

**CASCO BAY ISLAND TRANSIT DISTRICT
MINUTES OF THE BOARD OF DIRECTORS MEETING OF
March 28, 2019**

Directors Present: Burr, Hayes, Wentworth, Doane, Overlock (left 10:15 AM), Flynn, Braden, Johnston, Crowley, Murray
Via Phone: Luedke, Clark

Directors Absent: None

Public Present (According to Sign in Sheet):

R. Billings, P. Kilmartin, K. Peaslee, B. Remage-Healey, Chuck Radis, J. Carroll, C. Hoppin, R. J. Hannigan Jr., J. Hoffman, L. Penalver, J. Halliday, J. Ashmore, R. Ashmore, T. Bergh, C. Weatherfoud, T. Wyant, S. Anderson, R. Schaefer, C. Chess, N. D'Entremont, S. Nash, N. Gibson-Nash, P. Erikson, A. Rosenley, H. Murdoch-Curry, R. Murdoch-Curry, D. Stankowicz, D. Jordan, A. Doukas, J. Wyant, D. Powers, J. Sherman, T. Lloyd, B. Harville, S. Hanley, C. Putney, S. Jackson, S. Cohen, S. Demos, P. Eckel, B. Carter, B. Ray

Staff Present: Berg, Mavodones, Gildart, Greven, Thibeault, Pottle, Harris, Frank

1. **Call to Order:** The Board meeting was called to order at 7:45 AM by President Flynn, and he noted that the meeting was being recorded.
2. **Approve the minutes of the February 28, 2019 Board of Directors meeting:** Doane moved to approve the minutes of the February 2019 meeting, Johnston seconded. The vote was unanimous, and the motion passed.

Public Comment: Flynn noted that in the interest of time with such a large public turnout some items will be taken out of order. Flynn noted that public comment on each business item will be done first and he reviewed the Board's rules for conduct. He reminded everyone that each person will have 3 minutes for comment.

- A. **Flynn opened the floor for public comments on Business Item 3a; No comments were made; Flynn closed the floor for public comments on Business Item 3a**
- B. **Flynn opened the floor for public comments on Business Item 3b; No comments were made; Flynn closed the floor for public comments on Business Item 3b**
- C. **Flynn opened the floor for public comments on Business Item 3c; No comments were made; Flynn closed the floor for public comments on Business Item 3c**
- D. **Flynn opened the floor for public comments on Business Item 3e;**

Public comment followed:

- A. P. Erikson, resident of Peaks Island, stated she appreciates Casco Bay Lines service every day and how important they are to her daily life. She stated the business plan must be a sustainable year-round business plan that is not driven by summer volume and revenue. Point out this is done in tourists cities worldwide.
- B. B. Ray, City Councilor representing Peaks Island. Thanked the Board for their service. Stated she is not for or against a larger boat but that the decision really needs to be voted on based on studying the infrastructure on Peaks Island. Noted that it is 3 entities working together, the state, city and CBL. Had the opportunity to speak with someone who studies the impact of tourism and I think we do have a concern both on the mainland side and the island size about the experience that tourists have. First ask is to go to the 399 and second ask is to commit to a study of this area so we know the capacity is right now and what changes we need to make right now and what changes we would need to make IF we go to a larger capacity
- C. B. Carter, resident of Peaks Island, stated she is against the larger capacity for passengers and having 600 people arriving on the island every hour is not sustainable. She also mentioned that car problem is a year round problem and that currently the ferry is not handling the islanders' needs getting on and off the island with all vehicles and businesses coming on and off the island. Overall not opposed to more cars but passenger capacity is a problem
- D. C. Radis, resident of Peaks Island, stated he is focused on the economics of the issue and that in 2008 we had a recession where we lost considerable ridership and didn't get back to the previous ridership for 3-4 years. He explained we will have more recessions and there are unknowns with the larger capacity boat. Economically he stated we should stay with a smaller boat. He made one suggestion that most crowded days come when wedding parties are coming out and that moving the focus of wedding parties to the Bay Mist to avoid the overpopulate times. Reservation system may be necessary.
- E. B. Remeage-Healy, resident of Peaks Island, Capacity there are 2 issues: 1- passenger capacity 2-vehicles-year-round and every day is an issue. Pressure for vehicles is only going to increase and recommended to

separately look at a barge to get vehicles over to the island separately. Mentioned a twelve month solution to two month problem. Also, Parking is a problem in Portland.

- F. T. Bergh, resident of Peaks Island, stated he understands a boat has to be replaced in order to improve our sustainability. Asks to consider that the board have enough islander involvement in the decision. Is not recommending a larger or smaller boat but understands both have big impacts and issues. He recommended to make sure to have a good sustainable solution.
- G. J. Hoffman, resident of Peaks Island, stated it is special living on Peaks Island and agrees with Chuck about the economy and things go up and things go down. Hoffman stated she understands it is a big decision and it needs to be weighed carefully. She asked that the board vote to defer and carefully assess before going ahead with the decision. Suggested managing demand through pricing.
- H. D. LaBanture, new resident of Peaks Island, stated the points that Gene and Chuck made are very important. He explained he would like the board to defer the vote and model options by breaking it into scenarios to see other solutions than just increasing the size of the boat.
- I. J. Carroll, resident on Peaks Island, stated he would like the board to defer the decision and consider further. He explained this is a consequential decision and would like the board to perform a strong operational analysis looking at reservation systems and fleet analysis.
- J. R. Hannigan, resident of Peaks Island and Deck Hand at CBL, stated he is in favor of a larger boat and explained just because the boat can hold 599 passengers does not mean it will always bring over 599 each trip. He said it would help with busy times in the summer when down bay boats have to go off route and stop at Peaks Island. Feels it is better to have the large boat than to not.
- K. P. Eckel, resident of Peaks Island, stated if he was CBL he would want a larger boat and that it is the island businesses that are contributing to the crowds going over to Peaks Island and CBL is just trying to manage this. He feels there can be benefits from better communication between CBL and businesses on Peaks Island. He would like the board to defer the decision and take a step back and look at the situation further.
- L. S. Jackson, resident of Peaks Island, in favor of larger boat particularly for cars and explained how the car issue is getting worse even in the winter time. 600 capacity doesn't mean more people carried, CBL can regulate. He explained how the ferry now holds 400 passengers and if it hits capacity a second boat is called. New boat more efficient; two boats running costs more.
- M. S. Cohen, resident of Peaks Island, stated she echoes what everyone has said and believes there is a safety issue and lack of data on other plans. Requested that the new boat have benches looking out toward the water. She also stated there is a huge problem with over tourism on Peaks Island and that a larger boat would not solve the issue. She recommended that CBL stagger trips of two boats.
- N. J. Halliday, resident of Peaks Island, stated she would like the vote to be deferred and that there are 5,000 trips per year to Peaks Island and less than 1% of those times the boat hits capacity. Recommends that other possible solutions, like priority boarding and scheduled barges, are looked at and that these issues can be solved other ways.
- O. P. Kilmartin, resident of Peaks Island, stated she is in favor of a larger boat and noted this morning on the way to Portland people were sitting on the floor. She also said that people are going to come anyway so instead of sending two boats send one. Said "I don't want to have a passport to get home."
- P. R. Ashmore, resident of Peaks Island, states the decision should be delayed and that he understands it is a difficult decision and good issues and suggestions have been brought up. He recommends that resources are pulled together from City and State to come up with a solution.
- Q. M. Kelsey, resident of Peaks Island, stated the decision should be delayed for more information to be gathered. Get more information from all the constituents.
- R. K. Peaslee, resident of Peaks Island, stated this is a big decision that will have so many side effects. She feels this issue is divisive and she would encourage the vote be delayed and to do more due process.
- S. A. Doukas, summer resident of Peaks Island and winter resident of Portland, stated he was not going to give particulars about the boat but made specific points about the board and how their charter includes that the board serve in the interest of public health, safety, comfort, convenience of inhabitants of the island and other passengers served by the district. He explained that Peaks Island was no longer a welfare town and other people were coming for events. He said visitors have just as much right and priority to go over to the island as Peaks Island residents. Can't do over in five years if not correct. Is grant at risk?
- T. D. Jordan, resident of Peaks Island, stated she is against larger boat and Peaks Island is not a welfare town and not a theme park and that the board has it in their hands to destroy their neighborhood.

- U. T. Lloyd, resident of Peaks Island, (retired recently on the island, bought home on second visit) stated she is against the larger boat and that tourists should not have equal priority to the decision and Peaks Islanders opinions should be at the top of the list.
 - V. C. Hoppin, resident of Peaks Island, stated that CBL is a public utility and the ferry service must be provided to everyone and that they must do it in a proper fiscal way to balance cost with revenue. Recommended electronic ticketing to give island resident quantity discounts. Feels this decision should not be delayed and that there should be a compromise to 500 not 600 or whatever it takes with four additional vehicles.
- Flynn asked if there were any other comments, hearing none he closed the floor for public comment at 8:54 AM. Berg announced the board will now shift focus to vote on business agenda items.

3. Business:

- A. Consideration and action to transfer \$460k from the General Fund to the Capital Projects Reserve Fund for FY2018 which ended 09/30/18
Dave Crowley moved that \$460k be moved from the General Fund to the Capital Projects Reserve Fund for FY2018 which ended 09/30/18. Braden seconded. Flynn asked if there was any discussion hearing none he called for a vote. The vote was unanimous, and the motion passed.
- B. Consideration and action to accept the FY2018 Annual Independent Financial Audit Report for year ended 09/30/18
Scott moved to accept the FY2018 annual Independent Financial Audit Report for year ended 09/30/18. Braden seconded. Flynn asked if there was any discussion hearing none he called for a vote. The vote was unanimous, and the motion passed.
- C. Adoption of Federal Transit Administration's (FTA) FFY2019 Certifications and Assurances
Braden moved to adopt the Federal Transit Administration's (FTA) FFY2019 Certifications and Assurances. Hayes Seconded. Flynn asked if there was any discussion hearing none he called for a vote. The vote was unanimous, and the motion passed.
- D. Executive Session-
 - i. Consultation with CBITD's attorney pursuant to 1 M.R.S.A. Section 405(6)(E) regarding the capacity of the new Peaks Island ferry
Crowley moved to go into executive session with CBITD's attorney pursuant to 1 M.R.S.A Section 405(6)(E) regarding the capacity of the new Peaks Island. Johnston Seconded. Braden opposed. The Vote was 11 to 1 and the board went into executive session.
 - ii. Crowley moved to come out of executive session; Wentworth seconded. The vote was unanimous, and the motion passed.
- E. Consideration and action to provide staff with guidance regarding the capacity of the new Peaks Island ferry
Johnston moved that the District staff design the new Peaks Island boat as a Subchapter K vessel (meaning that its capacity cannot exceed 599 passengers) to accommodate anticipated passenger volume within the confines of the existing pier and infrastructure and that the Board retains the right of final approval of the design and the ability to reduce passenger capacity as a matter of policy. . Doane Seconded. Flynn asked for each Director to speak on the topic, if they want, by going around the table. Summary follows:
 - i. Burr- Not in favor of a larger boat, feels the vote on the size of the capacity of the boat should be delayed.
 - ii. Hayes- The design of the boat needs to be done in tandem with the discussion of the infrastructure improvements that are needed now and tomorrow, and that maximum flexibility and operating costs year-round have to be part of the consideration.
 - iii. Wentworth- Feels she is not confident with the information that she needs to make a choice at this moment.
 - iv. Doane- Is in agreement with the maximum capacity of 599 and supports policy to be able to adjust that as needed due to infrastructure or whatever may come down the line.
 - v. Bill Overlock- His recommendation would be that we step back and form some sort of consortium to address whatever issues and then move forward.
 - vi. Robin Clark- Prefer to go with the larger boat at this point in time. Really insists there is a limitation on the number of passengers allowed to go to the island and it be a very structured policy that has dire consequences if not followed.
 - vii. James Luedke- Not enough time to review information but does feel we will need a larger boat moving forward.

- viii. Twain Braden- In favor of delaying. Feels as though we need a lot more research.
- ix. Scott Johnson- Is for the motion as it stands. Reminded everyone that one thing that can be done is what Robin stated, to regulate the number of people by policy
- x. Dave Crowley- Push to postpone for a while. Does not want to rule out the option of 599 people but does not think it is right to put 599 people on the island today.
- xi. Mike Murray- Supportive of a brief delay of no more than 60 days to have time to digest information. City manager is committed to providing a comprehensive review of the Welch street area.

Braden made an amendment to the motion that the Board delay any board vote on capacity on the ferry for 60 days. Burr seconded. Discussion followed. Braden requested to take the amendment off the table. Burr agreed. Braden moved to postpone the vote on the motion until the May 2019 Board of Directors meeting to:

1. Give the Board time to consider all the public comments and review the KPFF report
2. Request a response from the City of Portland regarding Peak's congestion/infrastructure
3. Request staff to analyze vehicle reservations and report back at the May meeting
4. Request staff for a P&L pro-forma

Burr Seconded. Discussion followed; the vote was 7 to 4 in favor. The Board members in favor were Murray, Crowley, Braden, Flynn, Wentworth and Burr. The four Board members opposed were Clark, Doane, Johnston and Hayes.

The original motion is still pending.

Adjournment: Braden moved to adjourn; Johnston seconded. The vote was unanimous to adjourn at 10:43 AM.

Respectfully submitted by:
Robin Clark, Clerk

Robin Clark