



**Provincetown Public Pier Corporation (PPPC)
Provincetown Town Hall Auditorium
Meeting Minutes of Thursday, April 13th, 2017**

Members Present: Kerry Adams (KA), Herbie Hintze (HH), Scott Frasier (SF), Ginny Binder (GB)

Other Attendees: Rex McKinsey (RM), Ray Sturdy III (RS)

Excused Absences: Carlos Verde (CV), Jarrod Koskey (JK)

Additional Attendees: Katie Ward – Provincetown Banner, Alex Brown (AB), Doug Jones (DJ), Mike Glasfeld (MG)

Chair, Kerry Adams called the meeting to order at 5:00 P.M.

(KA) asked for any public statements.

Public Statements:

(KA) introduced Alex Brown who introduced himself as well and began his statement by discussing an issue regarding purchasing of ice due to state implementing the requirement to ice all oysters while on the grant. He stated his refusal to pay \$15.00 for a tote of ice and requested the board allow a set charge of ice per ton and an account as was established in the past for him. He stated it had been stopped as he was not a tenant.

(KA) asked (RM) what the price per ton currently is for transients to which (RM) replied that it is \$80.00/ ton and he had planned to have this topic discussed as an agenda item when the Shellfish Constable returned from vacation. He continued by stating that when John Davidson held the Administrative position there was in place, a price table that broke down how many totes of ice were in a ton and this previous plan failed to cover the proper price of ice.

(KA) asked if Mr. Brown was willing to pay the \$80.00 per ton.

(AB) replied that he was only willing to pay the tenant rate and not the transient rate of \$80.00/ ton. He continued that he believes that because he lives in Provincetown he should pay only tenant price and have an account.

(KA) replied that having an account is not a problem but the non-tenant rate is fair due to record keeping and efforts of maintaining the accounts.

(RM) stated that staff recommended that a certain number of non-tenants could have an account but the reason it was stopped was due to the high number of people wanting and having accounts in the past and the record keeping fell into disarray as staff was not able to know who all of the folks were outside of our tenants. He stated that if folks have an aquiculture grant they can purchase the ice at \$5.00/ tote but if they wanted it by the ton then you have to take the ton at the time.

(AB) continued that an additional issue was the ability to move the amount of ice.

(SF) asked if (AB) had a dinghy on the dinghy dock to which (AB) replied he did not.

(SF) asked (RM) if a person had a dinghy on the dinghy dock would be able to enter the pier.

(RM) replied that they could not to which (SF) replied it could be made so and (RM) stated his idea to create and allow any person who is a commercial aquaculture grant holder, ability to have an account at tenant rates.

(HH) stated his approval of the idea as did (GB) who added that it is a good idea as the pier needs to support the aquaculture and enact the plan.

(SF) further stated that his mobility issue of the ice and having access to the pier.

Motion made to allow shellfish license holders for commercial purposes to purchase ice at tenant rates and open an account.

Motion – (GB)

2ND Motion- (HH)

(RM) requested the motion to be amended to state “commercial aquaculture grant holders on the West end flats and East end ADA to be allowed to open an account and purchase ice at tenant rates”

Discussion ensued as to why make a specifications be made to which (RM) replied that due to receiving revenue from Wellfleet fisherman since Wellfleet does not have an ice machine.

Vote: Yes to approve as amended to allowing commercial aquaculture grant holders on the West end flats and East end ADA to be allowed to open an account and purchase ice at tenant rates- (GB), (SF), (KA), (HH)

Motion passes.

(KA) asked if there were any other public statements.

(DJ) introduced himself as being the owner of ‘Shoreline Electric Car’ and his request to having a location on the pier to rent his electric vehicles. He is asking for enough space for 4-5 of the vehicles. He discussed how the rental process would operate.

(KA) asked him if he has liability insurance and (DJ) replied that he will have it and (KA) replied that the pier will need to be included in the policy.

(SF) asked (DJ) if he has power station to which (DJ) replied he does and (CV) assembled his power stations at another location.

(GB) asked what kind of square footage would be needed and hours of operation as far as when folks would be returning the vehicles and how the station would be manned.

(DJ) stated he would have an employee who would check in on the vehicles at night and in the morning and he would have a camera system.

(SF) posed the question as to how he can confirm that the vehicles will be returned to the proper area by the persons renting the vehicles and (DJ) replied that his renters have never not returned the cars in the proper manner but if it did happen he would text his employee to go to the pier and handle the situation since he could monitor the area remotely via the camera system.

(KA) asked (RM) about location options and he replied that the area across from the museum between the Mayflower Trolley ticket booth and the 10W ramp is located. Discussion ensued as to this location and any changes that may have to be made to the infrastructure.

(HH) expressed his dislike of this area due to pedestrian traffic hence, safety issues.

(RM) then discussed a second option for the location to be the Pavilion area and the electric is already in place.

(HH) asked about where ferry passengers would wait during inclement weather to which (RM) replied that this is going to be discussed shortly. He added that rates could be determined by either bids by other similar businesses or base it on the rates already in place.

(KA) and (HH) would like to discuss further and have (RM) respond to (DJ) in 4-5 weeks.

(GB) asked what approximate date he would like to begin and he stated he is hoping for June 1st, 2017 and he would be having 4 to 5 of the vehicles at the pier location.

Discussion continued briefly and the board will need time to study the issue and work the proper space should they allow.

(MG) introduced himself and introduced his request for a luggage storage closet to be located on the pier and presented visual renderings of potential designs and dimensions. He is requesting this as he was made aware that the Chamber of Commerce will no longer be allowing luggage storage at their location. Discussion ensued and (RM) discussed the need for it to be a closet/ wheeled and not a shed due to his inquiry to the Army Corp Engineers.

(SF) asked if this would conflict with other uses of the pavilion.

(RM) replied that due to a lack of interest in use of the pavilion and the ticket booths are actually located in the wrong area and should be located at the back of the pavilion allowing passengers to be safely waiting under the pavilion and not in the area of vehicle traffic where they presently do because of the ticket booths being located at the front of the pavilion.

Discussion ensued regarding moving the booths and the need for permitting and the need for time for design renderings.

(SF) asked what time frame would be needed for this to which (RM) replied that since the permit was filed 14 months ago and has been advised that the permitting should be finalized by the end of May of 2017 and suggested a letter to the Army Corp be drafted when the permit is 'in hand' for clarity and a request that the Army Corp and other agencies work more closely together to avoid being told we cannot do what has been planned once the permits have been approved.

(KA) asked if the ferry company will need the same accommodations to which it was stated that the Chamber of Commerce will be accepting their customers' luggage.

Motion made to allow the luggage closet to be added to the rear of the ticket booth

Motion – (GB)

2ND Motion- (SF)

Recused- (HH)

Roll call vote – 3-0-1 / (GB), (KA), (SF)- Yes

Motion Passes to allow the luggage closet to be added to the rear of the ticket booth.

Public Hearing Notice was introduced by (KA) regarding new rates.

(RM) began discussion by bringing up the issue that the local cab/ taxi companies are concerned with the topic of companies such as UBER, LYFT amongst others and brought forth the passed legislation of 2016, Ch. 186 of 2016 which provides the responsibility of these companies and the drivers to the Department of Public Utilities whom are still creating rules but information is coming forth online stating that anyone with felonies, a large quantity of parking/ moving

violations will prevent these individuals from working for these digital transportation companies and the companies are required to restrict these same individuals from accessing their websites. (GB) stated that in order to drive onto the pier they would have to go to licensing and she would require them to pay the permit fee to drive onto the pier to which (RM) replied that he is unsure as to if they would be required to go thru licensing. He continued that no guidance has been provided in terms of how that will work and the last word received was from Chief James Golden last Summer that no action would be taken at this time. He further stated that the cars are marked by stickers and this should help but another open question is to if they were ordered online or are acting as a taxi and simply waiting for potential customers.

(HH) asked how the incident was handled last year whereupon a local cab driver was also acting as an UBER driver on her free time while operating a cab company vehicle.

Discussion ensued.

(KA) suggested that a sign be placed at the entry of the pier that only public transportation vehicles fitted with a commercial taxi or Livery plate be permitted but further stated that the legalities of the sign is information required by legal counsel.

(GB) stated she has no objection to the new rates.

(RM) stated that it is his understanding from the above mentioned Ch. 186 of 2016 that towns are not permitted to regulate transportation network drivers.

Discussion ensued as to if the PPPC is legally a division of the Town of Provincetown and further knowledge is needed to clarify.

Motion made to approve the updated rates for taxis, livery's and pedicabs as printed in the public hearing notice.

Motion- (SF)

2ND Motion – (GB)

Roll Call vote: Yes, (GB), (KA), (HH), (SF)

Motion to approve the updated rates for taxi's, livery's and pedi cabs is passed.

(RM) began discussion regarding cruise ships by advising the board that Victory II Cruise lines has cancelled their scheduled stops in Provincetown for 2017 due to lack of proper marketing on their behalf but are scheduled for 2018. He further stated that American Constellation is still scheduled. (RM) said the rates as printed are ready for a vote to pass but he does have a change for the regulations.

Motion made to approve the cruise ship rates as printed

Motion- (GB)

2ND Motion- (HH)

Yes- (SF), (KA), (GB), (HH)

Motion to approve cruise ship rates as printed passes.

(RM) began discussion for Harbor Regulation 1-10-3 regarding the regulations and port charges. He suggests a change of the wording of the regulations to basically require a \$1000.00 fee to hold the reservation.

Director's Statements:

(SF) stated his thanks and gratitude to the voters for their support of our passed article to which (KA) agreed.

(SF) also suggested not returning to Town Meeting next year requesting financial assistance to top up the maintenance budget and if the Board of Selectmen fail to reduce the rent, we use the updated market survey and use this data and apply for a reimbursement for the difference between the market and the discounted rate. There then when we send out future invoices for dockage fees we indicate an invoice for the full market rate minus any discounted rate provided by the town meeting therefore a net amount being due.

(KA) stated this would have to start for the 2018 season after town meeting.

(RM) stated we can set the process for a public hearing.

(SF) continued that it appears that the PPPC is setting the discounted amount but it should be a political decision and allow the Board of Selectmen decide.

(HH) asked for clarification of the prior mentioned statement that (SF) just stated.

Discussion ensued to further clarify this and (SF) recommended that the Board place the political decision back to the town's political entities.

(KA) wishes to place this on a future agenda for further discussion.

Motion made for the staff to work thru the process of how to create a system and timeline to implement a billing protocol for the 2018 annual dockage fee invoices.

Motion- (SF)

2ND Motion – (GB)

Yes- (KA), (HH), (GB), (SF)

Motion passes.

(SF) asked as to when were the Trap Shed rates last raised and (HH) replied that it has been two years as they are not attached to CPI. (SF) asked about dockage rate changes and aside from CPI increases that a price increase should be considered.

(SF) further stated that the town receives \$.50 per passenger though the Pier provides staff and process thus a \$.50 additional fee could be added by the Pier and suggested to (RM) that the ferry contracts should be re-negotiated.

He continued that he would like recommendations for what changes are needed for new rates and contracts and would like it added to a future agenda.

(GB) extended this gratitude to the town and voters as well as the Board members for all the efforts given to help the PPPC receiving approval for funds at Town Meeting.

(HH) stated he would like to echo what (GB) stated and a special thanks to those who spoke at the Annual Town Meeting in favor of the Pier's request.

(KA) also agreed with (HH)

(KA) also asked for (RM) to place the topic of improved traffic control on the pier on a future agenda as well as parking.

New Business:

(KA) stated that the issue regarding Ray Sturdy's letter should be addressed at a later date following a conversation with Town Manager, David Panagore.

(SF) stated that he would like to see the point system performed annually for the benefit of determining allocation of available spaces for commercial fisherman.

(KA) asked that this subject be added to future agenda and agrees with (SF)

Brief discussion ensued between (RS) and the board regarding the letter and it being addressed at a future date.

Motion made to adjourn PPPC Meeting of April 13th, 2017.

Motion - (HH)

2nd Motion - (SF)

Yes - (SF), (KA), (HH), (GB)

Chair, Kerry Adams adjourned the PPPC Meeting of April 13th, 2017 at 6:13 pm

Respectfully submitted,

Jarrold Koskey
PPPC Administrative Assistant

Kerry Adams, Chair

