

**Casco Bay Island Transit District  
Board of Directors SPECIAL Meeting Agenda  
Tuesday, May 10, 2022 at 7:45 AM**

This meeting will be an **in-person** meeting with remote participation option available

The public is invited to participate.

Video Conference Link and Call-in number are available at:

<https://www.cascobaylines.com/about-us/board/>

1. Call to Order
2. Consideration and action for reconsideration of the Board's February 25, 2021 approval of a motion authorizing the President and General Manager to execute a contract with the selected shipyard to construct the new Peaks Island Vessel using Elliot Bay Design Group's final design specifications and available funding
3. Adjournment

Notes: Public comment is limited to 3 minutes per person

**Action:** Act on resolution(s) for Board reconsideration of its February 25, 2021 approval of a motion authorizing the President and General Manager to execute a contract with the selected shipyard to construct the new Peaks Island Vessel using Elliot Bay Design Group's final design specifications and available funding.

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**Motion:** **I move that the Board reconsider its February 25, 2021 approval of a motion authorizing the President and General Manager to execute a contract with the selected shipyard to construct the new Peaks Island Vessel using Elliot Bay Design Group's final design specifications and available funding.**

**Resolved:** That at its May 23, 2019 meeting CBITD's Board authorized staff to 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 outbound passenger capacity from Portland to Peaks Island shall be limited to a maximum of 499 passengers and inbound passenger capacity from Peaks Island to Portland shall be limited to a maximum of 599 passengers.

**Resolved:** That at its June 25, 2020 meeting CBITD's Board authorized staff to proceed with the final design of the new Peaks Island vessel.

**Resolved:** That at its February 25, 2021 meeting CBITD's Board authorized the District's President and General Manager to execute a contract with the selected shipyard to construct the new Peaks Island Vessel using Elliot Bay Design Group's final design specifications and available funding.

MEMORANDUM

TO: Twain Braden, President, CBITD Board of Directors

FROM: Kelly McDonald, Esq.

DATE: May 3, 2022

RE: Review of Select CBITD Actions re: New Vessel

**1. Question Presented**

- a. What authority has the CBITD Board of Directors granted regarding the new vessel, and is that authority contingent on the price of the new vessel?

**2. Executive Summary**

- a. The authority granted by the CBITD Board of Directors to the President and staff to pursue the design and construction of the new vessel was not contingent upon the final cost, but instead merely upon the amount of financing that was available.

**3. Summary of Board Actions**

a. **March 28, 2019 BOD Meeting**

*i. Action*

1. (From the minutes): “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.”

*ii. Outcome*

1. Moved and seconded
2. Motion to postpone until May, 2019 BOD Meeting passed, 7-4 (Clark, Doane, Johnston, Hayes opposed)

b. **May 23, 2019 BOD Meeting**

*i. Action*

1. Motion: “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.”

2. Clarification (from the minutes): “Burr made a comment clarifying that if this motion passed saying the board was in favor of 599 capacity the board can then put a policy forward limiting the number of passengers allowed aboard.”
3. Clarification (from the minutes): “Berg clarified that the motion is intended to give guidance to staff and naval architects for what boat they can continue the design process with. The more detailed design might demonstrate it is not possible to do a 599 passenger ferry given the constraints. This is just giving flexibility and that 599 is within the current Coast Guard classification of a subchapter K vessel. Whatever capacity the boat ends up being the Board is also able to set the capacity by policy.”
4. Amendment (from the minutes): “strike from the motion ‘and the ability to reduce passenger capacity as a matter of policy’ and add ‘and outbound passenger capacity from Portland to Peaks Island shall be limited to a maximum of 499 passengers and inbound passenger capacity from Peaks Island to Portland shall be limited to a maximum of 599 passengers”

*ii. Outcome*

1. Amendment passed 10-1 (Overlock opposed)
2. Motion, as amended, passed 9-2 (Burr and Crowley opposed)

*iii. Analysis*

1. This motion approves staff proceeding with a design of a vessel with a maximum capacity of 599 people. It is not constrained by the cost of the vessel.

c. **May 28, 2020 BOD Meeting**

*i. Action*

1. Motion: I move that the Board approve authorizing staff to proceed with the final design of the new Peaks Island vessel

*ii. Outcome*

1. Moved and seconded
2. Motion to postpone until June 25, 2020 BOD Meeting passed, 6-5 (Doane, Higgins, Flynn, Johnston, Murray opposed)

d. **June 25, 2020 BOD Meeting**

*i. Action*

1. Same motion (“I move that the Board approve authorizing staff to proceed with the final design of the new Peaks Island vessel.”)

*ii. Outcome*

1. Motion passed, 7-5 (Clark, Crowley, Braden, Wentworth, Cohen opposed)

*iii. Analysis*

1. This motion does not address the cost of the vessel and the authority granted is not constrained by cost.

e. **Feb. 25, 2021 BOD Meeting**

*i. Action*

1. **Motion:** I move that the Board adopt the resolution(s) authorizing the District's President and General Manager to execute a contract with the selected shipyard to construct the new Peaks Island Vessel using Elliot Bay Design Group's final design specifications and available funding.

**Resolved:** That at its May 23, 2021 meeting, the District's Board of Directors approved to proceed designing a 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 that outbound passenger capacity from Portland to Peaks Island shall be limited to a maximum of 499 passengers and inbound passenger capacity from Peaks Island to Portland shall be limited to a maximum of 599 passengers.

**Resolved:** That at its June 25, 2020 meeting, the District's Board of Directors authorized staff to proceed with the final design of the new Peaks Island vessel based on the Elliot Bay Design Group's Preliminary Design Report.

**Resolved:** That on January 15, 2021, in a public meeting notice posted on the website and sent via email, comments were asked to be sent to [comment@cascobaylines.com](mailto:comment@cascobaylines.com).

**Resolved:** That the vessel final design concepts and diagrams were posted on the District's website on January 20, 2021, alongside a solicitation for public comment. Comments were asked to be sent to [comment@cascobaylines.com](mailto:comment@cascobaylines.com).

**Resolved:** That the Board's Vessel Advisory Committee reviewed the Final Design concepts and diagrams at its January 26, 2021 public meeting where the public and committee members had an opportunity to provide feedback on those fixtures and finishes that were not determined in the Preliminary Design Report (PDR) and that could still be updated.

**Resolved:** That on February 19, 2021, in a public meeting notice

posted on the website and sent via email, public comment was once again solicited on those fixtures and finishes that were not determined in the Preliminary Design Report (PDR) and that could still be updated. Comments were asked to be sent to [comment@cascobaylines.com](mailto:comment@cascobaylines.com).

**Resolved:** That the District's staff distributes a Federal Transit Administration compliant bid package and selects a qualified shipyard that has a responsive bid within the available funding.

**Resolved:** That the District's President and General Manager, acting singly, are authorized to execute a contract with the selected shipyard to construct the new Peaks Island Vessel using Elliot Bay Design Group's final design specifications and available funding.

*ii. Outcome*

1. Motion passed, 10-2 (Cohen and Crowley opposed)

*iii. Analysis*

1. This motion authorized the President and GM to execute a contract with a shipyard to build the vessel using "final design specifications and available funding."
2. The resolutions which were approved explicitly address passenger volume.
3. The resolutions do not explicitly address the price of the vessel or place constraints on the President and GM relating to price. The only language relevant to price is the limitation that the contract must use "available funding."

**CASCO BAY ISLAND TRANSIT DISTRICT**  
**MINUTES OF THE BOARD OF DIRECTORS MEETING OF**  
**February 25, 2021**  
**Video/Phone in only due to COVID-19**

Directors on Conference: Anderson, Braden, Clark, Cohen, Crowley (late), Doane, Higgins, Luedke, Murray, Overlock, Pizey, Wentworth,

Directors absent:

Public on Conference: L. Heinemann, F. Somers, J. Hoffman, C. Hoppin, J. James, J. Wyant, C. Chess

Staff on Conference: Greven, Mavodones, Berg, Pottle

Guest:

**1. Call to Order:**

A. *The Board meeting was called to order at 8:00 AM by President Braden and it was noted that the meeting was being recorded.*

B. *President Braden asked Berg to share who was attending the meeting with everybody which he did.*

**2. Approve the minutes of the February 4, 2021 Board of Directors meeting**

A. *President Braden asked if there was a motion to approve the minutes.*

B. *Doane moved to approve the minutes, Wentworth seconded.*

C. *President Braden opened the floor for public comments and there were none.*

D. *President Braden opened the floor for Board comments and there were none.*

E. *President Braden called for a roll call vote.*

F. *Berg did a roll call vote. The motion passed unanimously (11-0, Crowley had not joined yet)*

**3. Business**

A. *Public Comment period regarding General Manager's 2020 performance*

i) *President Braden explain the purpose for agenda item.*

ii) *President Braden opened the floor to Public comment.*

(1) *Hoffman spoke in favor and asked if goals were published.*

(2) *Chess thanked everyone for posting meeting material.*

B. *Consideration and action regarding the Delegation of Authority to the Board Vice President and General Manager*

i) *Berg explained this motion was the same as voted on in the previous month.*

ii) *President Braden asked if there was a motion (in accordance with the Board packet page 8)*

iii) *Overlock made a motion to approve, Doane seconded.*

iv) *President Braden opened the floor to public comment; There were no comments.*

v) *President Braden opened the floor to Board comment: There were no comments.*

vi) *President Braden called for a roll call vote.*

vii) *Berg did a roll call vote. The motion passed (11-1) (Cohen voted against)*

C. *Consideration and action regarding construction of the new Peaks Island vessel*

i) *Berg presented the scope, desired outcome, funding, PDR specifications, and propulsion system update*

ii) *Pottle presented an overview of the final design, conceptual models and a summary of the recent feedback received from the public*

iii) *President Braden asked if there was a motion (in accordance with the Board packet pages 10 & 11)*

iv) *Doane made a motion to approve, Overlock seconded.*

v) *President Braden opened the floor to public comment.*

(1) *Sommers asked about the timeline.*

(2) *Hoffman suggested offering reason for choices made and parameters.*

(3) *Wyant spoke about seating arrangements.*

(4) *Caron was concerned about the heat in the cabins in the summer.*

(5) *Hoppin spoke in favor.*

vi) *President Braden opened the floor to Board comment.*

(1) *Overlock asked if Peaks Island representatives had a consensus about the new vessel*

(2) *Clark spoke about the seating, windows, tables. MachigonneII disposition and passenger capacity. Pottle provided an explanation.*

- (3) *Anderson spoke about vehicle capacity, finishes, getting rid of soda machine, source of funding for overages, battery replacement and the hybrid propulsion system. Berg & Pottle provided an explanation.*
- (4) *Crowley spoke about no ADA access on the 01 port cabin. Pottle provided an explanation.*
- (5) *Cohen supported what Anderson & Clark spoke to. She was not in favor of new vessel and suggested more workshops before proceeding. She read a statement from an anonymous source and asked about deployment in an emergency situation. Berg & Pottle provided an explanation.*
- (6) *Overlock shared that in his opinion there had been plenty of feedback opportunities.*
- (7) *Luedke thanked the staff, Board and public for their contributions to this process. He asked how long the vessel could be powered by the batteries and was concerned about the port 01 deck cabin accessibility. Pottle provide explanations.*
- (8) *Doane spoke in favor of proceeding to construction and reminded everyone that it is only a 15 minute transit.*
- (9) *Wentworth spoke about ADA and reminded everyone this is a work boat.*
- (10) *Higgins shared that the Maine State Ferry's new vessel accessibility is very similar to the proposed vessel for Peaks Island and it was reviewed and approved by MaineDOT's ADA department.*
- (11) *Braden was originally opposed but supported the Board's decision to proceed with PDR specifications and will vote in favor of the motion.*

*vii) President Braden called for a roll call vote.*

*viii) Berg did a roll call vote. The motion passed (10-2) (Cohen & Crowley voted against)*

*D. President Barden suggested that the reports be postponed until the March Board meeting due to the time.*

#### **4. Adjournment**

- A. President Braden asked if there was a motion to adjourn.*
- B. Doane moved to adjourn the meeting, Wentworth seconded.*
- C. The motion passed unanimously (12-0) and the meeting was adjourned*

Respectfully submitted by: \_\_\_\_\_

Robin Clark, Clerk



**CASCO BAY ISLAND TRANSIT DISTRICT**  
**MINUTES OF THE BOARD OF DIRECTORS MEETING OF**  
**June 25, 2020**  
**Video/Phone in only due to COVID-19**

Directors on Conference: Higgins, Doane, Clark, Crowley, Johnston, Luedke, Braden, Murray, Wentworth, Cohen, Overlock, Flynn

Directors Absent:

Public on Conference: L. Penalver, C. Chess, L. Heinermann, J. Hoffman, J. James, R. Schaffer, D. Lavanture, C. Radis, D. Vinograd, C. Van Grundy, K. Norton, N. Hoffman, A. Doukas

Staff on Conference: Berg, Greven, Pottle, Mavodones, C. Gildart, Tracy

1. Call to Order:
  - *The Board meeting was called to order at 7:50 AM by President Flynn and he noted that the meeting was being recorded.*
  - *President Flynn asked Berg to share who was attending the meeting with everybody which he did.*
2. Approve the minutes of the May 28, 2020 Board of Directors meeting
  - *President Flynn asked if there was a motion to approve the minutes*
  - *Doane moved to approve the minutes, Luedke seconded.*
  - *President Flynn opened the floor for comments and there were none*
  - *Berg did a roll call vote. The motion passed unanimously (12-0)*
3. Business
  - a. Acceptance of the FY2019 Annual Independent Financial Audit Report for year ended 09/30/19
    - i. *Berg noted this is a required annual item done by an independent Accountant firm and that this year RHR Smith & Co. was hired to do it. There were no deficiencies found and it was reviewed by the Finance Committee yesterday. The Finance Committee voted to recommend that the Board accept the audit as presented.*
    - ii. *President Flynn asked if there was a motion to accept the audit*
    - iii. *Doane moved to approve the audit as presented, Braden seconded.*
    - iv. *President Flynn opened the floor to the public for comments and there were none*
    - v. *President Flynn opened the floor to the Board for comments and there were none*
    - vi. *Berg did a roll call vote. The motion passed unanimously (12-0)*
  - b. Consideration and action regarding the Delegation of Authority to the Board President and General Manager
    - i. *Berg noted this is for the Board to consider extending the delegation of authority to the President and General Manager until the next Board meeting. If it is passed the Special Executive Committee meetings will continue weekly on Thursdays at 7:45AM. Berg explained that if the motion is made and passed the delegation of authority will expire at the next Board meeting.*
    - ii. *President Flynn asked if there was a motion to approve*
    - iii. *Braden moved to approve as presented, Luedke seconded. (Motion attached)*
    - iv. *President Flynn opened the floor to the public for comments and there were none.*
    - v. *President Flynn opened the floor to the Board for comments. Cohen spoke against. Braden and Luedke spoke in favor.*
    - vi. *Berg did a roll call vote. The motion passed (11-1 Cohen voted against)*

4. Unfinished Business
  - a. Consideration and action to proceed with detail design for new Peaks vessel
    - i. *Berg explained that this is a motion that was made, seconded and postponed at the May 2020 meeting.*
    - ii. *As part of the postponement staff was asked to develop a summary of a comparison a new vessel with the same capacity as the Machigonne (399/12) and the proposed new vessel (599/15). EBDG developed a memo for this that was shared with the Board the previous Friday. Berg asked Pottle to summarize the memo which he did.*
    - iii. *President Flynn noted that even though there was public comment at the May meeting he wanted to open the floor to the public for comments again*
      1. *Penalver spoke against*
      2. *Chess spoke against*
      3. *Vinograd spoke in favor of delaying the vote*
      4. *N. Hoffman spoke against the larger vessel and in favor of delaying the vote*
      5. *President Flynn closed public comments*
      6. *Mavodones explained about existing USCG crewing requirements*
      7. *Berg explained about the funding*
      8. *President Flynn reopened public comments when it was reported two people had difficulty "raising their hand"*
      9. *J. Hoffman spoke against*
      10. *C. Radis spoke against*
      11. *Greven explained the results of a 30 year proforma that was done with a "COVID-19" economic shock included*
    - iv. *President Flynn opened the floor to the Board for comments.*
      1. *Braden spoke against*
      2. *Higgins spoke in favor*
      3. *Doane spoke in favor*
      4. *Clark spoke against*
      5. *Crowley spoke against*
      6. *Johnston spoke in favor*
      7. *Ludke spoke in favor of a delay*
      8. *Murray spoke in favor*
      9. *Wentworth shared some of her thoughts*
      10. *Cohen spoke against*
      11. *Overlock spoke in favor*
    - v. *Ludeke made a motion to delay the vote until August and Cohen seconded it*
    - vi. *Berg did a roll call vote. The motion failed (9-3; Higgins, Luedke & Murray voted in favor)*
    - vii. *Berg explained the original motion of proceeding to detail design of the new vessel as presented at the May meeting was back on the table*
    - viii. *Berg did a roll call vote. The motion passed (7-5 Clark, Crowley, Braden, Wentworth and Cohen voted against)*
5. Workshop – *There was no workshop*
6. Treasurer's Report
  - a. April 2020 Financials review
    - i. *Treasurer Overlock asked Greven to review the April financials which he did.*
    - ii. *Cohen shared her thoughts about several topics*
7. Adjournment (taken out of order)
  - a. *Johnston moved to adjourn the meeting around 9:44, Murray seconded.*
  - b. *Clark requested the floor because she asked before the motion was made to adjourn and was not heard. President Flynn opened the floor to Clark who shared thoughts about the role of Directors.*
  - c. *President Flynn asked for a vote on the motion on the table*
  - d. *Berg asked for a roll call for the motion to adjourn. The motion passed unanimously (12-0) and the meeting was adjourned*
8. General Information Reports
  - a. *Staff Reports - There were no reports*
  - b. *Projects update - There were no updates*

- c. Committee Reports - *There were no reports*
- d. Wharf and MDOT Reports - *There were no reports*
- 9. General Announcements
  - a. Establish next meeting dates:
    - i. Executive Committee: Thursday, July 2 at 7:45 AM
    - ii. Operations Committee: Wednesday, July 16 at 7:45 AM (TBD)
    - iii. Board of Directors: Thursday, July 23 at 7:45 AM (TBD)
    - iv. Finance Committee: No meeting planned
    - v. Sales & Marketing Committee: No meeting planned
    - vi. Personnel Committee: No meeting planned
    - vii. Government Relations Committee: No meeting planned
    - viii. Pension Committee: No meeting planned
- 10. Public Comment - *There were no comments*

Respectfully submitted by: \_\_\_\_\_  
Robin Clark, Clerk

**CASCO BAY ISLAND TRANSIT DISTRICT**  
**MINUTES OF THE BOARD OF DIRECTORS MEETING OF**  
**May 28, 2020**  
**Video/Phone in only due to COVID-19**

Directors on Conference: Cohen, Johnston (left at 10:05), Crowley, Wentworth, Luedke, Flynn, Doane, Higgins, Braden, Clark, Murray (joined by phone at 8:30),  
Directors Absent: Overlock  
Public on Conference: L. Penalver, C. Chess, L. Heinermann, C. Hoppin, J. Hoffman, J. James, P. Eckel, R. Schaffer, J. Lavanture, B. Carter, C. Radis, A. Marie Barter, D. Vinograd, K. Norton, MK  
Staff on Conference: Berg, Greven, Pottle, Mavodones, Gildart

1. Call to Order:
  - *The Board meeting was called to order at 7:51 AM by President Flynn, and he noted that the meeting was being recorded.*
  - *Berg did a roll call of who was present*
2. Approve the minutes of the February 27, 2020 Board of Directors meeting
  - *President Flynn asked if there was a motion to approve the minutes*
  - *Wentworth moved to approve the minutes of the February 27, 2020 meeting, Braden seconded.*
  - *President Flynn opened the floor for comments and there were none*
  - *Berg did a roll call vote. The motion passed unanimously (10-0)*

Approve the minutes of the March 19, 2020 Special Board of Directors meeting

  - *President Flynn asked if there was a motion to approve the minutes*
  - *Wentworth moved to approve the minutes of the March 19, 2020 meeting, Johnston seconded.*
  - *President Flynn opened the floor for comments and there were none*
  - *Berg did a roll call vote. The motion passed unanimously (10-0)*
3. Business
  - a. Adoption of Federal Transit Administration's (FTA) FFY2020 Certifications and Assurances
    - i. *Berg noted this is an annual item required by the Federal Transit Administration that certifies that CBL complies with the applicable FTA requirements. Berg also noted FTA's explanation of the C&As as well as the completed checklist has been shared with the Board and has been reviewed by CBL's Attorney, John Lightbody.*
    - ii. *President Flynn asked if there was a motion to approve the C&As*
    - iii. *Doane moved to approve the C&A's as presented, Braden seconded. (Motion attached)*
    - iv. *President Flynn opened the floor to the public for comments and there were none*
    - v. *President Flynn opened the floor to the Board for comments and there were none*
    - vi. *Berg did a roll call vote. The motion passed unanimously (10-0)*
  - b. Consideration and action regarding the Delegation of Authority to the Board President and General Manager
    - i. *Berg noted this is for the Board to consider extending the delegation of authority to the President and General Manager until the next Board meeting. If it is passed the Special Executive Committee meetings will continue weekly on Thursdays at 7:45AM. Berg shared he thought it has allowed CBL to be flexible in making changes as required while maintaining accountability to the Executive Committee. Berg explained that if the motion is made and passed the delegation of authority will expire at the next Board meeting.*
    - ii. *President Flynn asked if there was a motion to approve*
    - iii. *Doane moved to approve as presented, Crowley seconded. (Motion attached)*
    - iv. *President Flynn opened the floor to the public for comments and Caron Chess expressed her concern.*
    - v. *President Flynn opened the floor to the Board for comments. Cohen spoke against. Braden, Wentworth, Flynn, Clark, Doane shared their thoughts.*
    - vi. *Berg did a roll call vote. The motion passed (9-1 Cohen voted against)*

- c. Consideration and action to approve a line of credit with Gorham Savings Bank
  - i. *Berg noted that this item delegates authority to the General Manager and President to obtain a line of credit for up to \$2M from Gorham Savings Bank (GSB). The application was started this early in the COVID-19 crisis to be prepared if CBL ever needed it knowing that it took time to get one. Gorham Savings Bank analyzed CBL's financials and because of the strength of the balance sheet determined they could give CBL a line of credit instead of a Revenue Anticipation Note. The LOC has a requirement that it be paid off annually for 30 days. The interest rate is set at the Prime rate currently at 3.25%. The letter of commitment was shared with the Directors earlier. As part of the letter of commitment GSB needed to approve the language of the resolution which they have. This has been reviewed by CBL's Attorney, John Lightbody.*
  - ii. *President Flynn asked if there was a motion to approve*
  - iii. *Braden moved to approve as presented, Crowley seconded. (Motion attached)*
  - iv. *President Flynn opened the floor to the public for comments and there were no comments.*
  - v. *President Flynn opened the floor to the Board for comments. Braden spoke in favor.*
  - vi. *Berg did a roll call vote. The motion passed unanimously (10-0)*
- d. Consideration and action to proceed with detail design for new Peaks vessel
  - i. *Berg gave an introduction: "This item is for the Board's consideration to approve proceeding to final design of the new Peaks Ferry vessel. This was originally planned to be on the March 2020 Board agenda but was postponed due to COVID-19. Staff will give an update and then open the floor for comments. It has taken a long time to get here and we are very excited with the results. We shared the presentation given to the VAC last week with the Directors and will go over a subset of it"*
  - ii. *Berg introduced Paul Pottle who went through the presentation.*
  - iii. *After the presentation Berg shared some further thoughts: "I think it is important remind everyone that this project has been in place from its inception 5 years ago at the Board's strategic planning session. A Marine Consultant was hired in 2017 and a final report release in 2019. A marine architect was hired in 2018 and PDR report released in Jan 2020. There have been 6 Public Board meetings, 3 Public Vessel Advisory Committee meetings, 6 Public General Meetings the last being on March 7 at Peaks Island. The Board voted to continue with the largest vessel possible supported by the current infrastructure up to 599 passengers but limited capacity outbound to Peaks by policy to 499 in May 2019. I can assure you this has not been a rushed project."*
  - iv. *Berg noted that some people are concerned about the financing. As mentioned in the presentation, CBL has secured all the financing for a new ferry powered by a conventional propulsion system and has learned through the process a smaller ferry is not less expensive to operate. In the presentation Paul discussed the financing search for the alternate propulsion system and what the plan is if that does not materialize. While ridership is currently down now due to the Pandemic, the original projected ridership over the life of the vessel (30 years) factored in a major recession and demonstrated that the ridership would actually exceed the capacity of the proposed vessel. If one thinks social distancing may continue to be part of our lives, it has effectively reduced the capacity on the Machigonne from USCG requirement of 399 to 204."*
  - v. *President Flynn asked if there was a motion to approve proceeding to final design*
  - vi. *Doane moved to approve as presented, Higgins seconded. (Motion attached)*
  - vii. *President Flynn opened the floor to the public for comments*
    - 1. *Schaffer, Penalver, Radis, Hoffman, Vinograd, Carter and Chess spoke against a bigger vessel*
    - 2. *Hoppin spoke in favor of proceeding to final design*
  - viii. *President Flynn opened the floor to the Board for comments.*
    - 1. *Doane, Higgins, Johnston spoke in favor of proceeding to final design. Wentworth, Braden, Crowley and Clark spoke against*
    - 2. *Braden made a motion to postpone the vote until the next Board meeting and asked staff to submit a summary of the comparison of the larger vessel with a vessel with the same capacity as the existing Machigonne; Wentworth seconded.*
    - 3. *Berg did a roll call vote. The motion to postpone was passed (6-5, Doane, Higgins, Flynn, Johnston & Murray opposed)*

- e. Consideration and action regarding Captain's lenient discretion for unscheduled stops
  - i. *Berg shared the history and the recent decision to eliminate Captain's lenient discretion during the reduced COVID-19 schedule.*
  - ii. *President Flynn asked if there was a motion to approve*
  - iii. *Braden moved to approve as presented, Crowley seconded. (Motion attached)*
  - iv. *President Flynn opened the floor to the public for comments and there were no comments.*
  - v. *President Flynn opened the floor to the Board for comments. Braden spoke in favor and proposed an amendment to add the following to the original motion "...effective when CBL returns to regularly scheduled service." Crowley seconded. Braden, Crowley shared their thoughts. Senior Captain Tracey was asked to share his thoughts and he spoke in favor of reinstating Captain's lenient discretion immediately.*
  - vi. *Berg did a roll call vote for the amendment. The motion passed (7-3, Cohen, Luedke and Wentworth voted against)*
  - vii. *Berg did a roll call vote for the amended motion. The motion passed unanimously (10-0)*
4. Adjournment (taken out of order)  
*Wentworth moved to adjourn the meeting at 10:18, Crowley seconded. Berg asked for a roll call. The motion passed unanimously (10-0)*
5. Workshop – *There was no workshop*
6. Treasurer's Report - *There was no Treasurer's report.*
7. General Information Reports
  - a. Staff Reports - *There were no reports*
  - b. Projects update - *There were no updates*
  - c. Committee Reports - *There were no reports*
  - d. Wharf and MDOT Reports - *There were no reports*
8. General Announcements
  - a. Establish next meeting dates:
 

i. Executive Committee:	Thursday, June 4 at 7:45 AM
ii. Operations Committee:	Thursday, June 18 at 7:45 AM TBD
iii. Finance Committee:	Wednesday, June 24 at 7:45 AM
iv. Board of Directors:	Thursday, June 25 at 7:45 AM
v. Sales & Marketing Committee:	No meeting planned
vi. Personnel Committee:	No meeting planned
vii. Government Relations Committee:	No meeting planned
viii. Pension Committee:	No meeting planned
9. Public Comment - *There were no comments*

Respectfully submitted by: \_\_\_\_\_  
 Robin Clark, Clerk

### **Agenda Item 3a**

**Motion:** I move that the Board (i) comply with all requirements of, and (ii) adopt all necessary policies and provisions to comply with, the Federal Fiscal Year 2020 Certifications and Assurances for FTA assistance in compliance with Federal Transit Administration rules and regulations as listed in Appendix A attached hereto and described in the relevant provisions of Appendix B attached hereto and to authorize the General Manager as the company's Authorized Representative to sign and submit the Certifications and Assurances to the FTA immediately, without waiting for preparation or approval of the Minutes of this meeting.

**ATTACHMENTS:**

Appendix A – Summary of Required Certifications and Assurances

Appendix B – Specific Requirements for Each Required Certification and Assurance

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### **Agenda Item 3b**

**Motion:** I move to delegate temporary authority to the General Manager and the President of the Board to manage operations during the coronavirus pandemic to protect the health and safety of the District's employees, riders, and islanders, and to continue to maintain service to and from the islands as much as possible Staff to provide prompt written notice to the Board with an explanation of any change and requiring a special executive committee meeting weekly every Thursday morning at 7:45AM to monitor changes if a quorum can be reached until the Board rescinds the temporary authority.

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### **Agenda Item 3c**

**Motion:** I move to delegate authority to the President and General Manager to obtain a line of credit for up to \$2,000,000 from Gorham Savings Bank.

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### **Agenda Item 3d**

**Motion:** I move that the Board approve authorizing staff to proceed with the final design of the new Peaks Island vessel

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### **Agenda Item 3e**

**Motion:** I move that the Board approve authorizing CBL Captains to use lenient discretion for unscheduled stops

**CASCO BAY ISLAND TRANSIT DISTRICT  
MINUTES OF THE BOARD OF DIRECTORS MEETING OF  
May 23, 2019 (As amended on September 26, 2019)**

Directors Present: Burr, Hayes, Johnston (left and attended by phone at 8:30), Doane, Overlock, Flynn, Wentworth (left and attended by phone at 9:53 AM), Crowley, Murray, Clark, Braden (left 9:30) and Luedke (by phone),

Directors Absent: None

Public Present: According to sign in sheet: L. Penalver, C. Radis, C. Hoppin, C. Chess, J. Halliday, R. Billings, M. Williamson, J. Waterhouse, J. James, M. Gibbons, J. Hoffman, G. Smith, R. Ashmore, S. Cohen, P. Kilmartin, J. Beck  
A. Rosenberg, D. Laventure, J. Laventure, M. Winchester, M. Kelsey, S. Cohen

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

1. Call to Order: The Board meeting was called to order at 7:48 AM by Patrick Flynn, and he noted that the meeting was being recorded.
  - a) Berg noted that this was out of order but wanted to recognize the crew who rescued two men on Saturday, May 11, 2019.
    - a. Berg stated: "As many of you may have read in the news, on Saturday, May 11th, a canoe carrying two men capsized in Casco Bay. The water temperature that day was 47 degrees – dangerous conditions in which someone can lose consciousness within as little as 5 minutes. I want to take a moment to recognize the exemplary efforts of Capt. Andy Gildart and deckhands Stephen Whitney, Aaron Wanzer and Ryan Ruhlin for the rescue of these individuals. This incident highlights the importance of regular and realistic drills. By conducting drills on a consistent basis, captains and crews are well prepared for these type situations – which almost always arise on very short notice and often during challenging conditions. On behalf of the Casco Bay Island Transit District Board of Directors, I would like to thank Andy, Stephen, Aaron and Ryan! Your individual and collective efforts may very well have saved the lives of these two boaters. Great work!"
2. Approve the minutes of the April 25, 2019 Board of Directors meeting: Crowley moved to approve the minutes of the April 25, 2019 meeting, Doane seconded. The vote was unanimous and the motion passed.
3. Public comment on items under consideration from March Board meeting (Out of order):
  - a. **Lisa Penalver**, Peaks Island resident since 2006. Lisa stated that there are common goals shared between Casco Bay Lines Management, Casco Bay Lines Directors, and the stakeholders, which include tourists, residents and property owners. She mentioned the vessel that is being looked at now is a 600 passenger vessel that is going to have a profound impact on Peaks Island Residents' lives. And it is not just about money, although she knows that is what the Board of Directors are considering. Penalver stated the common goals are that the ferry system remain financially viable and affordable for residents, that CBITD can be successful in leveraging the high summer traffic to Peaks Island which relies on the attractiveness of Peaks Island and that the design of this vessel must satisfy all of these outcomes. Gave a brief introduction about herself and explained she lives on the island and cares deeply about the community and emphasized the importance of community to those that live on islands. Is concerned that this new vessel could turn Peaks Island into a theme park which is not what Peak's is it is a small residential community.
  - b. **Andrea Rosenberg**, resident, property owner and teacher of Peaks, Island. Responding to an op-ed that was written by Dan Doane and Scott Johnston on April 3 that stated limiting tourist traffic onto the island is a dangerous rhetoric. She explained she does not feel this is a dangerous rhetoric at all but it is dangerous to increase the vessel capacity to the Peaks Island capacity because this will promote tourism. There have been communities that have been destroyed by over tourism and increasing the vessel capacity will promote tourism. Stated she



feels there is a great advantage to keeping the vessel capacity as is because two thirds of islanders would like it this way and this will win their hearts and minds. Peaks Island really cannot handle the people coming out to Peaks Island in the summer. Stated the traffic in the summer time is undermining the community and that community is a precious mental health resource that Peaks Island still has, but is at risk.

- c. **Chuck Radis**, stated he wrote the rebuttal to several board members about building the larger capacity ferry that appeared in Portland Press Herald last month and that he still believes the things he wrote. He explained he is going to put the blame on the PUC that changed the charter when Casco Bay originally bailed out the bankrupt Casco Bay Lines in the 1980's. This organization was set up to commit to the needs of islanders. With the change in the PUC charter some years ago other interests like tourism received equal footing, which was not the original bail out for this organization. Radis, explained there was one slide from the Finance Committee meeting presentation that put into perspective for him, that ultimately we are tying the future of the bay lines to tourism, to the cruise ships that come in to Portland that could disappear in one year with a recession and to the weddings that may not always take place on Peaks. He reiterated that there is a clear majority of people on Peaks Island that do not want this larger vessel to happen.
- d. **Caran Chess**, Peaks Island resident, stated \$1.6-\$2.5 million dollars is a lot of money, which is how much more the Bristol Harbor Group the independent reviewer says the large boat will cost in comparison to \$9.9 the estimate from Eliot Bay last year. \$11.5-\$12.5 are the bids that are out today and it is likely that this will go up. Will the grant cover the cost? This will delay the timeline so much that the boat cannot be built before the grant expires. Is Casco Bay putting the entire project in jeopardy by selecting the largest most expensive boat? Stated that maintenance cost provided by Eliot Bay differ significantly. The larger vessel will cost 16% more to maintain.
- e. **Sharron Cohen**, resident of Peaks Island, read the mission statement of Casco Bay Lines. After she stated safety is compromised in Portland, the orange barricades directs passengers to where all the cars and freight are offloading. Asked with this new boat where the staffing is, where the infrastructure is and where is the preservation of our year round community. With ridership down in the winter a larger boat will be higher ticket prices and a higher cost of living. The community now will not be able to stay because they will not be able to afford it. Asked why there is no comment box or office hours that islanders are able to talk with administration.
- f. **Margaret Kelsey**, Peaks Island Resident, stated the number of people who come here on a regular basis have not been for the larger vessel. Requested that board members that have business's on Peak's Island that benefit from tourism, remove themselves from this decision due to conflict of interest. Stated we do not need a bigger boat we need better solutions that make people safe when they travel and make people willing and desire to travel. Explained there are greater opportunities to create a better solution.
- g. **Jean Hoffman**, resident of Peaks Island, explained it has been an interesting process and that she appreciates the thorough analysis that has been done. Commented that these projections are hardly conservative projections and that these are risky projections. Stated Tourism won't keep going up and the tourism projections are higher than what has been projected by the state of Maine. There have been assumptions to make these projections that are not reliable or conservative but are aggressive and uncertain. Requested that the board be modest, conservative and to be Mainers when making this decision.
- h. **Jody Halliday**, Resident of Peaks Island had the audience and Board take a moment of silence to picture their community and what it looks like. She also asked that they please not negatively impact or destroy the Peaks Island community.

- i. **Doug Laventure**, New resident of Peaks Island, Asked the board how many of them were willing to move forward with this decision before seeing the Pro Forma that has now been presented to them. Stated that he feels that the decision has probably already been made and will probably move forward but there is going to be a lot of continued discussion about this topic. He stated cost creep will happen and he questioned when this happens, where is the additional funding going to come from?
- j. **Chris Hoppin**, Resident of Peaks Island and former board member, supports the mission of safe and secure for everyone on the bay lines. Also indicated that the cost of the new boat to be determined will be subsidized and that delaying the decision will cost more money. Hopes that we do not delay but that we will act soon to support the larger boat. He said we do not know how many tourists will come but we must be prepared because that is our responsibility as a public utility carrier. Finally, explained that only the year rounders took the survey and the summer owners want a bigger boat because they are seeing the crowds and the problems of the existing Machigonne II. Urged that the board vote for a bigger boat.
- k. **Michelle Winchester**, Resident of Peaks Island, summarized that they have seen a vast difference between the year round use and the peak summer months. Explained that one thing that resonated with her was that we are solving a 2 month problem with a 12 month solution. The data also shows that year round we need more capacity for freight and vehicles and in the summer months we need more capacity for passengers. Explained that we are asking for a solution that solves the Peak problem and that there are other ideas to help solve the problem that is trying to be solved.
- l. **Ralph Ashmore**, resident of Peaks Island, stated he is concerned about the Peaks Island community and the impact a larger vessel will have. Explained he is concerned not only as a resident but as a business man as well. Feels the idea of Peaks being a tourist trap rather than a place of peace and serenity will turn around and bite us. Asks the board to consider what that will impact in terms of Casco Bay Lines and its longevity.

Flynn asked if there were any more comments and then closed public comment.

#### 4. Staff reports: (out of order):

Berg explained that as part of the motion to postpone at the March meeting there were 4 items associated with that motion 1) Time for the board to review public comment 2) Staff to look at vehicle reservation for Peaks Island 3) Staff to perform a stress test in terms of a 30 year Pro Forma with different scenarios 4) Staff to connect with the city to discuss on ways to improve situations on Peaks Island.

- a. Peaks Island Vehicle reservation research  
Nick Mavodones reviewed the report on vehicle reservation system
  1. Discussion followed.
- b. General Manager report on EBDG update  
Berg introduced John Waterhouse and Matt Williamson from the Eliot Bay Design Group who are the Naval architects to explain the design process and estimates to date. He explained that this will help put everything into perspective before the presentation of the 30 year Pro Forma Analysis and help explain how early we are in the design process
  1. John Waterhouse reviewed the design process and price estimates to date.
    - a. Discussion followed.
- c. New Peaks Island Vessel pro-forma analysis  
Jonathan Greven, Director of Finance and HR, presented findings on the 30 year Pro Forma Analysis that was done.

1. Discussion followed.
- d. City of Portland Commitment letter  
Berg explained the last item that was asked by the board was for staff to meet with the city and start a dialogue in terms of what the city can do to help out on the Peaks Island side issue. He reported that Mavodones and he met with John Jennings and Mike Murray (as a city staffer not a board member). The meeting was the first week of May.
  1. Mike Murray explained what was talked about in the meeting between Casco Bay Lines and the City.

5. Business

Flynn explained that the board will now take up the motion of the consideration and action that was postponed at the March Board of Directors meeting.

Burr made a comment clarifying that if this motion passed saying the board was in favor of 599 capacity the board can then put a policy forward limiting the number of passengers allowed aboard.

Berg clarified that the motion is intended to give guidance to staff and naval architects for what boat they can continue the design process with. The more detailed design might demonstrate it is not possible to do a 599 passenger ferry given the constraints. This is just giving flexibility and that 599 is within the current Coast Guard classification of a subchapter K vessel. Whatever capacity the boat ends up being the Board is also able to set the capacity by policy.

Berg explained that it is now time for the board to debate and vote on the pending motion.

Board Comment:

**Mary Anne Hayes:**

Initially thought it was good idea to say “what’s the max we are limited to”. She explained that her DOT objective is to make sure the infrastructure on the Peaks docks is not required to be changed. Feels that when making this decision it is nice to have as much flexibility as possible. On the other hand the point is to serve the service objective, bigger isn’t always better, if it doesn’t bring about the quality of life and service improvements which she feels are all very important decisions. Then the biggest thing we can afford to buy is not necessarily the right decision and she has not yet made a determination and is interested in hearing what everyone has to say.

**Dan Doane:** Stated he has been over all the information and is good with his decision of supporting a larger vessel.

**Bill Overlock:** Asked Hank to reiterate what a no vote means. Berg explained that a no vote would require another motion to be made for some capacity guidance, unless the board is shutting down the design all together. If no guidance is given from the board, staff will do the best they can to move forward using their best judgement.

**Scott Johnston:** Stated he appreciates the extra time given to review information and that he is for providing the guidance and all for moving forward.

**James Luedke:** For moving forward

**Polly Wentworth:** Still has a lot of questions that she feels need to be looked at further which lead her to be not in favor.

**Dave Crowley:** stated he understands the need to have the options open. Feels we are not going to be able to afford a larger vessel. Feels he can’t support a bigger boat right now with just his experience with maintaining a boat that is just two feet longer.

**Mike Murray:** A couple points that struck him in the past and today is that the Machigonne II in its current configuration can't be rebuilt. Meaning it is going to be longer and going to be bigger for the same capacity. From Jonathans work there was a mention that year round there is a need for more freight and more vehicle capacity. As a Board we have the right and authority to limit the passenger capacity by policy. Explained that as a Board a limit on the passenger capacity should be put in place right now and at the appropriate time would like to make an amendment to limit the capacity.

**Robin Clark:** Explained that right now in the current situation on the Machigonne when 12 vehicles are on board it is dangerous situation. From that stand point alone she believes there needs to be a bigger capacity for vehicles. She also stated it is a given that we need to be able to get more people off the island. If it can be written as a policy that the vessel is able to take 599 passengers off but only bring 399 passengers on. We have to progress in order to keep the island viable. Stated that everyone in the room are transients and no one can guarantee they will be on the island for the next 30 years. But, Casco Bay Lines has to stay viable for 30 years and beyond and has to take into consideration the needs of the islanders, the needs of freight, and needs of vehicles going back and forth and believes CBL acts financially responsible. Stated she is in favor of going forward.

Berg explained that Twain Braden is not available and that Braden asked Berg to share his opinion. Berg explained Braden is not able to vote but he is against the motion and wanted it to be shared with the board.

Murray made the amendment that the board strike from the motion "and the ability to reduce passenger capacity as a matter of policy" and add "and outbound passenger capacity from Portland to Peaks Island shall be limited to a maximum of 499 passengers and inbound passenger capacity from Peaks Island to Portland shall be limited to a maximum of 599 passengers." Doane seconded.

Discussion followed.

The board voted on the amendment and the amendment passed.

In favor: Hayes, Clark, Burr, Doane, Murray, Flynn, Johnston, Luedke, Wentworth, Crowley

Not In favor: Overlock

The board then voted on the motion as amended and the motion as amended was passed.

In favor: Hayes, Clark, Doane, Murray, Flynn, Johnston, Luedke, Wentworth, Overlook

Not In favor: Burr and Crowley

6. Treasurer's Report: Overlock reviewed April 2019 financials. Discussion followed.
7. General Information Reports:
  - a. Committee Reports: No Committee Reports
    - a. Operations Committee: There was no Operations Committee meeting.
    - b. Finance Committee:
    - c. Sales and Marketing Committee: There was no Sales and Marketing Committee meeting.
  - b. Project updates: None
  - c. Wharf and MDOT Reports: None
7. General Announcements

- a. Establish next meeting dates:
- |                                      |                              |
|--------------------------------------|------------------------------|
| i. Executive Committee:              | Thursday, June 6 at 7:45 AM  |
| ii. Finance Committee:               | No Finance Committee         |
| iii. Board of Directors:             | Thursday, June 27 at 7:45 AM |
| iv. Operations Committee:            | Thursday, June 20 at 7:45 AM |
| v. Sales & Marketing Committee:      | No meeting planned           |
| vi. Personnel Committee:             | No meeting planned           |
| vii. Government Relations Committee: | No meeting planned           |
| viii. Pension Committee:             | No meeting planned           |
- b. Correspondence: None
9. Workshop: No workshop.

Adjournment: Doan moved to adjourn, Murray seconded. The vote was unanimous to adjourn at 10:16 AM.

Respectfully submitted by:

~~Robin Clark~~, Clerk

Charles Burr, Assistant Clerk

**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. Schaeffer, 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  
Robin Clark, Clerk