



Provincetown Public Pier Corporation

Minutes

The Provincetown Public Pier Corporation Meeting of Thursday, March 25, 2021, at 2:00pm via Teleconference.

Members Present: Scott Fraser (SF); Herbie Hintze (HH); Jamie Staniscia (JS); Beau Gribbin (BG); David Colton (DC).

Absent: None.

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

Members from the Public: Robert Casper, Steve Milliken.

SF gaveled the session in at 2:08pm.

DB read the policy for Virtual Meetings in Provincetown Under the Executive Order Suspending Certain Provisions of the Open Meeting Law, signed March 12, 2020 by the Governor.

Agenda (Discussion may ensue, votes may be taken)

Introduction of new Board Members

SF welcomed BG and DC to the Board.

Review & Approval of Minutes

JS motion to approve the minutes of 03/11/2021; HH seconded. Passed 3-0-2.

Public Comments

Robert Casper: How would I make a meeting with DB? DB: You can email or call me to set it up.

Steve Milliken: Welcomed the new Board members. Strongly advise again that the Pier Corp table the revised plan for one year. Although the Pier Corp manages the Pier, it is the Select Board that has ultimate oversight. SF: I don't believe that the Select Board is

restructuring the Board. Additionally, the size of the Board at five members is set from the Acts of 2000.

Diarmuid O'Neill possibility of locating food truck on Pier

SF: Would like to see more details on O'Neill's proposal. O'Neill should work with DB on getting that plan presented. O'Neill is proposing leasing 84 Sq Ft on the Pier for a pizza oven as a pilot project.

Trash Concerns

DB: For the past ~20years, the DPW has been picking up the Pier's trash. We now have a private trash service on the Pier. Excursion vessels (i.e., Dolphin Fleet) have their own trash service. Net net, the trash service is under control and being actively monitored. JS: Working with Doug and Laura Ludwig on the trash issues. HH: Noted that many years ago it was very acceptable to put your personal trash in town bins. BG: Has anybody reached out to what the actual rules are for trash rules on this Pier?

Continued Discussion of Rate Schedule

SF: Elaborated on concerns regarding conflicts of interest re: BG sitting on the Pier Corp Board and his ability to comment on and vote on matters on which he may possibly have a conflict of interest.

DC: Based on my experience, it comes down to what you define as "deliberation." Essentially, if a Board member (or family member of that Board member) has a financial interest, then they generally recuse themselves.

SF: Next steps for the rates would be publishing the rates. Once published and put into effect, it would be possible for the PPC to put the rates "on holiday" to delay their implementation.

BG: The rate increases are broken down by specific pier areas. Specifically, when it came down to "fixed pier" issues, I would have to recuse myself.

JS: Suggests working with the Ethics Hotline to determine BG's possible conflicts of interest.

DB: The posting has to be done at least 7 days prior to implementation.

DC: We should defer the implementation of the increase until sometime later this year, i.e., September 1st. BG concurs.

HH: I agree with DC.

JS: I agree with implementing the rates, but holding off on putting them into effect.

DB: There are a number of issues with deferring. We are simply delaying the inevitable.

JS: I think we should delay implementing the rates for one year.

DC motion to defer the implementation of the proposed fee increase for next month until September 1st, 2021; SF seconded.

JS: I agree that deferring is a potential loss of income, and that we may settle this by September. My concern is to acknowledge the requests made by the Select Board and the Tenants. They have been asking for a year at a minimum. We have a new Town Manager coming on board. I'd hate to bring this process up again in September. I think we are okay to postpone this for one year, and have the support of the Select Board.

HH: There is a lot of room for interpretation in the motion. Plain and simple: Are we voting for September 1st or for one year?

HH amended the motion to strike the content after "September 1st" in the original motion.

BG: There are other things that may come out in the coming year. Also, if you went with the September 1st proposal, there could be lawsuits.

Vote on the amendment striking the text passed 3-1-1.

JS motion to amend the motion to defer the rate increases to April 2022, rather than September 1st; HH seconded.

SF opposes deferring the rates. We may gain some political clout, but we will incur the \$170,000 loss in revenue. JS's amendment voted 2-2-1. Motion does not carry.

Vote on original motion 2-2-1. Motion does not carry.

DC motion to defer the implementation of the proposed fee increase for next month until April 1st, 2022; JS seconded. Passed 3-1-1.

Pier Manager Report

DB presented report:

- Renewal applications for the fishing fleet went out last week and will continue this week.
- Special note, payments received for a new application year will be adhered to any past due balances if they exist and not a deposit or placeholder for the upcoming season.
- As we wrap up the annual Audit this year the discussion of non-received revenue from unpaid invoices from tenants over the past several years and those that have been "written off" in past years. We have reviewed the list for this year and we have 2-3 accounts that are still being held open with an open unpaid balance, these will be sent to collections. We also heard from Town Hall finance as they pulled up last year's Audit and unpaid debt from tenants and we were informed that if there are unpaid or money owed to the Pier for past years' dockage this may affect conducting other business with the town.
- Postings for seasonal staff have been officially posted after a minor verbiage revision.
- Just a reminder, but not yet confirmed: MSA review and discussion with SB penciled in for the beginning of April.
- Year to date financial review per page 3 of the MOU should take place in May -date not yet confirmed.

SF: Noted that tenants with outstanding invoices from previous years are at risk of not getting a slip this year.

Harbormaster Report

Gearing up for seasonal mooring rentals. Kayak permits go on sale April 15th. Recently participated in a call on a project called "Emerald Tutu" that is a biomass-based wave attenuator.

Due to technical difficulties in Town Hall with Audio/Video the meeting had to adjourn early.

HH made motion to adjourn at 3:53pm; SF seconded. Passed 5-0-0.

Respectfully Yours,
T. Jason Brown