



Minutes

The Provincetown Public Pier Corporation Public Meeting of Thursday, July 25, 2019, at 5:00pm, in the Caucus Hall of Town Hall, 260 Commercial Street, Provincetown, MA 02657.

Members Present: Regina (Ginny) Binder (RB), Chair; Herbie Hintze (HH); Carlos Verde (CV); Scott Frasier (SF).

Excused Absence: Richard C, Holland.

Other Attendees: Don German (DG), Acting Harbormaster; Doug Boulanger (DB), Pier Manager; Jamie Demetriou (JD), Office Manager.

Members from the Public: Steve Milliken, owner Dolphin Fleet; Vaughn Cabral, Lee Jay Corp, 2W; Josh Rowan, owner/operator of The Hindu.

RB called the meeting to order at 5:03pm.

Agenda (*Discussion may ensue, votes may be taken*)

Public Statements

None.

Review Minutes

HH made a motion to approve the meeting minutes of Jan 3, 2019, June 13, 2019, and June 27, 2019. RB seconded and it passed, 3-0-0; HH, RB, SF.

CV arrived at the meeting at 5:06pm.

Special Agenda Items

7W Relocation

RB said she was in favor of going ahead with the expansion approval for now and recommended that rate changes can be addressed in a broader discussion at a later time. Per the rate issue, SF asked if this was consistent with others and RB replied that it was; said that Chapter 91 requires a fee of \$10,271 or similar and is based on the size of the boat or a passenger head-count of 50 or more, as well as an additional \$75 per passenger and that the

rate needs to be equal to other rates. CV referenced remarks made at the previous Pier meeting on the subject of expansion and his sentiment that an increase in size should be accompanied by a cost increase.

Mr. Milliken said he understood that but insisted there were two different issues in that the Army Corps of Engineers gives a certain amount of water space and the County, or Pier, gives its designation. RB clarified that the amount of \$10,271 for the licensee is the Town's fee and then everyone pays more for vehicles sponsoring over 50 passengers. Mr. Milliken noted the \$10,271 goes up 2% each year to which RB said is dependent on the CPI and that the Board can change the license fee, but that it is the same across the board.

CV repeated his remarks from the previous meeting that he is fine with everything included in the new location for 7W as it currently exists, but that expanding the gangway should change the fee rate structure which, he said, is in keeping with being fair across the board. Mr. Milliken said he had no problem paying his share to the Town, but preferred not to get raked over the coals on this and could take his business elsewhere; referenced exploitation by transients.

Mr. Milliken said the length of his vessel is 72' give or take and DB said a fee tied to boat length could be reviewed. RB said she'd like to entertain a motion to approve the relocation with the float not to exceed the length of the abutters and with the understanding that there will most likely be a wholesale rate re-structuring next year.

CV made a motion to approve the relocation of 7W with the condition that the length of the float not exceed that of its abutters at the new location and with the understanding that a rate re-structuring would most likely be implemented across the board next year. SF seconded the motion and it passed, 4-0-0; CV, SF, RB, HH..

RB said the Board would like to see drawings as thing move along.

1W Jon Salvador

RB said the paperwork had been completed for the county dredge to come in and do the maintenance dredging; noted that Mr. Salvador's space has seen a significant depreciation, and thereby recommended an adjustment to his bill, adding that Mr. Salvador requested a slight increase this year. JD confirmed that \$1,000 had been removed from Mr. Salvador's bill.

Vaughn Cabral asked after the extent of the dredge as his float is getting a bit shallow. RB responded by stating that it comes in order of emergency verses maintenance, but that Mr. Cabral's information can be added to the list the Pier submits for service.

CV made a motion to approve Mr. Salvador's bill for the same rate as last year minus 2%. HH seconded the motion and it passed, 4-0-0; CV, HH, RB, SF.

SF asked if the locations could be swapped regarding float space as pertain to the negative impacts detailed in discussion but it was determined that based on sheer water and outboards, this was not a viable option.

The Board agreed to take the Hindu topic out of order on the Agenda.

Hindu

Josh Rowan said his father had mailed the lease as he couldn't figure out the scanner and

assumed it hadn't arrived to be studied in time for today's meeting. DB said it had been shared with the Board and RB asked after the rental fee plus a \$1.00 per passenger charge. Mr. Rowan replied that he had waited 20 years for the slip and that the original lease from 2012 had been amended 4 times; that the annual \$1 per passenger is a rate that is carried either by month or each year, which, in his case, came out to \$37 per month – said it's a tax on intended volume. Mr. Rowan added that the winter rate is at three-quarters or a 50% difference between what should be two distinct rates and noted he pays \$2,156 a month here in Town in season.

Mr. Rowan spoke of the retention of the Town as a quaint seaport and how many as such are disappearing along the seaboard which he's traveled 50 times; said he is in favor of keeping the funk of the Town, which gives it its distinctive flavor; said that in Key West, the municipality keeps tabs on the composition of its commercial revenue and that when the Kalmar Nyckel comes into port in Provincetown, it's hurts the companies that are here when this vessel conducts sail-aways, rather than keeping to deck-tours.

DB said the Kalmar Nyckel has offered a boon to the trap shed merchants and that it's all volunteers on the boat which is an educational enterprise. Mr. Rowan said the only ones who lose when the Kalmar Nyckel does not do sail-aways are the volunteers. HH said the whole passageway is at a stand-still when the Kalmar Nyckel is in maneuvers, which DG concurred. DG said he felt deck tours was the way to go.

RB pointed out that the Kalmar Nyckel is an educational, non-profit vessel and polled the Board to discover if it felt the boat might better serve the Town by remaining in port when docked for business. CV said that limiting the vessel might be possible, but to deny sail-aways for an educational vessel would not be very productive for its mission nor the best way to serve its customers. RB said she didn't feel the Kalmar Nyckel needed to attend a public meeting but suggested a meeting with its reps and two Board members, perhaps in the fall if there was not a sense of urgency. Mr. Rowan said he didn't recommend any action be taken this season as it was already in motion. DG said he would arrange a meeting and DB gave the schedule of the vessel in terms of availability.

Mr. Rowan mentioned a couple of events that he does for the Tall Ships group and the need for keeping the floating docks as is for the sake of these events, which are already scheduled.

Center for Coastal Studies

RB called on the issue that has seen the Center for Coastal Studies aking too much space down at the Harbor and DB backed up the contention; stated that they are spread out. CV said that the booths are essentially for retail and that as non-profits the Pier doesn't see a profit from these enterprises and felt they should be contained. DB remarked on the picture construct that is bolted to the dock even as they are supposed to be on castors.

RB said it's a bit of delicate issue, noting the educational value of the Coastal Studies Center. DB added that a lot of shed occupants will point to what others are doing as an excuse to expand their own space or usage and that the situation should be addressed for next year. CV said it should be water-related or marine-driven products being presented to the public, said he'd be comfortable with DB allocating two feet of space on either side. DB said these conversations have taken place and that the shed occupants are being kept to 10'.

SF recommended a permissible footage policy across the board which is a part of their permit. DB said he would bring the current policy to the Board's attention for review.

Elton Cutler- Valet/ Concierge

DB described Mr. Cutter's business as a luggage concierge service, much like a taxi business, and was initially confined to a certain space as he stands aside his car for this customers, but noted that now he has moved forward and added a sign, basically expanding his presence to include a sandwich board; said it's a new business this year as far as the baggage service aspect goes, that he also provides liquor runs and other services for ferry and boat visitors.

SF suggested renting a piece of real estate with a trailer-haul that he could then rent out and which would help to consolidate his business; that the Pier could rent him a parking space which he referenced as a fee or parking charge that had been discussed for any and all vehicular visitors doing business at the Pier. CV said he'd be opposed to renting a parking space as it gives an undue advantage over taxi services and suggested it's opening a can of worms. RB said she felt a policy was needed. DB said the problem is that he has added a sign and a set-up. CV added that he should have a permit for carrying a sign which would be approved or not by the Pier. RB said a business license is needed, as well, by the Town and remarked that by the nature of his business he is a presence longer than is a taxi service.

SF suggested matching Mr. Cutter's luggage service with the ferries and their schedules. HH said Mr. Cutter charges \$35 for the first two bags and \$10 a pack hereafter. CV suggested revisiting the issue when Mr. Cutler is made aware of his permit requirement and signage approval.

Bike Rental Companies

RB said she'd like to stop the business practice of bike companies advertising to pick up and drop off at the Pier without compliance from the Pier. GB said the issue has been resolved as the bike companies were notified of the violation and have not been back; expressed it as a slap in the face to both the Pier and Ptown Bikes which has gone through the right channels. RB said she'd like to see the bike matter resolved by the end of the year and requested that GB keep a running list of issues to be addressed and resolved in more detail after Labor Day.

SF said he felt bikes shouldn't be allowed on the Pier in terms of the Town's real estate priorities. CV commented on people who misuse the Pier in ways they could never get away with at Town Hall. GB said this particular business has now relocated to the Public Library.

HH remarked on seasonal entertainers handing out promo cards and that he sends them away each year, but has found cards scattered about by the gazebo in he morning. RB asked that the staff cut down on flyering or papering on cars and so forth at the Pier. SF said in light of free speech it might be more prudent to notify those flyering that they will be fined.

Harbormaster's Report

DG thanked the Board for its confidence in his abilities to step in as Harbor Master and DB and JD for all their help in the transition; passed around paperwork that detailed the assignments of staff and accompanying schedules; suggested his off-days be Sunday and Monday in that Christine Maxwell is an experienced Assistant Harbor Master who can competently fill in during his time away, adding that he is 4 minutes away if needed at any time.

Employee Arrival Policy

DG discussed the proposal of an Arrival Policy to encourage promptness. DB said there was a kind of policy in place, but that staff would be required to remain on the clock if relief is tardy,

resulting in over-time. CV said he felt the measure is a good start for the sake of compliance.

Repairs

DG reported two dories and one speed buoy that broke free of their moorings and were recovered and two speed buoys that need to be re-rigged and put back on station.

Cavalo

DG spoke of working on a design for a rescue or trawl boat; working with DB to come up with a plan to haul out Cavalo for routine maintenance including rust descaling, priming and painting, hydraulic maintenance and outboard annual service. CV said he believed the last such servicing was two years ago. DB said this will be on the annual, or semi-annual, service maintenance list and DG added that fall would be a good time to work on this in based on staff availability. CV said a trailer might be worthwhile in retaining for hauling.

Policies and Regulations

DG spoke briefly of getting up to speed on learning the mooring policies regarding placement and maintenance as well as the Town's Harbor Regulations.

Comprehensive Shark SOP

DG said this is a measure that he hoped to present to the Pier in two weeks for approval concerning potential sightings and possible attacks.

RB acknowledged DG's decades of experience as a Harbor Master and said she was looking forward to working with him in this capacity, as did CV.

Pier Manager Report

DB highlighted the talking points as follows:

Finalizing the FY19 budget; item alignment with MUNIS for FY20, working with Josee and Ginny; reviewed changes to the schedule with DG; completed CVA reimbursement application this week; planned visit from Army Corps of Engineers, including slide presentation regarding new processes and procedures for new forms and permits at a meeting on Friday, July 26th from 9:30am to 11am.

CV asked if a tally of hours is kept for the usage of Harbor vessels. DG said it was not currently, but agreed that this would be a good measure to employ. RB said a vote wasn't necessarily needed as the Board is in agreement on this practice. SF noted that while space can be leased at the Pier, a public vessel could not be leased for private citizens.

Shade Options

DB said there are a lot of variables regarding shading options at the Pier and in relation to the elements; said a new lighting design is probably more of a winter project but that he keeps working on it. HH asked what became of the roll-down curtains that were donated to the Pier and which went around the gazebo. DB said he would have a look for them.

Floating Dock Reconstruction Project

DB reported that work on the wave attenuator and floats continues in Norfolk, Virginia and that the production schedule is expected to begin on or around September 23rd; that he is working with ACK to confirm that they will be on track to begin Phase II in mid October and that ACK will be visiting SF Marinas production plant next week to review the progress and that the Pier will be invited to attend.

RB stressed the importance of the Harbor Master's office having a presence at this meeting and on all progress as reported, including photo documentation. CV asked if the engineers will be involved and DB said he would inquiry into that. CV urged the Board to send DB down to Virginia to have a presence at the work site. RB and HH both agreed. DB said he would finalize the dates and submit numbers for the cost for a day round-trip or over-night.

Director's Statements

RB thanked DB, DG and JD for their first week working together.

Other Business

SF asked after the POS system, to which JD said the accounts are slated to go live August 1st ; said there was a problem with former staffer Jared's payroll. RB suggested JD share spread sheets with SF.

CV asked after the forklift and suggested a new unit could be paid off monthly verses buying a used model – that it was about procuring a safe machine.

SF said he was eager to see some actual numbers from the Harbor Master's Office, which DB said he was working toward presenting.

SF made a motion to adjourn at 7:01pm. CV seconded the motion and it passed, 4-0-0; SF, CV, RB, HH.

Respectfully Submitted,
Jody O'Neil