



**Peaks Island Council
MEETING MINUTES**

Wednesday, February 27, 2019

6:15 p.m., Peaks Island Community Room

Call to Order: 6:15 p.m.

ROLL CALL: Randy Schaeffer, Steve Anderson, Devon Kraft, Lisa Peñalver, Stuart Jackson,
Absent: Patrick Flynn, Andrea Kelly-Rosenberg

Number of Audience Members (AM) in attendance: 20

COMMITTEE REPORTS AND UPDATES:

Administrative Procedure: Motion to approve acquisition of PIC secretarial services

Kraft made a motion that the Peaks Island Council engage the services of Susan Hanley for the purposes of documenting the monthly regular and special meetings of the Peaks Island Council as per the job description. Payment will be in the amount of \$100 per meeting. Services may be terminated at any time by either party. Peñalver seconded. Unanimous vote to approve. Motion passed.

APPROVAL OF MINUTES:

Anderson made the motion to approve the January 23, 2019 meeting minutes. Kraft seconded. Unanimous vote to approve. Motion passed.

TREASURER'S REPORT:

Mike Murray was present to answer questions re: account balances. Anderson asked Murray when the PIC needs to reallocate end-of year balances.. Murray said changes had to be submitted by June 30th.

OLD BUSINESS:

Casco Bay Lines Ferry and Terminal Plan Update:

Peaks resident and CBL Board member Twain Braden present to provide update on the CBL plans for the new car ferry.

Braden introduced himself as a CBL Board member, but noted that he is not a member of the Vessel Advisory Committee. Braden provided a brief history of why the Board set up the Vessel Advisory Committee, noting that it arose out of a series of two retreats that the CBL Board held to look at long term concerns at Casco Bay Lines. During the first retreat, the CBL Board decided to commission a study to examine the boat schedules as a comprehensive way to address seasonal schedule demands. At the second retreat, the CBL Board identified the Machigonne II and the Maquoit II for replacement, with the Machigonne II to be replaced first. A Vessel Advisory Committee was created and tasked with developing a time line to set up when the two boats would be replaced.

After reiterating the caveat that he isn't on the Vessel Advisory Committee and that he is not speaking on behalf of the CBL Board, Braden invited community questions. Braden stated that If

he didn't know the answer, he would research the answer and reply via email at a later date. (Answers noted below were stated by Braden unless otherwise noted.)

Schaeffer invited audience members to ask Braden questions. Schaeffer stated he would keep track of unanswered questions and email them to Braden. Schaeffer will distribute Braden's answers publicly when he receives them.

Q: I went through the study that the CBL Board did, and the first four questions of the survey started by asking about the islands separately. Then, after question 5, the questions lump all the islands together. Is there any breakdown of responses by island?

A: I had a conversation with Hank. He said the survey that was circulated has not been organized by the consultant yet. That's why CBL did not immediately release it, because much of it is still in its raw form.

Schaeffer: The date on the report is October 2017, a year and a half ago, and CBL has continued to say that the data is not ready.

A: (Braden continuing) Answering the question about whether the data has been broken down by island, the answer is no. That's the data as it came in, it's the preliminary report so the data has not been fully crunched.

Schaeffer: that CBL has made statements to the effect that most islanders were in favor of a bigger boat but the data in the report contradicted that. He requested that Braden find out and report back about the status of the survey's data analysis. He asked Braden to find out when CBL will release the fully analyzed data.

Q: Based on my cursory reading of the survey, there didn't seem to be an overwhelming majority of islanders who voted for a larger ferry. So what was the basis of the decision that the three boat prototypes all seem bigger?

A: I don't know.

Q: Help us understand the data. CBL appears to say that the island wants a bigger boat, yet the data that we've received from CBL indicates the opposite. We're trying to understand that disconnect.

A: I don't know where the statement -- that CBL said islanders want a bigger boat -- came from.

Q: Looking at the plans that have been distributed, that would indicate there's a path towards a bigger boat. That's the disconnect that folks are trying to understand.

A: I agree with you.

Q: For the last couple of years, I've heard conversations about a bigger ferry. I'm not on the list serves or social media so I had no idea there was a survey. I definitely would have participated if there were copies in the library. I was told that there were copies at the library, but I didn't see it. My understanding is that really a small percentage of islanders participated in the survey.

AM: There were 297 responses from Peaks islanders out of a total of 640 responses from all of the islanders, which is a pretty small number of people. That survey was primarily about scheduling. And the only questions that had anything at all to do with the size of a vessel were questions 17 and 18. It was obliquely referred to as "Given your desire for service, do you prefer to move more people, the same number of people, or you have no opinion." That's the only

reference to the size of the vessel. So CBL is telling us that we've already had a survey and we've already responded.

Braden: Is there a concern that the survey is being represented as the basis for a new, larger vessel?

Most audience members said "Yes."

Braden: I don't know what to say if somebody is representing to you that the survey is the basis of the new larger vessel.

Q: Why wasn't the survey mailed, or emailed, or sent to taxpayers on the island, to home owners on Peaks Islanders. It doesn't matter if you're summer, seasonal. As a home owner, the people who live on the island on the ones who should be answering the survey. I don't know how many of those who are actual islanders.

AM: The answer is 179 identified themselves as year-round islanders.

Q: How many of those were seasonal out of that?

A: I don't know. Maybe we can write that question down and I can get back to you.

Q: I remember it was more of a questionnaire about how do you feel about the 5:35 or the 7:15 boat. I responded to the survey based on my child going back and forth on the boat. I don't recall anything about a bigger boat. I don't remember the questions of the survey but I do remember it was more about scheduling issues than about a bigger boat.

A: That's my memory of it too. As I said, at the retreat, we talked about the need to globally address the scheduling issues. I think that survey was the product of that effort, as opposed to the Vessel Advisory Committee.

Q: If you create another survey, what is your database is going to be, who's going to get it and how they're going to get it, and will there be a warning that there is going to be a survey in 30 days? Will there be a formal survey regarding the size of the next boat?

A: I'm not on the Vessel Advisory Committee but I can ask.

Q: In the future, could we have a little notice in the Star, the email lists, and material always left in the library? And in that way we will possibly get a lot more people, at least from now on, for future surveys.

Schaeffer: That's exactly what we did with the golf cart survey. We did it both online and hard copies. You're absolutely right.

Q: To what extent are engineering or economic factors, and other factors beyond public opinion, driving the design of the 30 year, multi-million dollar investment?

A: Elliot Bay is the design firm. They design sub-chapter T passenger vessels all the time. You've got Coast Guard regulations and all kinds of things that the vessel has to meet. I think a lot of it is the advisory committee saying "What do we want in a boat?"

Q: If this boat is being designed specifically for Peaks Island, shouldn't the Peaks Islanders be able to say what they want in a boat. I think part of the issue is that many Islanders don't think their voices are being heard. We're the ones that are going to be using the boat on a regular basis. Perhaps the Vessel Advisory Committee should be

asking Peaks Islanders “How do you use this boat? What do you want this boat do for you?”

A: As a Board member who was present when we set up the Vessel Advisory Committee, we spent a long time deciding who should be on the committee. But my answer to why they didn’t ask the islanders what they wanted is— I don’t know.

Q: At the end of the day, does the CBL Board or the Vessel Advisory Committee make the decision about the boat?

A: The Board. We’ll vote the first time as to the design itself. The Vessel Advisory Committee will merely make a recommendation to the Board. I, as a Board member, am not informed yet because I don’t have a recommendation from the Vessel Advisory Committee as to what they think it should look like.

Q: So the designs that are circulating are not as a result of recommendations by the Vessel Advisory Committee?

A: They haven’t been recommended to the Board, is what I’m saying. The Vessel Advisory Committee has been involved as far as I understand.

AM: From the layperson’s perspective, it seems like a convenient distance between these two entities, it allows you all to have a degree of deniability.

Braden: “You all” being the Board or “you all” being the Vessel Advisory Committee?

AM: The Board.

Braden: Do you have a list of the Vessel Advisory Committee?

AM: Patrick Flynn, Dan Doanne, Dave Crowley, Scott Johnson, Bill Overlock, Valerie Kelly, Bob Hannigan, John Condon, Paul Balesca, Hank Berg, Nick Mavadones, Katie Gildart, Bruce Woodman, Gene Willard, John Tracey, Gary Pressey, Gretchen Frank, Paul Pottle – there are 18 members.

Braden: I counted five of those members are CBL Board members. Because I am not on that committee, I fit into that category of what you describe as being conveniently disconnected.

Q: Can you talk about the timeline for those votes and when you expect the recommendation?

A: I think the first vote is going to be in the next couple of months.

Q: And you said first vote? So there is going to be a sequence of steps?

A: The answer is I don’t know because I don’t know what’s going to be given to me to vote on. We always get our packets [a few days] in advance, so I’ll have an opportunity to look at it and dig in and understand it. But let’s say people have objections or input, which I’m sure will happen, that will be the initial hurdle. I’m sure that will only be the first vote and then the design will need to be voted on again.

Q: And you said the first vote will be when?

A: I think it’s going to be in the next couple of months. I will circulate a note to Carol’s list and get the word out when a vote’s coming up so you can come to the meetings to make your interests known.

Q: Will we have an opportunity to see what you are voting on?

A: Yes, if you come to the meeting in which we're voting to tweak the design or whatever, that will be part of the materials you'd be given.

Q: What about before the meeting so we have a chance to read it and understand it.

A: I don't know when I'll get it but as soon as I get it, I will certainly share it with you.

Q; I remember when my 28-year old son was in school, we had a theme about being stewards of the island. It's not about blocking people from coming over, but when is enough, enough? In all these discussions, where is the discussion of being stewards of the island and taking care of the island ecologically?

A: Speaking personally, one of the things I've seen as a Board member, is the innate conflict between Staff members and Board members. Staff members run a business – pay the staff, to be safe, keep the boats running on time. As Board members, we're tasked with long term viability, safety and policy issues, and this is often fundamentally at odds with the Staff members' mission. I don't want a larger vessel, I'll vote against a larger vessel. By larger, I mean more passengers and more cars. I believe that CBL can only do so much with respect to the numbers of people and cars on the boat and part of the problem is infrastructure. On the mainland side you have a tiny terminal on the end of a pier. Some of that will be addressed with Phase 2 of the Terminal Renovation, but on the island, we already have a major problem with infrastructure. The City needs to step up and participate in the problem we have down front. Just safety-wise. Forget about quality of life.

Schaeffer: one of the items in the agenda is a letter to the City that addresses the need for infrastructure investment.

Murray: The City Manager is not in disagreement that congestion is currently a problem regardless of the size of the boat. He's had staff out here looking at short term solutions but also long term solutions. When I say long term, it's things that require significant engineering costs and coordinating with CBL, the City and MDOT. We don't have anything from our engineers to show on paper right now. It's just concepts and we need to come out here and get the people's input before we go too far down the road. When we talk about Welch Street, it's not just the street, it's the sidewalk, it's the parking lot, it's the intersection, it's really re-imagining the whole area.

Q: I've been here for 26 years. Every year there's been an increase in ridership. Do I think we're going to stop people from coming to Peaks now? I don't know. But we have the advantage of having had a simulation. What is it like when we run a boat that can take 24 cars – what happens in Portland and what happens to all the cars lined up and double parked on Island Avenue. This boat has not been a disincentive for people coming to Peaks.

Q: Twain, will you be conveying the input of the islanders to the Board at the meeting tomorrow morning? Is there a vehicle within the structure of CBL for you to report the input you've been receiving?

A: I think the answer is yes, but I don't really know beyond some anecdotal resistance to a larger boat. By a show a hands – who wants a larger boat with 599 passengers and 18 cars? – three. Who wants the vessel size passenger and vehicle wise to not get larger? – twelve. Is anybody still trying to make up their minds? – six.

Every time I have a difficult vote to make, I ask people to send me emails. Please send me your

specific comments; that's all I have. I need something tangible so please send me emails. Otherwise it's just my word. twainbraden@gmail.com

Q: Are other islands having the same issues we're having?

A: No. That's another thing you have to understand. There are six or seven Board members from down the Bay. They have an incentive to vote for a larger vessel for Peaks because it means more money to support the business, and they have 6 or 7 votes. As Board members from down the Bay, they have an incentive to vote for as large a vessel that will go back and forth from Peaks Island as the market will bear.

FY 2020 PIC Budget Request Approval

Schaeffer referred to two handouts that included the budget as designed by workshop on 2/20/19, as well as the budget in its final form.

Anderson motioned to approve the FY 2020 budget and submit the budget in its final form to the City Manager's Office. Peñalver seconded. No public comment. No council member discussion. Unanimous vote to approve. Motion passed.

Casco Bay Lines survey of community re ferry replacement

Anderson referred to a handout of a community input survey; explained that in accordance with the motion at the January 23rd council meeting, he had developed a community survey to assess islanders' views about the CBL replacement vessel, as well as infrastructure issues down front. The PIC will survey Peaks Island residents and provide the data to CBL and the City for consideration by those entities when they are making decisions.

Anderson motioned to approve the PIC survey he has written. Peñalver seconded. Public comment ensued.

AM: the survey should not ask people for a specific number of people or cars on the ferry. She felt it would be better to phrase the question about numbers as "greater than" or "less than".

AM: current ferry capacity (i.e., 399) should be inserted into introduction.

AM: How will the survey be distributed? Ensuing discussion among audience re: ideas to reach all islanders – mailing them to all island home owners, hand delivering to elderly, hand delivering to everyone, assigning distribution to volunteers by sections of the island to ensure everyone received a copy.

Schaeffer stated that the survey would be available online and as hard copies in the library.

AM: survey online could mean people who aren't supposed to be taking the survey have access to it. Anderson commented that they are able to track survey takers by IP address, and that helps them to prevent one person from answering the survey multiple times.

Schaeffer: pointed out that this motion does not include intention to "execute the survey." Schaeffer also mentioned that some editing would be required to wordsmith the survey based on recent feedback, but timing is an issue and the survey needs to be approved at this meeting so that it can be circulated before the next PIC meeting. During discussion, councilors agreed that Anderson could make necessary changes to the survey as long as edits did not change the intent or tone of the survey.

Anderson moved to amend motion so that the Peaks Island Council transportation committee execute a survey that is in keeping with the intent and tone of the survey in front of us, given the feedback we've received today as well as the feedback that we've received recently. Peñalver seconded. No public comment. No councilor discussion. Unanimous vote to approve. Motion passed.

Casco Bay Lines Infrastructure needs

Schaffer referred to a handout of a letter written to the members of the Portland City Council entitled "Infrastructure needs in the face of increased tourism to Peaks Island". Schaeffer noted that at the January 23rd council meeting, the PIC approved sending a letter to the City asking them to improve the infrastructure around the ferry landing. Schaeffer called for Mike Murray's input.

Murray: Based on recommendations of PIC last year, the City is going to relocate the bike racks, add additional golf cart parking, put in quick-charge stations for golf carts and electric vehicles. Murray pointed out that these changes will not have to be undone when future upgrades are installed. The areas that will be targeted are ground cover areas that will be removed to create new infrastructure. That is going to happen this year. The engineers are developing concepts for next year that will include adding more bathrooms.

Schaeffer: Will the City be getting community input about future upgrades?

Murray: The City will come out to the island to make presentations once they have some concepts.

Public Comment

AM: the letter was well written and needed.

AM: The sewage treatment plant is already running over capacity in the summer; does this letter address this?

Anderson: The letter is intentionally focused just on safety and transportation issues down front.

Councilor Discussion

Peñalver expressed concern that the wording in the letter could send the message to the City that Peaks Island wants to maximize its tourist capacity more than it wants to make sure it's livable for year-round residents. She said that the community needs to consider the bigger picture of who we want to be as an island. She noted that Mike Murray said the City is planning to spend \$50,000 to patch some things in the island parking lot. She suggested that the money would be better spent to do a comprehensive study to look at tourism management from a social and environmental standpoint, rather than just a physical standpoint. She also said the letter asks for an infrastructure study in a way that says Peaks Island wants Portland to build infrastructure that could increase tourism further.

The councilors then discussed ways the wording in the letter could be changed so that the letter asks the City to fully understand and mitigate the negative impact of the increasing number of visitors who the City of Portland is actively encouraging to visit Peaks Island.

Schaeffer said there are two sets of concerns. 1) immediate infrastructure problems that affect safety and transportation issues right now and 2) long term concerns of the broader environmental impact of tourism on an island with limited space and facilities. He said the PIC needs to ask the City to address both concerns, and the letter addresses the immediate infrastructure concerns. He pointed out that the letter also asks the City to conduct a longer-term study.

Peñalver said she did not want the letter to suggest that the longer term study* should be paid for with funds already approved for initial infrastructure repairs. Schaeffer agreed.

**Correction made by Peñalver during review of minutes: In the sentence above Peñalver accidentally said "longer-term study" when she meant to say "limited infrastructure study."*

Schaeffer said he will make the edits based on comments and send to council members for final approval before he sends it to the PIC.

Peñalver motioned to approve the revised version of the letter and send it to the Portland City Council members as long as the intent and tone remains true to the spirit of the discussion. Anderson seconds. Unanimous vote to approve. Motion passed.

Golf cart recommendations

Murray said that Councilor Ray has asked the City Manager to have the Transportation Committee staff look at the 11 recommendations that were sent to them. Staff is going to be meeting in the next couple of weeks and will put together their recommendations to bring forth to the City council. Murray noted that the issue has been transferred to the Transportation Committee (not the Health and Public Safety committee).

Anderson had no further updates.

NEW BUSINESS:

Re-evaluation – update on City process: No updates at this time. Tabled until next meeting.

PUBLIC COMMENT

Schaeffer called for public comment. There was none.

ANNOUNCEMENTS/UPDATES

Anderson announced that there will be no more concerts on the Maine State Pier. The concerts will be moved to Westbrook.

The Hazardous Waste Pickup will be held once again this year, in August. The exact date will be announced later in the year.

Stuart Jackson announced that Patrick Flynn will be resigning from the council due to his conflict of interest as head of the Board of CBL. Upon Flynn's formal resignation, there will be a position to be filled on the council.

Next PIC Meeting: Wednesday, March 27, 2018, 6:15 pm at the Community Room

Meeting Adjournment: 7:56 p.m.