter storm and the insurance company would be paying for using the space.

The FEMA and MEMA visit has been re-scheduled.

Appendix A of the Harbor Regulations, which was an injunction restricting vehicle use, building weights and the number of vessels tied to the Pier and which was put in place in 1984 and amended in 1990, was now obsolete. The Pier that it referred to no longer exists. He had asked Town Counsel to work on removing the injunction and there was a motion to vacate filed and a Court date scheduled.

A Public Hearing needed to be scheduled to address a couple of inconsistencies in the Harbor Regulations regarding Provincetown-based vessels and other residents. The net result would be an increase in revenue from the second user group. The issue to be discussed was what the rate would be for that group. The process for the implementation of the embarkation fees would be included. A draft will be on the next agenda.

New Business

Moorings: This topic was postponed until the next Public Meeting.

Traffic: This topic was postponed until the next Public Meeting.

Working Group Reports

Trap Shed Working Group: KA explained that this was a continuation of a previous Board discussion concerning implementing a graduated fee scale for artists based upon how many years they have occupied a trap shed. The Board briefly discussed the issue.

The meeting was adjourned at 6:55 P.M.

Respectfully submitted,

Ellen C. Battaglini,
PPPC Administrative Coordinator

Kerry Adams, Chair