



**CASCO BAY ISLAND TRANSIT DISTRICT  
 MINUTES OF THE BOARD OF DIRECTORS MEETING OF  
 May 25, 2023  
 In Person/Video Conference/Phone**

**Attendance**

**Webex                      In Person                      Phone                      Absent**

***Directors:***

Crowley (Pres)		X		
Wentworth (1 <sup>st</sup> VP)		X		
Donovan (2 <sup>nd</sup> VP)		X (Left early)		
Hoffman (Treasurer)		X		
Luedke (Clerk)		X		
Cohen (Ast. Clk)		X		
Anderson		X (Left early)		
Lavanture		X		
Murray			X	
Pizey		X		
Radis		X		

***Staff:***

Berg		X		
James	X			
Gildart		X		
Mavodones		X		
Pottle		X		
Bowie		X		
Mills			X	

***Public:***

L. Heineman	X			
P. Flynn	X			
C. Chess	X			
J. McGuire	X			
C. Jenkins	X			
J. Schwartz	X			
Russ	X			
N. Cooper			X	

***Guests:***

Kelly McDonald	MPM	X		
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**1. Call to Order:**

- a. *The Board meeting was called to order at 7:45 AM by President Crowley*
- b. *It was noted that the meeting was being recorded*
- c. *President Crowley asked Berg to do a roll call of who was attending the meeting, which he did.*

**2. Approval of the April 27, 2023 meeting minutes**

- a. *Wentworth moved to approve the April 27 2023, meeting minutes as presented; Luedke seconded.*
- b. *President Crowley opened the floor to the public. There were no comments.*
- c. *President Crowley opened the floor to Directors*
  - i. *Hoffman had a minor correction noting that she was not late in joining the meeting. She logged in on time but there were technical issues at the beginning. there were no objections to removing the note that stated she was late..*
- d. *President Crowley called for a roll call vote*
- e. *Berg did a roll call vote. The motion passed unanimously (11-0)*

**3. Business**

- a. *There were no business items*

**4. Workshops**

**A. Discussion regarding vehicle congestion on Wednesdays during the summer season.**

- i. *President Crowley asked Operations Committee Chair Anderson to introduce the topic.*

**1. Anderson gave some background on the topic:**

- *This topic came to the Ops Committee because of concerns of congestion on the Portland side on Wednesdays which is a year long problem which is made worse in the summer due to reduced fares. The reduced fares were originally intended to help islanders get off island for medical appointments and errands. Worked really well the first year and then word spread about the cheaper rate. It has become a popular day for contractors and renters resulting in long lines extending to the whale wall and beyond. It impacts delivery trucks dropping off supplies at the terminal, it also impacts Ready seafood and could impact emergency vehicles responding to a medical emergency on the Maine State pier. Not enough real estate to handle that level of congestion. The Ops Committee discussed and voted to bring it to the Board. The Ops committee did not vote to eliminate it rather to just bring it to the Board for a discussion at the Board level on what to do about the congestion. The Committee also recognized that solving the Wednesday congestion issues does not solve the bigger Peaks Island vehicle problem.*
- *As a result, a sub-committee will be formed at the next Ops committee to come up with recommendations for the larger problem and meanwhile, the short term Wednesday congestion issue is still on the table. It is not going to be voted on today. This is an informational session to start the conversation with the Board and the public. Any vote needs to follow the PUC public process.*
- *Anderson shared some facts that need to be considered:*
  - i. *CBL has the queuing capacity of 24 cars.*
  - ii. *The Whale wall belongs to the city and they do not want CBL to line up vehicles alongside.*
  - iii. *CBL cannot charge a different rate for residents and non-residents.*
  - iv. *CBL cannot prohibit commercial vehicles on Wednesdays.*
  - v. *CBL cannot use the barge for regularly scheduled service without the barge operator being responsible for following all the required federal regulations which would probably be problematic.*
  - vi. *CBL can't fix Portland's parking problems.*

**2. Anderson turned the floor back to President Crowley**



3. *President Crowley stated that the floor will be open to public comment first and then the Board will go into Executive session.*
4. *President Crowley asked if there were any comments from the public.*
  - *Hoffman thanked Berg for sharing the written public comment as part of the Board packet but she was not able to get to the comments sent right before the meeting and asked Berg how many additional comments there were and did all of them say they did not want a change to current pricing structure for Wednesday's during the peak season. Berg reported there were 9 additional comments that came in overnight and a majority of them in favor of keeping the price as is*
  - *The floor was opened to public comment.*
  - *Caron Chess asked if commercial vehicles received a discount on Wednesdays and the answer was no. She also suggested noticing the possibility of delays on Wednesdays due to vehicle congestion.*
  - *There were no other public comments*
5. *There was a discussion about the process of going into Executive session*
6. *Luedke made a motion to go into executive session for consultation with CBITD's attorney pursuant to 1 M.R.S.A. Section 405(6)(E) regarding rate change process. Wentworth seconded the motion.*
7. *There was a discussion whether there was a need to go into Executive session or not. Donovan and Hoffman did not think it was necessary to go into Executive session. Kelley McDonald, CBITD legal counsel with MPM, was asked for his opinion. His recommendation was to go into Executive session to get legal advice. Once Board hears his legal advice it is up to the Board what they would like to share with the public when they come out of Executive session. President Crowley suggested going into Executive session to hear legal advice but not have a Board discussion until after coming out of Executive session. Hoffman thought the Board was far away from legal questions and believes it is a discussion of what is in the public interest. Lavanture thought Anderson's overview was different from what the Operations committee discussed which was the ability to make a change outside the PUC process. In that regard she would like to get legal advice.*
8. *President Crowley opened the floor to the public to comment on the Board going into executive session*
  - *Caron Chess asked the Board to weigh the risk of going into Executive session*
  - *There were no other comments*
9. *President Crowley called for a roll call vote*
10. *Berg did a roll call vote. The motion passed (6-5; Donovan, Hoffman, Luedke, Radis & Crowley voted against)*
11. *Berg muted the audio and disabled the video of the Webex conference so members of the public could not see or hear the Executive session.*
12. *The Board came out of Executive session around 8:32AM; video and audio were enabled*
13. *President Crowley opened the floor to the Board*
  - *Anderson thought this was a great opportunity for Directors to ask questions without violating the executive session to demonstrate the complexities of this topic*
  - *Donovan suggested a summary of the executive session*
  - *Kelly McDonald shared that there was a discussion about a number of Maine statues for the Public Utilities Commission and the different processes to make a change. He then provided some advice and recommendations.*

- Hoffman thanked Kelly and noted that she is not part of the Operations Committee. Traffic management is a big problem and in particular Peaks Island but it disrupts all aspects of the operations. She doesn't believe reduced fares on Wednesday causes the problem. The public has made it clear to have an affordable way to do errands is very important to Peaks Islanders. The Board needs to be very careful about changing something the Peak Islanders consider very important. She believes there is a need for more management of traffic and more creative ways of looking at fares and creating discounts. Work needs to be done and no need to rush. Work on actual solutions on what are larger problems to best serve the people.
- Donovan thought the Operations committee discussed a two-step recommendation:
  - i. Suspend reduced rate on Wed for 2023 season instead charge same fare on Wednesday as is charged on Monday & Tuesday
  - ii. Committee supported a more holistic approach working in conjunction with the Finance committee
- At 8:40 President Crowley had to step out for a phone call and Vice President Wentworth presided over the meeting
- Anderson said the intent was to have a conversation with the Board and go back to the Ops committee
- Wentworth suggested going around the table for a straw poll to see where everyone is on the two issues brought up by the Ops Committee with a yes or no response to 1) immediately suspend reduced Wednesday rate and 2) Price for Wednesday be the same as Monday and Tuesday. President Crowley returned at this point.
  - i. Cohen:                    No and No
  - ii. Lavanture:            No and No
  - iii. Pizey:                    No and No
  - iv. Luedke :                No and No
  - v. Wentworth:            No and No
  - vi. Crowley:                No and No
  - vii. Hoffman:             No and No
  - viii. Radis:                 No and No
  - ix. Anderson:             No and No
  - x. Donovan:                No and No
  - xi. Murray:                No and NO
- All were in support of a long-term solution to vehicle and passenger congestion.
- President Crowley closed the discussion by saying it will go back to the Operations Committee

**B. Discussion regarding FY2023 goals**

- i. There was consensus to postpone this discussion until after another personnel committee meeting. Berg was asked to send a poll to committee members to determine the best date/time for a personnel committee meeting.
- ii. Anderson and Donovan left
- iii. Berg asked for feedback on written staff reports

**5. General Information Reports**

**A. Financial Report**

- a) Part of Board Packet.

**B. Committee Reports**

