



**Provincetown Public Pier Corporation (PPC)  
Judge Welsh Room - Town Hall  
Meeting Minutes of Thursday, October 25, 2012**

**Members present:** Lee Ash, Rich Wood and Carlos Verde.

**Members absent:** Ginny Binder (excused) and Scott Fraser (excused).

**Other Attendees:** Rex McKinsey (Pier Manager/Harbormaster) and Ellen C. Battaglini (Recording Secretary).

Chair Lee Ash called the Public Meeting to order at 5:00 P.M.

## ***AGENDA***

### ***Public Statements***

Chief Jeff Jaran appeared to talk about a letter to the editor published in The Banner. The letter was written by Malcolm Hunter who is employed by Flyer's Boatyard. The subject of the letter concerned the mooring field mapping project. According to the Chief, the project was assigned by the Town Manager to the Police Department and MPO Scott Chovanec, working in conjunction with the Harbormaster. It was undertaken as a result of questions posed at previous Town Meetings and accountability re number of moorings and how much revenue is generated for the Town. Mr. Hunter's letter states that the PPD did not consult with the HM's Office on the project, which the Chief asserts is false. The PPD is not trying to take over the project nor is it their responsibility, but it is the responsibility of the HM and the HM's Office. The MPO was working with the HM staff to move the project along. There was a meeting of the TM, the Chief, LA and RM yesterday during which the latter was asked about the letter. RM stated that he not only knew about the letter two weeks ago, but also knew that it was going to be published. The Chief thought that RM should have notified the Board and the TM of that fact, and he would have appreciated being fore-warned as well. Rex also stated that he agreed with the content of the letter. The letter stated that Flyer's had information related to moorings, information which the HM had himself, and which was withheld from the MPO working on the project, the PPD, the Board and the TM. That information, according to the Chief, would have been helpful and useful to the project. Given that the HM was working alongside the PPD/MPO in the mapping project, the Chief thought it a neglect of the HM's duty to withhold information and an attempt to stall the entire project.

Sharon Lynn joined the discussion.

The Chief suggested that an Executive Session be scheduled by the Board sooner rather than later. The information withheld was relevant to the evaluation of the MPO program and he felt it should have been brought to the Board.

LA thought it best to discuss the MPO program and any issues related to it under an agenda item. She did meet with the TM re this issue and if Board members want to ask some non-personnel questions, they may.

CV asked who was at the meeting yesterday.

SL responded that there was a meeting with the Chief, Rex and Lee to discuss another matter. The subject of the letter arose in that meeting. The Board had a joint meeting with the Board of Selectmen to discuss the MPO program and the Board was tasked with detailing individual points to be made and return for another joint session on November 13<sup>th</sup>. There was an article in The Banner about the mooring fields in the same edition of The Banner as Mr. Hunter's letter. She was surprised to learn of the letter, as were the other attendees of the previous day's meeting. She asked the HM why the MPO did not have the information referred to in the letter and he responded that no one had asked him. The entire Board needed to know about this situation and it is a personnel matter that needs to be taken up in an Executive Session. The reason for the public statements today is that there is a problem with the information that is being given to the BOS and the Board. Everyone needs to be on the same page and working together and apparently not everyone was, which is disturbing for her.

RW asked the Chief what level of support from the Board and the HM's Office for the MPO program, given that it was to be discussed later at this meeting.

The Chief thought that the MPO program was a success. The mooring project was just one part of the program. He is concerned with the level of support and cooperation in the latter project. It is not a lack of support from the Board. It was clear that they were trying to work together.

LA stated that the mooring field mapping project has been a goal of the Board for a number of years. Any information that the HM's Office had was given to Lynne Martin in the MIS Department, and part of the issue in completing the project is in taking information from the past and merging it with the current information.

The Chief does not want the perception that the MPO/PPD is not willing to work with anyone to make this project a success. They are only the assisting agency in the project, and rely on the expertise of the HM staff, many of whom have institutional knowledge gained from years working in the Harbor.

LA stated that letters to the editor are only one person's viewpoint.

CV finds it disturbing that a for-profit business has more information about moorings and where they are located in the Harbor, regardless of who is doing the mapping. The Board has no way of knowing whether that business is paying its fair share. It seems that Mr. Hunter knows what he is talking about as he did publish the letter. He wants to get to the bottom of the issue.

SL said the HM confirmed that the PPD/MPO did not have the information referred to in Mr. Hunter's letter.

LA said that there should be some reporting by the two entities that have mooring fields in the Harbor.

RW said the mooring mapping field had been discussed at Board meetings and if they had knowledge of data that would have prevented money and resources being spent and could have made the task easier and didn't come forward with it, it is a bad reflection on the Board.

SL requested that the Board schedule an Executive Session in the near future.

RM attempted to make a statement, but LA told him he couldn't make a statement at this time.

Austin Knight, Chair of the BOS, stated that accountability relating to the mooring field has been requested for a number of years at Town Meetings. Another issue arose when the Army Corps of Engineers came to Town in late summer and the maps that they had did not match what was on the ground on the Pier. The TM informed the BOS of the situation and both wanted the issue clarified and has requested information to that end.

### ***Special Agenda Items***

**Discussion of Trapshed Program** – Artists who participated in the seasonal Trapshed program appeared to give the Board feedback from the summer season.

Shirl Roccapiore, a first-time trapshed artist, reported that this was her best summer in Provincetown. She is an oil painter and the experience was positive and valuable. She enjoyed the interaction with the public and being a representative for the Town. She inquired as to whether the price was going to be increased.

Julie Tremblay, a photographer, agreed with Shirl's opinions and she thought it was a great experience to spend the summer out on the Pier. However, she experienced a lot of theft this season and didn't really think there was much of a police presence at that end of the Pier. They saw an MPO only sporadically. She has had some trouble with shop-lifters, but more so with people who take pictures of her photos. A lot of people still don't know the trapsheds are there.

Kelly Kelman, who does wood burnings and watercolors, loves being on the Pier. She likens it to 'old' Provincetown. She also thought the police presence was not very visible. She saw the MPO about once a day. The trapshed artists are ambassadors for the Town and she enjoys that role. She thinks the program is great.

Geoff Semonian, a wood carver, thanked the Board for giving him the support and the opportunity to work at the trapshed. His business has grown since he has been on the Pier and he loves it out there. Geoff knows a lot of artists who would be interested in renting a shed if there are additional trapsheds. He hasn't mentioned them up to this point because he doesn't want to lose his trapshed.

RM stated that there is one seasonal vacancy open and one unknown until more trapsheds are installed. Umbrellas and congestion are two issues that he hears about most often re the trapsheds. A 10' wide walkway needs to be maintained. In the near future, staff will be rehabbing the doors on the trapsheds and cutting down the thresholds to make them more accessible.

Kelly asked about the insurance that is required of the seasonal artists. She has heard from former Selectmen that they should be covered under the Town's insurance policy.

LA and CV recommended that the artists acquire insurance in addition to that. Kelly thinks that requirement should be advertised along with the other information about the trapsheds. Kelly has seen many people trip on raised boards on the Pier and suggests that the problem be fixed.

RW agreed that there was a cupping issue on the boardwalk and will be incorporated into the maintenance plan of the Pier. Julie asked about having awnings on the trapsheds to shield the sun. Kelly volunteered to research the awning issue.

RM stated that the awnings would have to be independent of the structures. The whale-watch booths have asked about awnings as well.

CV asked about the parking issue. All artists get to the Municipal Parking lot early in order to get a space.

### ***Review Minutes***

***A motion was made to approve the minutes of the Public Meeting on 10/11/12 as written.***

**Motion:** Rich Wood                      **2<sup>nd</sup>:** Carlos Verde

**Vote:**

**Yes:** 3              **No:** 0              **A:** 0

***Motion Passes.***

### ***Directors' Statements***

**Rich Wood:** Would still like to see requested matrix of weekly trapshed rentals from previous summer. Asked about the life rings price research that Detective Chovanec was tasked with.

RM stated that information was presented to BOS and the Town Manager and he were to figure out how to pay for it.

RW recalled that BOS asked if there were other companies that had life rings. Still being worked on and folded into BOS request? Charter boat captains' request to re-examine floating dock rates still outstanding. He thought the Board should act in a more timely fashion.

**Carlos Verde:** Thought the meeting was interesting and is looking forward to finding out what is going on with the pilot project and lack of communication. Volunteered to look at the charter captains' request and consult with RM.

**Lee Ash:** Unaware that Chief and BOS chair would be making public statements. Did meet with the Chief, TM and RM yesterday about a letter written by Ken Kinkor re alleged missing moorings belonging to the Whydah Museum. Chief is investigating the issue. MPO program was only a peripheral issue. Army Corps of Engineers issue is also pending. Doesn't believe that there is a lot of money uncollected due to lax mooring enforcement.

### ***Working Group Reports***

None.

### ***Pier Manager's Report***

**Maintenance discussion with Luis Ribas** – Luis told the Board that it needed to pay attention to Isac DeLomba, as he continues to harass Luis.

RM explained that he and LR made a list of maintenance and construction projects accomplished this season and what projects are planned for the winter of spring of 2013.

LR reviewed the list. Has more time for maintenance as a result of MPO. Laid over 1000' of pipe for the cable raceway, repaired water pipe insulation breaks, replaced lights on Pier with stronger bulbs (same lights as F/V Donna Marie), made repairs to both HM boats.

LA asked if there were any issues to be aware of re boats. LR replied that motors on M1 and M2, small-powered E-Tecs, have had chronic maintenance issues. Had to make repairs to the pump on M2. Boat should be replaced because of its age. Four power pedestals have been replaced and repairs made to cranes, lights and other electrical devices.

CV asked about hydraulic platform use and eventual elimination of electric cranes on Pier because of durability issues.

RW said cranes should be added to maintenance plan.

LR said some fishers use platform. Pilings have been installed and the 10W gangway was rebuilt and a finger pier on south floating dock was repaired and reinforced.

LA suggested making a diagram and mark replaced pilings for submission to BOS.

RW suggested color-coding high-speed cable raceway and water pipe insulation repairs to provide a visual of amount of work done. Asked if a third maintenance employee would help in making repairs.

LR thought not.

CV asked about ladder repair.

RM said should have moon tides in mid-November. Asked about flagpole replacement. He had initial discussions with Kalmar Nyckel and the organization has admitted responsibility. Has quotes on repair and on a new one. Needs to do more research. Waiting for more information before approaching Kalmar Nyckel.

CV and LA suggested charging administrative costs for time spent on replacement. Will be working on the ladders after lobster fishermen take out gear. Will be fixed by next season.

LA thought some small jobs could be outsourced.

RW thought seasonal staff could help with simple jobs. Winter/spring projects will include pulling floats.

LA asked about pulling floats in light of coming storm.

RM will make decisions regarding weather on Friday and Saturday. Expects to be pulling boats off the beaches and private property after storm. If storm is not extraordinary, the HM boats will remain water.

LR suggested a policy re pulling floating docks in light of some fishers leaving boats in all winter.

CV said communication with tenants is important.

*A motion was made to inform the tenants that if there is a storm that the Harbormaster will not be a taxi service.*

**Motion:** Carlos Verde      **2<sup>nd</sup>:** Rich Wood

**Vote:**

Yes: 3      No: 0      A: 0

***Motion Passes.***

RM said that all tenants, transients and dinghy dock permit holders have been informed that the Pier will be shut down on Saturday if need be.

LR commented that each tenant should have a holding mooring behind the breakwater and that is not now the case. And boats that are not currently tenants should not have holding moorings behind breakwater. He also suggested that one employee should be responsible for patrolling the mooring field at least two or three times a week throughout the summer. Patrol should be during high tide. The old courtesy float will have a new top welded on, the concrete deck will be sealed, the trapshed doors will be painted and thresholds trimmed, the transportation deck will be re-coated, the rails will be put on the transport gangway and small items such as light bulbs, winterizing the restrooms, etc. will be done this winter and spring.

RW will investigate the issue of the cupping of the boardwalk.

CV asked LR about his view of MPO program.

LR replied that some people's behavior has changed as a result of the presence of MPO. He had more time to work on maintenance issues, but at times no one was on duty because of MPO need to go to the police station before and after shifts. He thinks overall it was alright, but sometimes it was not clear who was in charge.

RM stated that egregious allegations made at the beginning of this meeting were not true and unfortunately viewing public was not allowed to hear his side of the story.

LA reiterated that public statements were not to be responded to and personnel issues not discussed in open meetings.

**Regional shark planning meeting** – Interesting and well-intended. No issue in Provincetown yet, but at some point it will be a problem. Cape & Islands Harbormaster's Association putting together a plan and applying for grants. The Department of Marine Fisheries is studying and tagging sharks. Some tags are acoustic transponders and there are acoustic receivers to aid in studying patterns of behavior. Officials looking at other global shark hotspots and how it is handled. The seal population is expanding. Would like to see a set of transponders or receivers from Wood End to Pamet, set at regular intervals, to track shark movement.

**Engineers on Pier** – Engineers on Pier today for annual inspection.

**Army Corps of Engineers** - He spoke to contact today. It's not about mooring field being in compliance or not, but about the Pier (ferry terminals, restrooms and dinghy

dock extensions), the west side excursion floats and Cabral's Wharf. Their representative was trying to update records and looked at the trapsheds.

**Holland America** - Holland America is requesting an arrival this summer with about 1200 passengers. No date yet.

**Storm preparation** – Thinks it is just a nor'easter at this point, but may go for 3 or 4 days. Possibly a lot of rain if front stalls, but it is still too soon to predict. He will look at the forecast tomorrow morning and participate in MEMA conference call at Town Hall. The floating docks will probably be shut down. All transients and dinghy dock permit holders need to move their boats. Staff may go to 24-hour shifts.

### ***New Business***

LA reviewed her draft table of contents for BOS report. Everyone is encouraged to edit the overview and each Board member can write an overview as well. Requested the TM and the Chief add overviews. Included are organizational chart, the staffing information, the operational duties, policy and procedures, budgeting of projected and actual, a section for the individual overviews, and copies of the surveys. Any additions or edits would be appreciated.

CV suggested information about life rings and possibly a budget number for project to continue.

RM said Chief is willing to put full staffing of MPO project from April to November into his budget.

RW suggested putting Luis' review of maintenance activities accomplished during summer.

RM said that would become larger conversation re budget.

There will be a meeting on Thursday, November 1<sup>st</sup>.

Motion to adjourn @ 8:15 P.M.

**Motion:** Rich Wood                      2<sup>nd</sup>: Carlos Verde

**Vote:**

**Yes:** 3                                      **No:** 0

***Motion Passes.***

Respectfully submitted,  
Ellen C. Battaglini

PPPC Administrative Assistant

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Lee Ash, Chair