

Provincetown Public Pier Corporation (PPPC)
Meeting Room A
Meeting Minutes of
Thursday, March 23, 2006

Present: Lee Ash, George Hitchcock, Len Clingham

Excused Absences: John Baldwin, and Chip Bradish

Other Attendees: Rex McKinsey (Pier Manager) and John Davidson (Administrative Assistant)

Visitors: Candice Nagle

Public Statements:

Candice Nagle: Thanks to Rex McKinsey for his assistance with the floats and thanks the PPPC for allowing the floats to be stored on the pier vs. the landing at the Provincetown Inn.

Reason for her attendance is to ask the PPPC board for approval of the transfer of ownership of Elizabeth Brooks' share of float space 8W to Candice Nagle (the co-owner of float space 8W)

Rex McKinsey provided a brief overview of the transfer of float space ownership process to the board.

Len Clingham: Requested to know if there was a change in the Float Space 8W Corporation.

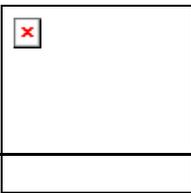
Candice Nagle: The change within the corporation is internal.

Len Clingham: Why is the PPPC even involved in a stock transfer within a corporations' ownership?

Lee Ash: We are following a precedent previously set by the BoS.

The further issue of grand fathered corporate control of the West Floats would be discussed at a later time.

Lee Ash: We, the PPPC , must verify that any transfer of ownership meet the two criteria of the Chapter 91 license involved. Would like to explore this issue further with the BoS.



Float Space Transfers

Requested by: Harbormaster

Action Sought: Schedule Public Hearing

Proposed Motion(s)

MOVE that the Provincetown Public Pier Corporation schedule a public hearing on April 13, 2006 on two requests for transfer of ownership interests in Float Space 8W and 9W pursuant to Chapter 91 Special Condition 7.

Additional Information

Both requests are for one owner to buy out their respective partners. 8W transfers 50% share from E. Brooke to Candace Nagle. 9W transfers 50% from Germania Phillips to Robert Burns. Special Condition 7 of our Chapter 91 License controls this request. The Board of Selectmen transferred the responsibility of transfer approvals to PPPC in the lease.

No ownership interest in an operator shall be transferred, and no stock in a corporate operator shall be transferred, pledged or issued without first obtaining the permission of the Board of Selectmen. The word 'transfer' shall mean any conveyance of use, control, ownership, or beneficial interest by sale, assignment, gift, pledge, lease, or contract. Within fourteen days after receipt of any such application, the Board of Selectmen shall cause a notice thereon to be published at the expense of the applicant. The notice shall set forth the name of the applicant, and specify the nature of the transfer. The Board of Selectmen may deny the application only if either the transferor or transferee has been convicted of a felony or if either party owes state or local taxes, fees or assessments. Approval of any such transfer by the Board shall transfer to the resulting operator all of the rights, duties, obligations, and privileges of its transferor under this license. *(emphasis added)*

Staff has filed the appropriate requests to ascertain if the parties have been convicted of felonies or owe back taxes. These are the only reasons a transfer may be denied.

Board Action

<i>Motion</i>	<i>Second</i>	<i>Yea</i>	<i>Nay</i>	<i>Abstain</i>	<i>Disposition</i>
Len Clingham	George Hitchcock	3	0	0	Passes

Candice mentioned her ad in the Banner and offered for any input from the PPC in regards to it's wording and that there is a requirement that it is a commercial venture.

Lee Ash: the word commercial should appear in the ad.

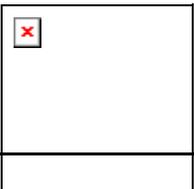
Review of Ferry Transport

Bob Evans-A&E Architects
Alison Alessi-A&E Architects

Presented proposal for pier comfort improvements. A general discussion followed.

Lee Ash: Asked why the tower was being added.

Rex McKinsey: The purpose of the cupola as being needed due to homeland security.



Transportation Grant Structures

Public Hearing prior to recommendation to BoS

Requested by: Harbormaster

Action Sought: Schedule a Hearing

Proposed Motion(s)

MOVE that the Provincetown Public Pier Corporation hold a Public Hearing on April 13, 2006 to gather public comment on the proposed structures for the Ferry Terminal Improvements Grant prior to making a recommendation to the Board of Selectmen.

Additional Information

The architects have renderings for the restrooms, pavilion and other structures for your review tonight. PPPC should consider public opinion, if any, prior to making a recommendation to the BoS. The BoS will probably review the recommendation and hold their own public hearing before making a final decision. Once done, town staff will prepare an RFP for the construction of the structures. All parties are cognizant of in-season construction issues. Those issues will be addresses with board participation as the project develops. Some parts of crew facilities (lockers, shower, ops) have been changed from the original proposal to adapt to Homeland Security concerns.

Board Action

<i>Motion</i>	<i>Second</i>	<i>Yea</i>	<i>Nay</i>	<i>Abstain</i>	<i>Disposition</i>
George Hitchcock	Len Clingham	3	0	0	Passes

Meeting Minutes

A motion was moved to accept the minutes for the meeting of 02/09/06.

Moved by: Len Clingham **Seconded by:** George Hitchcock **Yea:** 2 **Nay:** 0
Abstain: 1

Motion Passes

A motion was moved to accept the minutes for the meeting of 02/23/06.

Moved by: Len Clingham **Seconded by:** George Hitchcock **Yea:** 3 **Nay:** 0
Motion Passes

A motion was moved to accept the minutes for the meeting of 03/02/06.

Moved by: Len Clingham **Seconded by:** George Hitchcock **Yea:** 3 **Nay:** 0
Motion Passes

Directors Statements

George Hitchcock: Working w/Rex on the plans for the development of the pier. Had a question as to the answer of a vote during executive session.

Len Clingham: Found that the board does not need to come out of executive session to vote. He would rather that the board comes out of executive session in order to vote.

Lee Ash: Anything in regards to personnel would be handled in executive session including a vote.

Lee Ash: Whale Trail will be selecting locations for the ceramic whales and would like the pier to be selected as a location for a whale trail whale. Had a member for PPPC Board recruitment in mind but the person opted out. Once again would like the PPPC board members to keep on the look out for new board members. Think about and email your thoughts to Lee Ash in regards to an invitation from the EDC to have a joint meeting.

Forward meeting minutes of 10/24/05 to EDC

Pier Management Report

A motion was made that the PPPC board defer to town counsel to review our collection policy/procedures in regards to of accounts receivable.

Moved by: George Hitchcock **Seconded by:** Len Clingham **Yea:** 3 **Nay:** 0
Motion Passes

Lee Ash: Does not want staff to present PPPC Board with motions in regards to establishing board policies.

South Floating Dock Remediation Plan Update:

Rex presented his plans for fixing the south floating docks. No electricity would be provided during the interim before a permanent fix can be installed.

A motion was made that the board proceed with an interim emergency plan to repair the south floating dock that was presented to the board by Rex McKinsey with a limit of up to \$7000 and board approval for anything over with a written estimate to be approved by the board who has designated that George Hitchcock act upon the boards behalf.

Moved by: Len Clingham **Seconded by:** Lee Ash **Yea:** 3 **Nay:** 0
Motion Passes

Add personnel policy draft to tickler. Send a copy of the draft to all directors for their review.

Motion to adjourn at 6:15

Moved by: George Hitchcock
Motion Passes

Seconded by: Len Clingham

Yea: 3 Nay: 0