

**MINUTES
OF THE
WOODS HOLE, MARTHA'S VINEYARD
AND NANTUCKET STEAMSHIP AUTHORITY**

The Meeting in Public Session

December 13, 2021

The Members of the Woods Hole, Martha's Vineyard and Nantucket Steamship Authority met on December 13, 2021, beginning at 9:03 a.m., in Rooms 110-111 at the Cape Cod Community College Hyannis Center, 540 Main Street, Hyannis, Massachusetts. All five (5) Members were present: Chair Kathryn Wilson of Falmouth; Vice Chair Moira E. Tierney of New Bedford (who arrived at 9:39 a.m. during discussion of the Woods Hole/Falmouth Noise and Traffic Mitigation Working Group); Secretary Robert F. Ranney of Nantucket; Robert R. Jones of Barnstable; and James M. Malkin of Dukes County.

The Authority's Port Council also met jointly with the Authority Members at this meeting. All seven (7) Port Council members were present: Chairman Edward C. Anthes-Washburn of New Bedford; Vice Chairman Eric W. Shufelt of Barnstable; Secretary Robert S.C. Munier of Falmouth; Mark H. Rees of Fairhaven (who arrived at 9:16 a.m. during discussion of the Woods Hole Terminal Reconstruction Project update); Nathaniel E. Lowell of Nantucket; Joseph E. Sollitto Jr. of Oak Bluffs; and John F. Cahill of Tisbury.

The following members of management were also present: General Manager Robert B. Davis; General Counsel Terence G. Kenneally; Treasurer/Comptroller Mark K. Rozum; Communications Director Sean F. Driscoll; Director of Marine Operations Mark H. Amundsen; Woods Hole Reconstruction Project Manager William J. Cloutier; and Director of Shoreside Operations Alison A. Fletcher.

Video and Audio Recording of Today's Meeting:

Ms. Wilson announced Steve Baty of All Media Productions was making a video and audio recording of today's meeting in public session on behalf of Martha's Vineyard Community Television, also known as MVTV. Mr. Driscoll was also making an audio and video recording of the meeting; Rich Saltzberg (representing the *Martha's Vineyard Times*) indicated he was making an audio recording of the meeting.

Remote Access to the Meeting:

Ms. Wilson announced, pursuant to Section 20 of Chapter 20 of the Acts of 2021 and in line with social distancing guidelines followed during the COVID-19 pandemic, all members of the public were participating remotely in the meeting via the Zoom videoconferencing app as an adequate, alternative means of public access occurring in real time.

Mr. Davis asked that all individuals in the meeting remain masked unless they were actively speaking. He added that it was good to have people together in the same room after nearly two years of remote meetings.

Minutes:

Upon a motion from Mr. Cahill and a second from Mr. Sollitto, the Port Council **voted** 6-0 to approve the minutes of its meeting of November 3, 2021, in public session.

IT WAS VOTED – upon a motion by Mr. Malkin, seconded by Mr. Jones – to approve the minutes of the Board’s November 16, 2021, meeting in public session.

<u>VOTING</u>	<u>AYE</u>	<u>NAY</u>
Ms. Wilson	10 %	
Mr. Ranney	35 %	
Mr. Jones	10 %	
Mr. Malkin	35 %	
TOTAL	90 %	0 %

Results of Operations:

Mr. Rozum reviewed the results of the October 2021 business summary via a PowerPoint presentation, which showed the Authority carried more passengers (up 5.4%), automobiles (up 22.9%) and trucks (up 2.6%) than in the same month in 2019, which was the month used for the 2021 budget projections due to the COVID-19 pandemic in 2020. He noted that October 2019 was affected by several storms that interrupted service, which led to the large increases in comparative traffic. Year-to-date totals show the Authority has carried fewer passengers (down 10.8%), more automobiles (up 4.8%) and fewer trucks (down 0.1%) than expected in the 2021 operating budget.

Mr. Rozum said the Authority's operating income for October 2021 was approximately \$10,803,000 and the operating expenses were approximately \$8,929,000, for a net operating income for the month of some \$2,004,000, approximately \$3,474,000 higher than anticipated in the 2021 operating budget. Year-to-date net operating income was \$22,411,000, approximately \$6,320,000 above budget.

During the month of October 2021, the Authority's vessels were scheduled to make a combined 2,232 trips, of which fifteen (15) were canceled for mechanical reasons on the Martha's Vineyard route and zero (0) were canceled for mechanical reasons on the Nantucket route, he said.

Mr. Malkin asked about the lower-than-budgeted total for "other income" for the year; Mr. Rozum said it was due to the timing of the receipt of grant revenues.

Woods Hole Terminal Reconstruction Project Update:

Mr. Davis shared the following updates on the Woods Hole Terminal Reconstruction Project:

- The Jay Cashman Inc. waterside crew prepared the south head dolphin for the fender to be hung from it. To do so, Cashman's crew worked on removing the upper wale on the south head dolphin.
- Cashman crew, meanwhile, prepared the barge for drilling at Monopile No. 31. They also welded the 36-inch piles that will be drilled inside of Monopile No. 31.
- During the first week of December, Cashman moved the barge in place at Monopile No. 31 and a template was added to the monopile to guide the 36-inch piles in place while drilling.
- Last week, Cashman's crew set the first leg of 36-inch pipe inside Monopile No. 31 and drilled it to -40 feet. They spliced a second piece of 36-inch pipe to it and then drilled it to its design depth of -85 feet
- The masons sealed the pavers on the south pier.
- The waterproofing contractor sealed the pile caps under the south pier.
- The glass contractor completed the installation of the glass windscreen on the south passenger pier.

Thus far, the Authority has sent 177 community email updates for the project.

Mr. Cloutier then shared a PowerPoint presentation with recent photographs from the site. The presentation also included a cost update for the project, showing the original contract price of \$43,143,280, change orders to date of \$14,516,963 (34% of the original contract price), and the total contract price of \$57,654,243, which is \$3,964,343 over the original waterside cost estimate.

Ms. Wilson asked if the site would be capable of supporting future power needs if the Authority starts to use electric ferries. Mr. Cloutier said all three (3) slips have top-of-the-line power connections. Mr. Davis said, once the Authority sees the results of its alternative propulsion study, the future needs of the site can be considered but noted the shift to alternative energy for the Authority's ferries was a "work in progress."

Mr. Munier asked where the project's finances would end up; Mr. Cloutier said the Authority was trying to finalize the last change order for Monopile No. 24, and there are approximately \$600,000 in line-item costs that are not going to be billed, so the project's cost is not going to be too much higher.

Receipt of Letter from Office of Public Safety and Inspections:

Mr. Davis said, on December 7, 2021, the District State Inspector sent a letter to the Authority advising that the inspector was denying the Authority "the continued use of the temporary terminal" building in Woods Hole. The inspector further advised that the Authority had forty-five (45) days from the date of the letter to apply for a hearing before the Appeals Board.

Mr. Davis reviewed the background of the situation, noting that, in the early stages of the Woods Hole Terminal Reconstruction Project planning, a suitable temporary facility was identified to house ticketing and restrooms during construction. In June 2016, the District State Inspector issued a decision that the Woods Hole Temporary Terminal Building did not meet the State Building Code's requirements for a flood-resistant construction as the project's designed elevation of nine and one-half (9.5) feet was "significantly lower" than the required AE13 flood zone elevation of thirteen (13) feet. The inspector also noted the Temporary Terminal Building did not meet the requirements for "protection of openings" under the International Building Code.

Later in June 2016, the Authority filed an appeal of the Inspector's decision with the Appeals Board, which subsequently held a hearing on July 7, 2016. At the hearing, the Authority's representatives provided testimony under oath and related documents as evidence, Mr. Davis said.

In August 2016, a three-person panel from the Appeals Board issued a decision on the Authority’s appeal, finding that the Authority was entitled to a variance for the construction of the Temporary Terminal Building. This variance anticipated that the temporary facility would be needed for four (4) years. An occupancy permit to use the Temporary Terminal Building was obtained in September 2017 and in December 2017, the Authority began utilizing the Temporary Terminal Building.

In November 2019, the Members unanimously approved the schematic design phase services for a new one-story terminal building and a new two-story utility building at the Woods Hole terminal site, Mr. Davis said. Since this approval, BIA.studio has moved the project from schematic design to the design development phase and it is anticipated that a public session reviewing the ninety percent (90%) completion of the design development phase will be held in early January 2022.

Mr. Davis said staff had received assurances in informal discussions that, as long as the Authority has a design and plan for the permanent terminal building and is moving forward, there will be support for an extended variance. He said he wished to have support of the Port Council and Board to pursue an appeal of the denial.

Mr. Malkin said it was important for people to realize that, because there are a large number of people who believe the Authority should continue to use the existing building going forward, the state has said it cannot.

IT WAS VOTED – upon a motion by Mr. Jones, seconded by Mr. Malkin – to authorize the general manager to file an appeal with the State Building Code Appeals Board seeking a variance to such provisions in the State Building Code relating to the continued use of the Woods Hole Temporary Terminal Building, as recommended in Staff Summary #L-523, dated December 10, 2021.

<u>VOTING</u>	<u>AYE</u>	<u>NAY</u>
Ms. Wilson	10 %	
Mr. Ranney	35 %	
Mr. Jones	10 %	
Mr. Malkin	35 %	
TOTAL	90 %	0 %

Upon a motion by Mr. Lowell and a second by Mr. Cahill, the Port Council then **voted** 7-0 to recommend approval.

M/V Sankaty Dry Dock Status:

Mr. Amundsen provided an update on the dry docking of the *M/V Sankaty* at Thames Shipyard in New London, Connecticut, which is currently underway. Highlights of the project include installation of a new fire detection system, blasting and coating of the superstructure and underwater areas, and overhaul of the bow thruster, shaft, and rudders. The project cost, with credits and change orders, is \$862,834.

Review of the November 27, 2021, incident in Vineyard Haven:

Mr. Amundsen then addressed a November 27, 2021, issue at the Vineyard Haven terminal in which the Slip No. 2 transfer bridge separated from the deck of the *M/V Island Home* while the vessel was loading.

He said two (2) cables are attached to the transfer bridge that help maneuver the bridge onto the bow of the Authority's vessels. The purpose of the cables is to do that maneuvering, not to secure the vessel to the bridge. Although one of the transfer bridge's cables was not functioning properly, Mr. Amundsen said it was not a factor in the incident. One of the vessel's hawser lines "should have been tighter," he said, and when the *M/V Katama* was entering Slip No. 1, the wake of that vessel forced the *M/V Island Home* off the transfer bridge a bit and pulled the lines into a taut position, and the vessel separated from the bridge. The crew had a proper response, in that they stopped the loading of the vessel and got a car that was spanning the bridge and the vessel off the bridge immediately. Mr. Amundsen said another bollard would be added shoreside to help vessel crews better secure the lines in the future.

Mr. Malkin noted the incident caused a lot of concern on the Vineyard and said many people were under the misapprehension that the transfer bridge cables secured the vessel to the bridge. Mr. Amundsen confirmed the cables were only to position the bridge and that the incident was due to a line that was not as taut as it should have been.

Mr. Cahill asked if the vehicle was at any point in danger of going into the water; Mr. Amundsen said there was not. He said it was an abnormal situation but he wanted everyone to be clear that the purpose of the cable is not to secure the vessel. Mr. Cahill asked if the crews put the vessel forward when it is at the

transfer bridge; Mr. Amundsen said they do not, and the vessel is secured to bollards using soft lines before the transfer bridge is lowered.

Woods Hole/Falmouth Noise & Traffic Mitigation Working Group update:

Mr. Davis then reviewed recent accomplishments of the Working Group:

- Providing support for the installation of electronic speed feedback signs on Woods Hole Road.
- Suggesting the expansion of Reservation-Only Days on the Martha's Vineyard route.
- Making suggestions about how to improve the Authority's standby operations.

Other suggestions from the Working Group have included the following:

- Investigating whether the Authority can have an off-site staging area for standby cars.
- Investigating how the Authority's new website can better communicate the status of each terminal's standby line, as well as when a standby line is closed.
- Investigating whether the Authority's new website can be paired with an app that can provide real time status.
- Reviewing the Authority's standby operations at its other terminals, particularly its Nantucket and Hyannis terminals, to see whether those operations can be adopted (and revised) for use at the Woods Hole terminal.
- Investigating how the Authority can better notify its standby customers before they arrive in Falmouth as to whether the standby line is open.
- Investigating the possibility of installing webcams directed toward the intersection of Woods Hole Road and the Crane Street bridge.
- Making suggestions about how to improve the Authority's truck check-in system.
- Update on the Authority's purchase of electric shuttle buses.
- Preventing drivers from crossing into the opposite lane of traffic on Crane Street and the Crane Street bridge.
- Continuing to review emails received by the Authority at whtraffic@steamshipauthority.com.

Ms. Fletcher then said that, during the November 30, 2021, meeting of the Woods Hole and Falmouth Traffic and Noise Mitigation Working Group, she made an erroneous statement that she wanted to clarify. During the November

30, 2021, meeting she had stated that, on November 7, 2021, police were called regarding traffic backups at the Woods Hole Terminal that stemmed from a mechanical issue with one of the Authority's vessels. After reading notes from the terminal more closely, she said she now knows that neither the Falmouth Police Department nor the Massachusetts State Police were called that evening. She said she was reading the Authority's internal notes from that day's events as she was speaking at the meeting, and she should not have made that statement without a more thorough review of what occurred.

Mr. Malkin then asked about the future role of the Working Group, noting that he thought its members had done good work and been part of good communication between the communities on the Vineyard route. Given the group's long list of accomplishments, he asked what the future role for the group would be and said he has understood more recent meetings to be more a recitation of incident reports rather than issues to be worked on.

Mr. Davis said the meetings have been occurring monthly and that they could be spread out a little more so as to keep the lines of communication open and receive future suggestions about the Authority's operations.

Mr. Jones said he has watched most of the meetings and he thinks the group has made progress and is worthwhile. However, he said the Authority can only control what it can control and that the Town of Falmouth has to take ownership of its problems as well and that it seems all the problems fall back to the Steamship Authority. He said he does not know how to get that point across but he does feel there has been progress made.

Ms. Wilson said, as a Board Member, she has benefited from the group and its discussions have been helpful to her as she works to understand the issues. She said it was a good thing to have that line of communication already established with a format and forum to review these issues.

Mr. Malkin said he did feel the meetings were helpful, but a lot of the reports that stem from them were anecdotal and could be addressed by contacting Ms. Fletcher rather than involving the group.

Hyannis Harbor Tours License Renewal:

Mr. Davis said the staff is requesting authorization to renew the Authority's license agreement with Hyannis Harbor Tours Inc. ("Hy-Line"), allowing it to operate passenger transportation services between Hyannis and Nantucket, between Hyannis and Martha's Vineyard, and between Martha's

Vineyard and Nantucket (its “inter-island” service) during the 2022, 2023 and 2024 operating seasons.

On October 29, 2021, the Authority received a written request from Hy-Line for a three-year renewal of its license agreement. A review of Hy-Line’s 2022 scheduling request reveals that it is not proposing any changes to previously approved operating schedules, Mr. Davis said.

In light of this information, staff recommends that the Members vote to authorize the General Manager to execute a three-year renewal of its license agreement with Hyannis Harbor Tours Inc., which will allow it to operate passenger transportation services between Hyannis and Nantucket, between Hyannis and Martha’s Vineyard, and between Martha’s Vineyard and Nantucket during the 2022, 2023 and 2024 operating seasons. The staff further recommends that the Members’ vote also authorize the General Manager to take all necessary and appropriate actions to carry out that license agreement and fulfill the Authority’s obligations thereunder.

Mr. Sollitto noted the last license renewal was for one (1) year, not three (3) years; Mr. Davis said that was a result of the ongoing COVID-19 pandemic, and said the Authority pursued one-year deals with all its licensed carriers due to the continued uncertainty regarding travel demands. Now that Hy-Line’s operations, much like the Authority’s, have returned to some sense of normalcy, staff was now recommending a customary three-year renewal.

Mr. Munier asked Mr. Davis to summarize Hy-Line’s license fees and how they compared to other carriers. Mr. Davis said the current formula started in 2016 and, as Hy-Line carries more passengers, the percentage of license fee per passenger goes up as well.

Then, upon a motion by Mr. Lowell and a second by Mr. Shufelt, the Port council **voted** 7-0 to recommend approval of the license agreement as proposed.

Mr. Jones said he did not have an issue with a three-year renewal and said the two (2) companies worked very well together.

Mr. Malkin noted he had recently mentioned to Mr. Davis the possibility of Hy-Line expanding its service to the Vineyard; Mr. Davis said he had relayed that to Hy-Line, but the company was having similar constraints in their schedule as the Authority.

IT WAS VOTED – upon a motion by Mr. Ranney, seconded by Mr. Jones – to authorize the general manager to execute a three-year renewal of its license agreement with Hyannis Harbor Tours Inc., which will allow it to operate passenger transportation services between Hyannis and Nantucket, between Hyannis and Martha’s Vineyard, and between Martha’s Vineyard and Nantucket during the 2022, 2023 and 2024 operating seasons, and that the general manager be authorized to take all necessary and appropriate actions to carry out that license agreement and fulfill the Authority’s obligations thereunder, as recommended in Staff Summary #L-520, dated December 9, 2021.

<u>VOTING</u>	<u>AYE</u>	<u>NAY</u>
Ms. Wilson	10 %	
Ms. Tierney	10 %	
Mr. Ranney	35 %	
Mr. Jones	10 %	
Mr. Malkin	<u>35 %</u>	<u> </u>
TOTAL	100 %	0 %

Freedom Cruise Line Inc. License Renewal:

Mr. Davis said staff is requesting authorization to renew the Authority’s license agreement with Freedom Cruise Line Inc. (“Freedom”), which operates seasonal passenger ferry service between Harwichport and Nantucket with the *M/V Freedom*.

In November 2021, Freedom submitted a request to renew its license agreement with the Authority. The Authority advertised the renewal request in local newspapers and on its website. However, the Authority did not receive any public comments in response to its advertisements. Mr. Davis noted that the Authority similarly advertised Hy-Line’s license renewal request, and also did not receive any public comments.

Mr. Davis said Freedom also has asked its license agreement be renewed for three (3) years on the same terms and conditions as its recently expired license agreement, pursuant to which it has operated one (1) daily round trip commencing on the Friday before Memorial Day

through the last Friday in June, then three (3) daily round trips through Labor Day, and then one (1) daily round trip through Columbus Day.

Then, upon a motion from Mr. Sollitto and a second by Mr. Lowell, the Port Council **voted** 7-0 to recommend approval of the license agreement as proposed.

Mr. Jones noted he recently attended a celebration in honor of the last trip on Freedom by Barry Fuller, former general manager of the Authority, who has been sailing the waters of Nantucket Sound for many years.

Ms. Wilson noted that Freedom does not collect embarkation fees; Mr. Davis said Harwich is not in the state statute and Freedom carries fewer than 99 passengers per trip, so it is not subject to the statute for its Nantucket departures.

IT WAS VOTED – upon a motion by Mr. Ranney, seconded by Mr. Malkin – to authorize the general manager to execute a three-year renewal of its license agreement with Freedom Cruise Lines Inc., as recommended in Staff Summary #L-519, dated December 9, 2021.

<u>VOTING</u>	<u>AYE</u>	<u>NAY</u>
Ms. Wilson	10 %	
Ms. Tierney	10 %	
Mr. Ranney	35 %	
Mr. Jones	10 %	
Mr. Malkin	35 %	<hr/>
TOTAL	100 %	0 %

Seastreak LLC License Renewal:

Mr. Davis said staff is requesting authorization to renew the Authority’s license agreement with Seastreak LLC (“Seastreak”), which operates seasonal passenger ferry service between New Bedford and Martha’s Vineyard and between New Bedford and Nantucket.

In November 2021, Seastreak submitted a request for renewal of its license agreement with the Authority. The Authority advertised the renewal request in local newspapers and posted the notice on its

website. The Authority did not receive any public comments in response to these advertisements, Mr. Davis said.

Seastreak has asked for a three-year renewal of its license agreement for its service between New Bedford and Martha's Vineyard and New Bedford and Nantucket, but it also has proposed a revised service schedule for both of its routes, Mr. Davis said.

During Seastreak's early spring (mid-April through mid-June) and fall/early winter (early September to January 1) schedules, its ferry from New Bedford to Nantucket would stop at Oak Bluffs or Vineyard Haven (depending on the terminal's accessibility) to drop off and pick up passengers; on its return trip, it would also stop at Oak Bluffs or Vineyard Haven (depending on the terminal's accessibility) to pick up and drop off passengers. By stopping at Oak Bluffs or Vineyard Haven while traveling between New Bedford and Nantucket, Seastreak achieves greater operational efficiencies. However, Seastreak's "inter-island" service would not operate while Hy-Line operates its licensed inter-island service from the last Friday of May through Columbus Day, Mr. Davis said.

Seastreak also has asked that it be allowed to operate a Commodore Class vessel, which has a larger passenger capacity, in lieu of a Seastreak Class vessel based upon customer demand and availability, Mr. Davis said.

Mr. Sollitto asked if Seastreak was going to run in the wintertime; Mr. Davis said they were looking into it, but it would depend on demand.

Mr. Anthes-Washburn said he was glad Seastreak and Hy-Line had worked out an arrangement to improve inter-island service.

Then, upon a motion by Mr. Lowell and a second by Mr. Cahill, the Port Council **voted** 7-0 to recommend approval of the license agreement as proposed.

Mr. Jones asked how big the Commodore class vessels are; Mr. Davis said the Certificate of Inspection allows for up to 600 passengers, and it has enough seats for 720 passengers.

Mr. Malkin noted he had mentioned to Mr. Davis the possibility of Seastreak providing commuter service from New Bedford to Martha's Vineyard and asked if that discussion had gone anywhere; Mr. Davis

said the company was always willing to try new things, and noted a new general manager had been assigned to the route, so additional discussions on the point were likely to occur.

IT WAS VOTED – upon a motion by Mr. Malkin, seconded by Ms. Tierney – to authorize the general manager to execute a three-year renewal of its license agreement with Seastreak LLC for the 2022, 2023 and 2024 operating seasons, and to authorize the general manager to take all necessary and appropriate actions to carry out that license agreement and fulfill the Authority’s obligations thereunder, as recommended in Staff Summary #L-521, dated December 9, 2021.

<u>VOTING</u>	<u>AYE</u>	<u>NAY</u>
Ms. Wilson	10 %	
Ms. Tierney	10 %	
Mr. Ranney	35 %	
Mr. Jones	10 %	
Mr. Malkin	<u>35 %</u>	_____
TOTAL	100 %	0 %

Island Commuter Corp. License Renewal:

Mr. Davis said the staff is requesting authorization to renew the Authority’s license agreement with Island Commuter Corp., allowing the *M/V Island Queen* to run one (1) additional round trip between Falmouth and Oak Bluffs on Mondays through Thursdays during its 2022 spring and fall schedules.

On October 20, 2021, Island Commuter Corp. asked the Authority to again license the *M/V Island Queen* to provide round trips between Falmouth and Oak Bluffs in 2022; namely, to run one (1) additional round trip between Falmouth and Oak Bluffs on Mondays through Thursdays during its 2022 spring schedule (May 27 through June 16, 2022) and its fall schedule (September 12 through October 11, 2022). Mr. Davis said the Authority advertised the renewal request in local newspapers and on its website. However, the Authority did not receive any public comments in response to its advertisements.

Then, upon a motion by Mr. Sollitto and a second by Mr. Cahill, the Port Council **voted** 7-0 to recommend approval of the license agreement as presented.

IT WAS VOTED – upon a motion by Mr. Jones, seconded by Ms. Tierney – to authorize the general manager to execute a license agreement with Island Commuter Corp. allowing it to provide additional trips as outlined, provided that Island Commuter Corp. pays the Authority license fees equal to fifty percent (50%) of the Authority’s average revenue per passenger on the Martha’s Vineyard route in June 2021, or \$5.96 for each passenger carried on each of those additional trips, and to authorize the general manager to take all necessary and appropriate actions to carry out that license agreement and fulfill the Authority’s obligations thereunder, as recommended in Staff Summary #L-518, dated December 9, 2021.

<u>VOTING</u>	<u>AYE</u>	<u>NAY</u>
Ms. Wilson	10 %	
Ms. Tierney	10 %	
Mr. Ranney	35 %	
Mr. Jones	10 %	
Mr. Malkin	35 %	
TOTAL	100 %	0 %

Proposed Renewal of Lease with the
Town of Falmouth for the Woods Hole Parking Lot:

Mr. Davis said staff is requesting that the Members authorize the General Manager to amend the lease agreement, dated October 27, 2015, entered into by and between the Town of Falmouth (hereinafter referred to as “the Town”), and the Authority concerning the Woods Hole Back Parking Lot.

In 2015, the Authority entered into a five-year agreement with the Town to lease the Lot, which is situated in Woods Hole. In 2016 and again in 2020, the Authority entered into amendments related to metered spaces and an additional year extension to the lease, respectively, Mr. Davis said.

Staff communicated with the Town's officials about the Lot's present use by the Authority's customers and village permit holders. Town officials requested extending the agreement's term by two (2) additional years to an expiration date of December 31, 2023. Town officials also requested an increase in the number of parking spaces designated as "Village Permit" spaces from its current level of forty-five (45) to sixty (60) spaces. On or before the expiration of the first year of the two-year extension, staff and the Town's officials will review whether any further change to the number of parking spaces designated as Village Permit spaces is warranted, Mr. Davis said.

Then, upon a motion by Mr. Sollitto and a second by Mr. Cahill, the Port Council **voted** 7-0 to recommend approval of the lease agreement as presented.

Mr. Malkin asked who used the spaces not set aside for the village; Mr. Davis said it was used by some frequent commuters from both the Vineyard and the mainland. He noted that the Authority had stopped selling new permits for those spaces, as staff had heard from permit holders that the lot was not particularly a time-saver and was more expensive than a permit at the Palmer Avenue lot. Mr. Malkin said he had heard from Vineyarders who were concerned about giving up more spaces in that lot, but said it was important to recognize the needs of the people of Falmouth.

Ms. Wilson asked if the town had any requests the Authority had not wanted to go along with; Mr. Davis said the only change requested was the number of spaces. Based upon a review of the usage, Mr. Davis said it did not appear that the increase was necessary, but it was determined that the Authority and the Town would review usage in one (1) year to see if the extra spaces were, in fact, in demand.

Ms. Wilson noted there had been questions of vine and brush encroachments in the lot in the past; Mr. Davis said staff had done maintenance in the area, and the fencing has been maintained by the town. Every year, he said, Lawrence Lynch Corp. does patch work as necessary as well.

IT WAS VOTED – upon a motion by Ms. Tierney, seconded by Mr. Malkin – to authorize the General Manager to execute an amendment to the Lease Agreement, dated October 27, 2015, entered into by and between the Town and the Authority concerning the Woods Hole Back Parking Lot, which will extend the term of the lease to December 31, 2023, and increase the number of parking spaces designated as “Village Permit” spaces from its current level of forty-five (45) to sixty (60) spaces without any other changes to the lease, as recommended in Staff Summary #L-522, dated December 10, 2021.

<u>VOTING</u>	<u>AYE</u>	<u>NAY</u>
Ms. Wilson	10 %	
Ms. Tierney	10 %	
Mr. Ranney	35 %	
Mr. Jones	10 %	
Mr. Malkin	35 %	
TOTAL	100 %	0 %

Treasurer’s Report:

Upon a request from Mr. Malkin, Mr. Rozum said November 2021 traffic figures indicated an increase in passenger traffic of 2.6%, in automobile traffic of vehicles under 20 feet of 10.6%, and in truck traffic of vehicles over 20 feet of 15%.

Contract No. 23-2021,
Dry Dock and Overhaul Services for *M/V Nantucket*:

Mr. Davis said the *M/V Nantucket* is scheduled to enter shipyard availability from February 25, 2022, to March 29, 2022, to undergo a required U.S. Coast Guard hull exam; rudder, propeller and shaft maintenance; coating maintenance on underwater and superstructure areas; structural steel renewal of hull and main deck areas; bow thruster overhaul; bow and stern door overhauls; fire detection installation; fuel oil purifier installation; as well as overhaul of the anchor windlass.

The 2022 Operating Budget estimate for the project, including the above-mentioned items, was \$1,267,405, Mr. Davis said. Drawings and specifications were sent to eleven (11) shipyards. He noted this was a preauthorization request, which staff tries to request only sparingly but as the bid opening was originally scheduled for December 14, 2021, the earlier meeting date made the request necessary to keep the project on track. The opening date was subsequently changed to December 21, 2021, after addenda to the bid were issued.

Ms. Wilson asked if the Board had a range for the price; Mr. Davis said steel prices have been on the increase and supply chain issues have been affecting several components, but he was not aware of anything else of significance that had changed.

IT WAS VOTED – upon a motion by Mr. Ranney, seconded by Mr. Malkin – to authorize the general manager to award Contract No. 23-2021, Dry Dock and Overhaul Services for the *M/V Nantucket*, to the lowest eligible and responsible bidder, following the bid opening scheduled for December 21, 2021, as recommended in Staff Summary #MO-2021-12, dated December 10, 2021.

<u>VOTING</u>	<u>AYE</u>	<u>NAY</u>
Ms. Wilson	10 %	
Ms. Tierney	10 %	
Mr. Ranney	35 %	
Mr. Jones	10 %	
Mr. Malkin	35 %	
TOTAL	100 %	10 %

Change Order for Contract No. 16-2017,
Woods Hole Terminal Reconstruction – Waterside:

Mr. Davis said this item would be deferred for one (1) month.

Contract No. 03-2021,
To Install, Maintain and Service
Automated Teller Machines at the Woods Hole,
Vineyard Haven, Oak Bluffs, Nantucket, and Hyannis Terminals:

Mr. Davis said, in October 2021, the Authority issued a bid to install, maintain and service automated teller machines at each of the Woods Hole, Vineyard Haven, Oak Bluffs, Nantucket and Hyannis terminals. The length of the contract is for a five-year period. Five (5) bid packages were issued and two (2) bidders responded by the October 26, 2021, bid opening date.

Mr. Davis said Cape Cod Five Cents Savings Bank bid \$1,000 per year for the Hyannis Terminal and \$6,000 per year for the Woods Hole terminal. They did not place a bid for the three (3) terminals located on Martha's Vineyard and Nantucket. Martha's Vineyard Savings Bank bid \$7,000 for the Hyannis terminal, \$20,000 for the Woods Hole terminal, \$8,000 for the Vineyard Haven terminal, \$4,500 for the Oak Bluffs terminal and \$7,000 for the Nantucket terminal annually.

Ms. Tierney asked if Martha's Vineyard Savings Bank was the same bank with which the Authority had its line of credit; Mr. Davis confirmed that was the case.

IT WAS VOTED – upon a motion by Mr. Malkin, seconded by Ms. Tierney – to authorize the general manager to award Contract No. 03-2021, Install, Maintain and Service an Automated Teller Machine, to Martha's Vineyard Savings Bank for the Woods Hole, Vineyard Haven, Oak Bluffs, Hyannis and Nantucket terminals, as recommended in Staff Summary #A-667, dated December 8, 2021.

<u>VOTING</u>	<u>AYE</u>	<u>NAY</u>
Ms. Wilson	10 %	
Ms. Tierney	10 %	
Mr. Ranney	35 %	
Mr. Jones	10 %	
Mr. Malkin	<u>35 %</u>	_____
TOTAL	100 %	10 %

Election of Officers for 2022 – Port Council:

Mr. Kenneally then presented the guidelines for the Port Council’s officer elections, including the requirement in its by-laws that members may not serve in any capacity for two (2) consecutive calendar years. Furthermore, the by-laws prohibit the chairmen of the Port Council and Board from being representatives of the same community; therefore, the New Bedford or Fairhaven representatives were prohibited from serving in that role for 2022. Mr. Kenneally also said the by-laws provides that the Port Council “shall consider the desirability of the Chairmanship of the Port Council alternating every year between a Port Council Member from a mainland community and a Port Council Member from an island community.”

Then, upon a motion by Mr. Lowell and a second by Mr. Sollitto, the Port Council **voted** 7-0 to elect Mr. Cahill as chairman for 2022.

Then, upon a motion by Mr. Lowell and a second by Mr. Shufelt, the Port Council **voted** 7-0 to elect Mr. Munier vice chairman for 2022.

Then, upon a motion by Mr. Cahill and a second by Mr. Shufelt, the Port Council **voted** 7-0 to elect Mr. Lowell secretary for 2022.

Election of Officers for 2022 – Board:

Mr. Kenneally noted that, per the Authority’s Enabling Act, Ms. Tierney would become the board chair in 2022 as the seat would rotate to the New Bedford Member. It has been the Authority’s practice to name the member who would subsequently serve as chairman as the vice chairman for the year, and the next in line to serve would be secretary. Following that practice, this year those roles would be filled by Mr. Ranney and Mr. Jones, respectively.

IT WAS VOTED – upon a motion by Mr. Malkin, seconded by Mr. Jones – to name Mr. Ranney as vice chairman for the year 2022.

<u>VOTING</u>	<u>AYE</u>	<u>NAY</u>
Ms. Wilson	10 %	
Ms. Tierney	10 %	
Mr. Ranney	35 %	
Mr. Jones	10 %	
Mr. Malkin	<u>35 %</u>	_____
TOTAL	100 %	0 %

IT WAS VOTED – upon a motion by Mr. Malkin, seconded by Mr. Ranney – to name Mr. Jones as secretary for the year 2022.

<u>VOTING</u>	<u>AYE</u>	<u>NAY</u>
Ms. Wilson	10 %	
Ms. Tierney	10 %	
Mr. Ranney	35 %	
Mr. Jones	10 %	
Mr. Malkin	<u>35 %</u>	_____
TOTAL	100 %	0 %

The Year 2021:

Ms. Tierney then thanked Ms. Wilson for her tenure on the Board and how well she had presided over the Board this year, and then she briefly described some of the Board’s accomplishments during 2021; her remarks are set forth in Appendix A to these minutes. Ms. Wilson said it had been a pleasure to work with the Members for the last three (3) years.

Presentations to Ms. Wilson, Mr. Anthes-Washburn, and Mr. Shufelt:

Mr. Davis then presented proclamations from State Rep. Dylan Fernandes, State Rep. Tony Cabral, and State Rep. Kip Diggs to Ms. Wilson, Mr. Anthes-Washburn, and Mr. Shufelt, respectively, thanking them for their service to the Authority.

Mr. Shufelt thanked the current and past Port Council members and Board Members for their insight and attention to detail, and he said staff and

others in the Authority have been extremely helpful to him during his tenure. He thanked Mr. Jones for his advice and friendship and said he hoped he had represented the Town of Barnstable in a positive manner.

Proposed 2022 Meeting Schedule – Port Council:

Mr. Davis then reviewed the following proposed meeting schedule with the Port Council:

- Tuesday, January 4, 2022
- Tuesday, February 1, 2022
- Tuesday, March 1, 2022
- Tuesday, April 5, 2022
- Tuesday, May 3, 2022
- Tuesday, June 7, 2022
- Tuesday, July 5, 2022
- Tuesday, August 2, 2022
- Tuesday, September 13, 2022
- Tuesday, October 4, 2022
- Tuesday, November 1, 2022
- Tuesday, December 6, 2022

All meetings will be held at 9 a.m. at the Administrative Offices in Falmouth and made accessible via remote videoconferencing until such time as statewide COVID-19 restrictions are lifted.

Mr. Davis noted he was asking the Port Council to move its meetings to Tuesdays so they would be on the same day of the week as the Board, which would help staff from a scheduling perspective. He also noted that he wished to move the September meeting to the second Tuesday of the month, instead of the September 6, 2022, date originally proposed, to allow for additional time to prepare the draft 2023 budget.

Mr. Lowell noted the meetings would start at 9 a.m., but if they resumed meeting in person the time would have to change to accommodate travel considerations.

Then, upon a motion from Mr. Sollitto and a second by Mr. Lowell, the Port Council **voted** 7-0 to approve the meeting schedule as proposed, with the suggested change of the September meeting date.

Mr. Cahill asked if live meetings would continue; Mr. Davis said the law temporarily allowing for all-remote meetings expired in March 2022 and may be renewed, so he was recommending virtual meetings continue for the time being.

Proposed 2022 Meeting Schedule – Board:

Mr. Davis then reviewed the proposed meeting schedule with the Board:

<u>Date</u>	<u>City/Town</u>	<u>Location</u>	<u>Time</u>
January 18, 2022	Falmouth	Administrative Office	9:30 a.m.
February 15, 2022	Falmouth	Administrative Office	9:30 a.m.
March 15, 2022	Hyannis	Hyannis Terminal	9:30 a.m.
April 19, 2022	Falmouth	Administrative Office	9:30 a.m.
May 17, 2022	Falmouth	Administrative Office	9:30 a.m.
June 21, 2022	Falmouth	Administrative Office	10:00 a.m.
July 19, 2022	Falmouth	Administrative Office	9:30 a.m.
August 16, 2022	Falmouth	Administrative Office	9:30 a.m.
September 27, 2022	Nantucket	TBD	9:30 a.m.
October 18, 2022	Martha’s Vineyard	TBD	9:30 a.m.
November 15, 2022	Falmouth	Administrative Office	9:30 a.m.
December 20, 2022	Falmouth	Administrative Office	9:30 a.m.

Mr. Davis noted the schedule included one meeting on each island, but he said he recommended meetings continue to be held via Zoom. He also asked that the September meeting be moved to September 27, 2022, instead of the originally proposed September 20, 2022.

IT WAS VOTED – upon a motion by Mr. Jones, seconded by Mr. Ranney – to approve the 2022 meeting schedule as proposed, with the change of date of the September meeting as recommended by Mr. Davis.

<u>VOTING</u>	<u>AYE</u>	<u>NAY</u>
Ms. Wilson	10 %	
Ms. Tierney	10 %	
Mr. Ranney	35 %	
Mr. Jones	10 %	
Mr. Malkin	35 %	_____
TOTAL	100 %	0 %

Mr. Sollitto asked if the Port Council and Board should schedule more joint meetings; Mr. Davis said it was up to the two bodies, but said this meeting was scheduled as a joint session as it was the first in-person meeting in twenty (20) months. Ms. Wilson noted it usually had been done when necessity required it; Mr. Lowell said everyone could consider it but said it could not be any random month and suggested that September might work for a joint presentation of the preliminary 2023 budget.

Mr. Jones said once the schedule was set that it should be adhered to, as changing the meeting dates causes conflicts with his other appointments. He said he knows things always come up but hopefully the schedule could be maintained.

Ms. Tierney asked if a joint meeting could be scheduled once a year on each island; Mr. Lowell said it was hard to travel between the islands. Mr. Davis said he would work with the respective chairs on the matter.

Old and New Business:

Mr. Davis reviewed several Authority personnel who recently retired:

- Carlos Tavares, Purser, 25 years of service
- Brian McNamara, Pilot, 33 years of service
- Susan Murray, Ticket Seller, 20 years of service

Mr. Davis, and the Members, thanked the individuals for their service.

Mr. Davis then presented commemorative chairs to Ms. Wilson, Mr. Anthes-Washburn and Mr. Shufelt in thanks for their service to the Authority.

Public Comment:

Mr. Saltzberg asked if Mr. Amundsen could speak to what, specifically, caused the transfer bridge cable to break, what was done to fix it and what inspection took place. Mr. Amundsen said the positioning cable was replaced and, until it was, the vessel was used to position the bridge. The bridge was not in danger of damage due to the broken cable and the captain deemed it was safe to operate, he said. Mr. Saltzberg asked if the bridge was still broken at the time of the incident with the minivan; Mr. Amundsen clarified the bridge was not broken at any time. Mr. Saltzberg asked how the cable broke; Mr. Amundsen said it was unknown what caused the cable to break.

At 11:01 a.m., upon a motion from Mr. Lowell and a second from Mr. Cahill, the Port Council **voted** to adjourn the meeting for the day.

At 11:01 a.m., Ms. Wilson entertained a motion to go into executive session to discuss and approve the minutes of the Authority’s meeting in executive session on November 16, 2021; to discuss the Authority’s strategy with respect to collective bargaining matters and security matters because a public discussion of these matters may have a detrimental effect on the Authority’s negotiating and bargaining positions. These matters include:

- Anticipated and Ongoing Negotiations with the unions (Teamsters Union Local No. 59, SEIU Local 888 and MEBA) and all the Authority’s represented employees;
- Discussion with respect to a tentative collective bargaining agreement with Teamsters Union Local 59 governing the terms and conditions of employment for the Authority’s unlicensed vessel employees; and

Ms. Wilson said the public disclosure of any more information with respect to these matters would compromise the purposes for which the executive session is being called. After the conclusion of the executive session, Ms. Wilson said the Board would reconvene in public.

IT WAS VOTED – upon a motion by Ms. Tierney, seconded by Mr. Malkin – to enter into executive session to discuss and approve the minutes of the Authority’s meeting in executive session on November 16, 2021; and to discuss the Authority’s strategy with respect to collective bargaining matters.

<u>VOTING</u>	<u>AYE</u>	<u>NAY</u>
Ms. Wilson	10 %	
Ms. Tierney	10 %	
Mr. Ranney	35 %	
Mr. Jones	10 %	
Mr. Malkin	35 %	
TOTAL	100 %	0 %

The Board Reconvenes in Public Session:

At 11:53 a.m., the Board reconvened in public session. All five (5) Members were present, as were Messrs. Davis, Rozum, Kenneally, and Driscoll.

Video and Audio Recording of Today's Meeting:

Ms. Wilson announced Steve Baty of All Media Productions was making a video and audio recording of today's meeting in public session on behalf of Martha's Vineyard Community Television, also known as MVTV. Mr. Driscoll was also making an audio and video recording of the meeting; Rich Saltzberg (representing the *Martha's Vineyard Times*) indicated he was making an audio recording of the meeting.

Remote Access to the Meeting:

Ms. Wilson announced, pursuant to Section 20 of Chapter 20 of the Acts of 2021 and in line with social distancing guidelines followed during the COVID-19 pandemic, all members of the public were participating remotely in the meeting via the Zoom videoconferencing app as an adequate, alternative means of public access occurring in real time.

Ratification of Agreement with Teamsters Local No. 59:

IT WAS VOTED – upon a motion by Mr. Malkin, seconded by Mr. Ranney – to ratify the tentative collective bargaining agreement with Teamsters Union Local No. 59 governing the terms and conditions of employment for the Authority's Agency and Terminal Employees.

<u>VOTING</u>	<u>AYE</u>	<u>NAY</u>
Ms. Wilson	10 %	
Ms. Tierney	10 %	
Mr. Ranney	35 %	
Mr. Jones	10 %	
Mr. Malkin	35 %	
TOTAL	100 %	0 %

At 11:56 a.m., Ms. Wilson said she would entertain a motion to adjourn.

IT WAS VOTED – upon a motion by Mr. Ranney, seconded by Mr. Jones – to adjourn the meeting in public session.

<u>VOTING</u>	<u>AYE</u>	<u>NAY</u>
Ms. Wilson	10 %	
Ms. Tierney	10 %	
Mr. Ranney	35 %	
Mr. Jones	10 %	
Mr. Malkin	35 %	
TOTAL	100 %	0 %

A TRUE RECORD

ROBERT S.C. MUNIER, Port Council Secretary

ROBERT F. RANNEY, Board Secretary

**Documents and Exhibits Used at the
December 13, 2021, Meeting in Public Session of the
Woods Hole, Martha's Vineyard and Nantucket Steamship Authority**

1. December 13, 2021, Meeting Agenda, posted December 9, 2021.
2. Video and audio recording announcement.
3. Statement regarding remote access to the meeting.
4. Minutes of the Port Council's November 3, 2021, meeting in public session (draft dated November 29, 2021).
5. Minutes of the Board's November 16, 2021, meeting in public session (draft).
6. PowerPoint presentation, Business Summary – October 2021, dated December 13, 2021.
7. Business Summary for the month of October 2021.
8. PowerPoint presentation, Woods Hole Terminal Reconstruction Project update, dated December 13, 2021.
9. Staff Summary #L-523, Status of the Use and Occupancy Variance for the Woods Hole Temporary Terminal Building, dated December 10, 2021.
10. PowerPoint Presentation, *M/V Sankaty* 2021 Dry Dock, Thames Shipyard and Repair Co., undated.
11. Staff Summary #L-520, Renewal of License Agreement with Hyannis Harbor Tours Inc., dated December 9, 2021.
12. Staff Summary #L-519, Renewal of License Agreement with Freedom Cruise Line, dated December 9, 2021.
13. Staff Summary #L-521, Renewal of License Agreement with Seastreak LLC, dated December 9, 2021.
14. Staff Summary #L-518, Renewal of License Agreement with Island Commuter Corp., dated December 9, 2021.
15. Staff Summary #L-522, Negotiations for the Renewal of the Lease with the Town of Falmouth for the Woods Hole Back Parking Lot, dated December 10, 2021.
16. Staff Summary #MO-2021-12, Award Contract No. 23-2021, Dry Dock and Overhaul Services for the *M/V Nantucket*, dated December 10, 2021.

17. Staff Summary #A-667, Award of Contract to Install, Maintain and Service an Automated Teller Machine, dated December 8 ,2021.
18. Memorandum dated November 26, 2021, Election of Port Council Officers.
19. Memorandum dated November 26, 2021, Election of Officers.
20. 2022 Port Council Meeting Schedule, dated November 17, 2021 (draft).
21. 2022 Authority Meeting Schedule, dated November 17, 2021 (draft).
22. Statement to be read prior to going into executive session.

APPENDIX A
TO THE MINUTES OF THE
WOODS HOLE, MARTHA'S VINEYARD
AND NANTUCKET STEAMSHIP AUTHORITY

The Meeting in Public Session

December 13, 2021

Vice Chair Moira Tierney's Statement
Regarding the Authority's Accomplishments in 2021

Madam Chair, on behalf of the entire Board, I would like to congratulate and thank you for your leadership as chair this past year. Unfortunately for us, this review of your year at the helm of the Board also marks the end of your tenure with us, and on behalf of all of the Members and staff, I thank you for your service.

As the year began, the Steamship Authority was still dealing with great financial and operational uncertainty as a result of the COVID-19 pandemic. Fortunately, the predictions for the year's traffic have proved to be on point, and the Steamship Authority has regained its strong financial position, thanks not only to our ridership but to the awards of more than \$8 million in federal funding from the Coronavirus Response and Relief Supplemental Appropriations Act. First and foremost, the Steamship Authority continued to provide the daily lifeline services to the islands of Martha's Vineyard and Nantucket throughout this crisis.

While 2021 may be remembered for the development of COVID-19 vaccines, our relative stability was brief when we were faced confronted with a ransomware event that effected our computer systems Thanks to the Steamship Authority's well-established protocols, and the fast and diligent work of our employees, we persevered. All existing customer reservations were honored. No scheduled trips were canceled. And investigators confirmed that no sensitive information, including customer data or payment information, was viewed or

downloaded during this incident. Most importantly, at no time was the safety of our vessels affected.

The Authority continued to make progress with the reconstruction of our Woods Hole ferry terminal. The final phase of the marine work is nearing completion, and design work continued for the new terminal building and utility building. The Authority hosted three community sessions to update the public on the progress of building plans. Input received from those sessions has resulted in several improvements to the designs. Once constructed, Cahoon Park, to be located at the northwestern corner of our property, will be an oasis for travelers and villagers alike.

We took several steps to improve our customers' experience, including a vastly improved process for our internet general openings in January. We approved expansions and improvements to the preferred space program and reservation-only days. A new parking permit option was created in Hyannis, and a contract was approved for a new website and mobile app.

The Board made strides with the Steamship Authority's environmental initiatives, including approving the purchase of our first electric transit buses, which will serve both the Falmouth and Hyannis terminals. The Board also approved the lease of the Thomas B. Landers Road Parking Lot for the installation of solar canopies. We also endorsed the pursuit of LEED, Net Zero Energy and Net Zero Carbon certifications for our new Woods Hole Terminal buildings.

We also voted to approve contracts to provide necessary repairs to our vessels and facilities, including dry-docks for the M/V Gay Head, M/V Martha's Vineyard, the M/V Sankaty, the M/V Island Home, and the M/V Iyanough. Our landside work included repairs to the Hyannis Terminal Building and pile wrapping at the docks in Vineyard Haven and Oak Bluffs.

Through it all, Kate, you have guided us as we offered our advice and support to Bob and his staff. You should be proud of your time at the helm of the Board. Rob, Bob, Jim and I were privileged to serve with you, and we wish you fair winds and following seas.