

**Provincetown Public Pier Corporation (PPPC)  
Judge Welsh Hearing Room  
Meeting Minutes of  
Thursday, August 26, 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

Paul deRuyter, Temporary Acting Chair, called the meeting to order at 4:05.

**Election of Officers**

George Hitchcock nominated Paul deRuyter as Chair. Chip Bradish seconded the nomination. The vote was 4-0 with 1 abstaining (Paul deRuyter).

Paul deRuyter nominated Chip Bradish as Treasurer. George Hitchcock seconded the nomination. The vote was 4-0 with 1 abstaining (Chip Bradish).

Paul deRuyter suggested to revisit elections in January and continue on a calendar year basis. The Chair will be liaison with Rex McKinsey, Pier Manager.

Chip Bradish asked about the Treasurer being bonded and Rex McKinsey stated that it was not necessary as the Treasurer does not handle cash but will only sign vouchers.

**Public Hearing - Float Space License Renewals**

*Public Statements*

**1. Status update of Lease Negotiations**

**Interim Agreement Extension September 1 to November 1, 2004**

The PPPC takes first payment by April 1 and the balance by June 1.

The following MacMillan Pier Float Space License Renewal Applications were applied for and the PPPC members had copies of each of the applications that were supplied by Rex McKinsey in the MacMillan Pier Managers Report.

- Float Space 1W – The Salvador Corp. Application is complete. Recommend approval of license application.
- Float Space 2W – Cee-Jay Corp. Application is complete. Recommend approval of license application.
- Float Space 3W – John R. Woods, Inc. Application is complete. Recommend approval of license application.
- Float Space 4W – Portuguese Princess Excursions, Inc. Application is complete. Recommend approval of license application.
- Float Space 5W – Dolphin Fleet of Provincetown, Inc. Application is complete. Recommend approval of license application.
- Float Space 6W – Ranger V, Corp. Application is complete. Recommend approval of license application.
- Float Space 7W – Louigi's Lobster Float, Inc. Application is complete. Recommend approval of license application.
- Float Space 8W – Float Space 8W, Inc. Application is complete. Recommend approval of license application.

- Float Space 9W – Cape Cod Bay Sails, Inc./Shady Lady, Inc. Application is complete. Recommend approval of license application.

Rex McKinsey stated that once the standards of design for the booths are decided upon with the Historic District Commission it would be easier on new booth construction.

A motion was made to approve Float Spaces 1W through 9W applications.

**Moved by:** George Hitchcock

**Seconded by:** Lee Ash

**Yea: 5 Nay: 0**

- Float Space 10W – *Hindu* of Provincetown, Inc. Recommend approving this license application with the condition that the Hindu possesses a Certificate of Inspection from the Coast Guard with all other required documentation by February 1, 2005 in order to hold this license for the 2005 season. A Certificate of Inspection is required to carry more than six passengers for hire.

Rex McKinsey explained this application in detail. He stated that if the *Hindu* could not get a Certificate of Inspection, what to do with the space. He recommended that if the *Hindu* applies for float space next year, a complete package and Certification of Inspection should be submitted. The rebate was questioned regarding the using of ½ of the float space. George Hitchcock stated that the owners have financial problems and the Hindu is in disrepair. There was a general discussion about being fair to the owners since the float space was reduced by half. There are two motions involved in this application. One was the approval of the float space license renewal for the coming season and the second was the abatement of the license fee. Mr. McKinsey stated that this should be resolved by November 1<sup>st</sup> when their season ends.

A motion was made to continue the discussion of Float Space 10W until the meeting of September 23<sup>rd</sup> and have the applicant present.

**Moved by:** Lee Ash

**Seconded by:** George Hitchcock

**Yea: 5 Nay: 0**

Paul deRuyter requested a written explanation of Float Space so the PPPC can better understand the situations.

- Float Space 1E – John R. Henrique, Inc. Recommend approving the license application with the condition that the new vessel on the float provide proof of operating as an excursion vessel in the current season before approving a renewal of the float space license in 2005.

Rex McKinsey explained that the owner of the vessel does not operate a business as stated in the Float Space License Renewal Application. He has not seen a business on the float space as the application states – photo/birding tours, etc. Neither has he seen a brochure for any business. George Hitchcock said that the east side of the pier is used for commercial fishing. Mr. McKinsey stated that under contract, one must be operating a business or be a commercial fisherman. Paul deRuyter wants to put the tenant “on notice.”

A motion was made to approve the license with the proposed condition and a notice to the owner.

**Moved by:** Chip Bradish

**Seconded by:** George Hitchcock

**Yea: 5 Nay: 0**

Mr. Jeff W. Johnson, Manager of Louigi’s Lobster Float, Inc. spoke to the PPPC members about the high business expenses of operating. He feels that the float space fee (\$8,000) is too high and out of line. He would like to get a rebate and get what he pays for.

Paul deRuyter replied that the business people should give the new PPPC a chance to get their act together and not to put a burden on any one customer. PPPC will be fair and intelligent and make sure that the rates in the future are fair.

## 2. Status Update of Lease Negotiations

Mr. deRuyter emailed information regarding the lease to PPPC members. He hopes the Town will have a draft of the new lease by September 7<sup>th</sup>. He asked for comments via email or telephone from PPPC members regarding the draft of

the lease. David Guertin stated that he could not participate in any Executive Session regarding a discussion of the lease.

A motion was made to extend the Interim Agreement until November 1.

**Moved by:** Lee Ash

**Seconded by:** George Hitchcock

**Yea: 5 Nay: 0**

John Baldwin, a PPPC member, brought photos of 40 piers that are not capped. They must be capped, he sated, as repairs will become very expense. He proposes maintenance be done through the Pier Manager. To make it easy, he suggested repairing one pile at a time until all get repaired.

David Guertin announced that the ladder at the end of the pier, which was requested by Profish, is now in place.

### *New Business*

#### **2. Pier Regulations Sub-Committee**

A motion was made on the request by the Pier Manager on a Regulations Sub-Committee that George Hitchcock and John Baldwin and the Pier Manager review and gather suggestions for the Pier Regulation articles not passed at the April 5, 2004 Public Hearing and report back to the Board at its next meeting.

**Moved by:** John Baldwin

**Seconded by:** Lee Ash

**Yea: 5 Nay: 0**

#### **3. July 4<sup>th</sup> and Cruise Ships - Letter from Board of Selectmen**

A letter was read from the Board of Selectmen regarding the problems with the July 4<sup>th</sup> fireworks loading. Paul deRuyter said that the PPPC should make sure that these problems do not occur again. Rex McKinsey felt that more time should have been spent to get more information out to the tenants and businesses concerned. Mr. deRuyter suggested writing to the Board of Selectmen thanking them for their letter.

#### **Approve minutes of last meeting**

The approval of the minutes of the last meeting was tabled until the next meeting so that the PPPC members will have time to read them.

#### **Set time and date for next meeting**

The next meeting will be on September 9. George Hickcock will be Vice Chair. He was unanimously elected to this position.

#### **4. Strategy with respect to negotiations - Executive Session**

A motion was made to adjourn the meeting at 5:30 PM.

**Moved by:** Paul deRuyter

**Seconded by:** George Hitchcock

**Yes: 5 Nay: 0**

Minutes Respectively  
Submitted by  
*Joel Glasser*