

**Provincetown Public Pier Corporation (PPPC)  
Judge Welsh Hearing Room  
Meeting Minutes of  
Thursday, August 12, 2004**

**Present:** Paul deRuyter, Lee Ash, George Hitchcock, John Baldwin, and Chip Bradish

**Other Attendees:** Rex McKinsey, Pier Manager, David Guertin, Department of Public Works Director

Rex McKinsey announced that George Hitchcock would be late due to traffic.

Paul deRuyter, Temporary Acting Chair, called the meeting to order at 4:05 and welcomed new member, Lee Ash to her first meeting of the PPPC.

A motion was made to accept the minutes, as submitted, of the meeting of July 29, 2004.

**Moved by:** Paul deRuyter                      **Seconded by:** John Baldwin                      **Yea: 3 Nay: 0**

Skip Webber, Executive Director of Profish welcomed new members of the PPPC. He stated that the interests of Profish were:

1. Storm damage
2. Small boats revenue docking
3. Pier regulations
4. Ladder at the east end of the "T"
5. Davits
6. Ice Plant – blower delivery

He questioned these items and talked about the interests of Profish regarding them.

Mr. deRuyter asked if Rex McKinsey should discuss some of the items. There is a loan application for ice machines with Mass Development of \$90,000. Profish paid for plumbing and electrical hook-up, etc. of existing phase 1 equipment and should be reimbursed for approx. \$10,500. Mr. Webber also stated that Pier Corp Directors should be brought up to date as soon as possible and Profish deserves a response. Rex McKinsey stated that when Pier Corp Directors are ready to take on project of ice plant, he could supply the information and a spreadsheet.

It was noted that the ladder was not put up as yet. The davits are not being used for the Harbormaster boat due to size restrictions. The Pier Regulations were passed in March 2004 prior to the Town Meeting. The Public Hearing for the Pier Regulations was well attended. Harbor Regulations will have to be made enforceable at the Fall Town Meeting.

David Guertin stated that if the need to go forward with Massachusetts Development, the Town would be secondary to the obligation. Funding from the loan would also go to Profish. Progress will take place within two weeks. Lee Ash asked if there is a precedent set for the Town backing up the loan. Mr. McKinsey replied that the Board of Selectmen voted for it and Mr. Guertin explained that they were using the correct "vehicle" for the loan.

It was moved to proceed with the application to Massachusetts Development financing as it related to production of ice.

**Moved by:** Chip Bradish                      **Seconded by:** Paul deRuyter                      **Yes: 4 Nay: 0**

Paul deRuyter, as acting Chairperson, wanted to rearrange the order of the published Agenda and go onto New Business.

*New Business*

**Agenda Action Request #2, Request for Ticket Booth by Jon Salvador.**

Mr. Salvador appeared before the PPPC and stated he wanted to construct a booth to sell packaged foods such as water, soda, snacks, etc. in the future. There was a general discussion regarding the size of the booth. Lee Ash asked if all booths have the same standards, i.e., size and style. Rex McKinsey replied that all are of the same size and style.

A motion was made to approve the request for a new booth at float space 1W under the guidelines established by the Pier Corp., March 27, 2003 and send notice to the Building Commissioner.

**Moved by:** John Baldwin

**Seconded by:** George Hitchcock

**Yes: 5 Nay: 0**

The meeting was then returned to the sequence of the printed Agenda.

### **Agenda Action Request #1, Commercial Dock Rates Hearing**

Rex McKinsey said that a Public Hearing has to be scheduled and an ad has to run in the newspapers for two weeks. He explained that dock rates run for the fiscal year – June 30 – July 1. The draft suggested a shift in dock rates from fiscal year starting July 1 to a season year starting April 1 so a rate would be needed for the next nine months. Mr. McKinsey stated that this year's rates for nine months would be a 25% increase and acceptable to the fishers in order to keep the public hearing discussion centered on next year's rates.

Rex McKinsey went over various points in the Agenda Action Request #1 to clarify them. He also stated that Provincetown is a regional port and fishing extends from Provincetown to Orleans and that we should be supporting the region we are working with. All of the fixed piers, the south floating docks and 33% of the north floating docks are made exclusive to commercial fishing under the new definitions.

Paul de Ruyter stated that the PPPC is compelled to do something as a motion and to get this accomplished. He feels that the PPPC goals are very specific. The commercial fishing industry in Provincetown is very important and the PPPC should take a common sense approach. The PPPC is taking responsibility for a Town asset (the Pier) and to be fair to all. The PPPC has to listen to all contingencies and to sit with people involved in order to understand their needs. The PPPC has to think like business people and has to deal with rate issues and can only do it once a year. Mr. deRuyter expressed a concern about the loss as stated in the Draft and questioned if it worth it.

Lee Ash agreed with Mr. De Ruyter but questioned the loss figures without looking at other parts of the Pier. Mr. De Ruyter responded that the PPC has to recognize that the numbers are part of a bigger picture and to have a sense of confidence in them.

John Baldwin agrees with what the PPPC has to do to get on track but first has to organize. A Chairperson, Vice Chairperson, etc. has to be elected and then to get "on track" to become an effective Board of Directors.

Rex McKinsey stated that after listening to the users, the rates are the as good as it gets. There was a general discussion as to how the PPPC can deal with the rates and be fair to all. George Hitchcock asked if there can be different categories and different rates and has anyone contacted the Town Council regarding this. Paul deRuyter felt there may be legal problems without a multi-tiered rate. He agrees with what is in place now and then the PPPC should proceed to understand them and improve them. Paul deRuyter noted that the challenge is to get the PPPC working and if not, let the Town run the Pier.

A motion was made to schedule a public hearing for September 9, 2003 regarding rates for commercial fisher's dock space on MacMillan Pier as printed in the public hearing notice and to direct the Pier Manager to send our preliminary statements to commercial dock tenants at the previous years rate to be applied to FY 2005 bills until a hearing can be held on rates for the current permit year to end on March 30, 2005.

**Moved by:** George Hitchcock

**Seconded by:** Chip Bradish

**Yes: 5 Nay: 0**

Rex McKinsey made changes to the Commercial Dock Rates Hearing Draft and will email corrected versions to PPPC members.

