



**Provincetown Public Pier Corporation (PPPC)
Judge Welsh Room
Meeting Minutes of Thursday, February 25, 2016**

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

Members Absent: Ginny Binder (GB) (via telephone) and Scott Fraser (SF) (excused).

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

Chair Kerry Adams called the Public Meeting to order at 5:02 P.M. He announced that Ginny Binder would be participating remotely pursuant to 940CMR 29.10(2) due to geographical distance.

AGENDA

Public Statements:

None.

Special Agenda Items:

Joint Meeting with the Board of Selectmen on February 29th: CV briefly reviewed the rent abatement issue and how it was related to the Pier Corp.'s fiscal and maintenance situation. He said that the BOS didn't seem to understand the situation. He hopes that the up-coming joint meeting won't be a repeat of the last one and if the BOS was dissatisfied with the management and maintenance of the Pier, the Town could take back that responsibility.

KA pointed out that there were two Selectmen who understood the situation and were paying attention to what was said at previous joint meetings. He and RM have been holding weekly meetings with the Town Manager to discuss Pier Corp. operations and he hopes that the Town Manager can assist in conveying information regarding the Pier to the BOS.

HH added that abating the rent is a win-win for all involved and he doesn't know why the BOS does not realize that the Pier Corp. has been subsidizing the commercial fishing fleet without any help from the Town. He hopes that the BOS will understand that in order to keep the Pier maintained in working condition, the Pier Corp. needs financial help in the form of an abatement of the rent.

GB agreed with HH and CV and added that it was never the intention when the Pier Corp. was formed that it would be required to pay rent and subsidize the fishing fleet without any financial help from the Town. She found the current situation with the BOS very frustrating. KA suggested that the Pier Corp. figure out the amount of the subsidy that it was providing the fishing fleet and send the Town a bill at the end of the season. This would give the BOS an idea

of how much money was actually involved in the subsidy. The Board discussed the issue. KA referred the Board to SF's three-page synopsis of the Memorandum of Understanding.

Review of Minutes

A motion was made to approve the minutes of the January 28, 2016 Public Meeting as written.

Motion: Herbie Hintze ***2nd:*** Carlos Verde

Roll Call Vote:

GB: Yes.

CV: Yes.

HH: Yes.

KA: Yes

Yes: 4 **No:** 0 **Abstain:** 0

Motion passes.

Pier Manager's Report

RM said that the public comment period for the Chapter 91 license amendment for the floating docks and the wave attenuator project is over on March 5th. The Harbor Committee has just voted to send a letter of support to the Department of Environmental Protection. One of the Harbor Committee's responsibilities is to comment on the public benefits associated with Chapter 91 license applications and its charge is the Harbor Plan, which contains recommendations regarding MacMillan Pier that will be included in this project. For this reason, its letter should hold great weight with DEP. Information about the project was not only sent to abutters as required, but also to tenants in the hope that some of them would write letters of support. He requested that the Pier Corp. write a letter of recommendation for the project.

A motion was made to direct the Chair to write a letter of support to DEP for the floating docks and wave attenuator project.

Motion: Herbie Hintze ***2nd:*** Carlos Verde

Roll Call Vote:

GB: Yes.

CV: Yes.

HH: Yes.

KA: Yes

Yes: 4 **No:** 0 **Abstain:** 0

Motion passes.

RM said that the period for accepting bids to supply composite piles closed today at 2:00 P.M. He has received one bid, which is close to with what he thought it would be, from a company just outside of Fall River. He and KA will discuss it with the Town Manager on Friday.

He added that the request period for installer bids had begun and will close on March 17th.

RM said that some lights on the Pier have been changed to LEDs. Luis Ribas is halfway through the construction of the three dinghy dock extensions. Each takes about 80 hours to build.

RM reviewed the priorities list, which has not changed significantly. The mooring database and renewal forms are on hold until a BOS Public Hearing on March 14th has been held. The new owners of Fisherman's Wharf are getting rid of all of their docks and replacing them with new concrete docks. They have been offered to the Pier Corp. and he will be meeting with Vaughn Cabral on Tuesday to look at them. He has already acquired twenty power pedestals from Mr. Cabral that were being scrapped. The tops of the units can be removed during the winter and they can be sealed. He, KA and CV have already started a preliminary discussion in regard to potential uses of extra docks. The Board briefly discussed the issue.

KA asked about re-negotiating the ferry contracts. RM said that they could just be extended for another year, as they have been for the last several years.

The 2016 Port Security grant application process is open. The deadline for submission is April 25th. He said that since the Pier Corp. would be purchasing new engines for the boats, he won't be looking to acquire a new boat, however if he came across a vessel that was small, easy to handle and would add to the homeland security base, he would apply for a grant to purchase it. He has not yet heard back from the Army Corps of Engineers.

RM hasn't yet heard back from the Division of Marine Fisheries about scheduling a Public Hearing regarding the recreational limit for hook and line squid.

RM said that he has asked Elisabeth Verde and Ellen Battaglini to assist with the Pavilion vendors' project.

CV asked about the status of FEMA funds. RM said that the TM has volunteered to help with the application. He will get an update on where the application stands and put the issue on the priority list and provide regular updates to the Board.

Directors' Statements:

HH: He wished the Board luck at the Joint Meeting with the BOS.

GB: She thought that the rent abatement was the best way forward for the Pier Corp., the Town and the BOS to keep the Town's most important infrastructure in good shape. She thought that the issue had been resolved.

CV: He has spoken to several tenants who have boats on the floating docks and they are concerned about the condition of them and about the future of their livelihoods and the possibility of not having safe slips for the coming season. RM reviewed the condition of the floating docks. He added that the yellow tape is a cautionary measure.

KA: None.

Working Group Reports

None.

New Business

KA reviewed his list of questions for discussion. As to why F/V Three Reasons was still tied up to the floating docks, RM replied that the Harbormaster's Office was trying to work with fishers who had dockage arrears because their livelihoods depend upon dock space and running a business is hard without the use of the Pier and its services. As to the question about allowing vessels on the floating docks during the winter, he explained that he had lowered the wind speed that would trigger the removal of boats from the docks, but had not barred tenant vessels from the docks this winter. He added that more tenants hauled out their boats this year than last year.

RM has made a list of projects that are underway as a result of the meetings that he and KA have had with the TM.

KA's concern about the issue of tenant arrears is related to his observation of commercial fishers coming into the office asking about the availability of dockage. There is no shortage of fishers looking for commercial dockage space if tenants are not willing to pay dockage bills on time. CV recommended that 50% of tenant dockage fees be paid at the beginning of the season. KA agreed that the balance be paid within 60 days. The Board discussed revising the current pay structure for tenant seasonal dockage fees. Tenants with unpaid dockage fees are not guaranteed dock space the following year.

A motion was made that all commercial fishing tenants shall pay 50% deposit on dockage fees with the balance of the fee due within 90 days. The payment of the balance of the fee when due will assure the tenant dockage space the following year.

Motion: Carlos Verde

2nd: Herbie Hintze

Roll Call Vote:

GB: Yes.

CV: Yes.
HH: Yes.
KA: Yes

Yes: 4 **No:** 0 **Abstain:** 0

Motion passes.

KA recommended that transient vessels pay 100% of their dockage fee upon arrival at the Pier. RM said that would not work with the New Bedford fleet because its dockage bills were paid through a settlement house. He suggested that a distinction be made between state-registered and federally-registered boats.

A motion was made that all state-registered transient vessels docking at MacMillan Pier be required to pay 100% of dockage fees in full and in advance upon arrival.

CV emphasized the importance of placing signage on the Pier to communicate with transients about checking in with the Harbormaster's Office.

Motion: Kerry Adams

2nd: Carlos Verde

Roll Call Vote:

GB: Yes.
CV: Yes.
HH: Yes.
KA: Yes

Yes: 4 **No:** 0 **Abstain:** 0

Motion passes.

KA reviewed the remainder of his list. He suggested monthly checks for transient document compliance. In regard to moving the weekly trap shed, RM said that a couple of tenants leave gear in their sheds over the winter months. It will be easier to move the weekly once a new shed is constructed, at which time a seasonal will be put at the front of the area.

KA wants an update from RM on tenant vessels without liability insurance and past-due balances.

The meeting was adjourned at 6:15 P.M.

Respectfully submitted,
Ellen C. Battaglini,
PPPC Administrative Assistant

Kerry Adams, Chair