

Town Administrator Report  
November 19, 2019

The following is a summary of the major activities of the Office of the Town Administrator for the previous week.

- 1. Financial Update-**Attached please find the year-to date Revenue and Expenditure Reports, along with the year-to-date Local Estimated Receipts compared with the monthly breakdown for the previous fiscal year. Total expenses through November 15 are \$12,754,795, representing 40.6% of the total budget, slightly ahead of schedule given October 31 represented the completion of 33.3% of the fiscal year. As previously reported, several large overhead-related line items have been over-weighted for expenditure early in the year which slightly skews the percentage which generally catches up in the second half of the fiscal year. Close following is in order to confirm the catch-up trend consistent with previous years. On the revenue side, a quick scan of the report seems to indicate wildly successful revenue collections of 68.9% of budget in only one-third of the fiscal year. Closer scrutiny reveals bond proceeds from the School Roof Project inflating that number. Adjusting revenue collections to remove bond proceeds demonstrates actual collections of \$13,119,295.45, representing 41.48% of budget for the first third of the year. This solidifies a positive cash flow for the period and shows continued strong revenue collection. Drilling down to Local Estimated Receipts (LER) we see total collections through the end of October up a whopping 15.2% from the previous year, primarily owing to increased excise collections, harbor receipts and investment income. Considering the excellent year for LER collections last year (up 8% from the previous year) this comes as welcome news for our overall financial stability.
- 2. Town Meeting Wrap-up-**I was very happy to see a smooth Town Meeting held on November 12 at the Oak Bluffs School. While the warrant was short, the issues decided were very important for the Town and will have a major positive impact both environmentally and financially. It was also gratifying to see continued small progress in the implementation of our affordable housing goals. I want to acknowledge the hard work of the many Town officials including our Board of Selectmen and Finance Committee that help to coordinate these events, and especially our Moderator, Jack Law, who runs a very efficient meeting. We spend a great deal of time and effort in preparing for the Town Meeting to address any possible technical issues so that the voters are free to discuss and debate the merits of each issue with proper information and resources. We hope this preparation makes it easier for local residents to participate in directing local affairs.
- 3. Landfill Solar Update.-**Attached please find the schematic design for the 1,832.2 KW solar array for the Oak Bluffs capped landfill, prepared by Greenskies of Middletown, CT in conjunction with the firm of PurePower Engineering. The plan shows the layout and some of the technical details of the proposed system. The next step for Greenskies is to meet with the Planning Board and seek a permit under the Town's solar bylaw. This installation is more environmentally friendly given the site is a beneficial reuse of the fallow former landfill site and does not require any tree removal or other environmental

disruption. This also should simplify the permitting process. I'll keep the Board apprised of any preliminary meetings with the Planning Board or other regulatory meetings and review as it moves through the permitting process.

4. **Oak Bluffs Harbor Coastal Resiliency Project-** The Town is happy to be in receipt of a grant from the Executive Office of Energy and Environmental Affairs in the amount of \$185,000 to advance the study and permitting of coastal resiliency strategies for Oak Bluffs Harbor. The primary protection strategy for the Harbor involves rehabbing and extending the jetties at the Harbor's entrance to better protect this resource area from the impacts of Northeast storms which are a particular area of vulnerability given the orientation of the entrance. While it seems like jetty rehab should be a fairly straightforward project, it invokes a complex, scientifically driven permitting process that requires detailed analysis to navigate. The next step in the permitting process is to conduct a detailed sediment transport study for the area which is a quantitative analysis of the coastal processes at the harbor entrance and surrounding area. We provided funding to move this forward at our last Town Meeting and the grant will help us to get the permitting even faster. We are also hopeful that through our partnership with the State for analysis and design we are more likely to attract grant funding for construction.
5. **Solid Waste Bids for Transfer Station-**On Friday, November 15 I attended a meeting with officials in Tisbury to discuss our regional operation of the Oak Bluffs Transfer Station to privatize the handling and transportation of the municipal solid waste from the two towns. The Town's engage the firm of Carroll Trucking to operate the transfer station that handles solid waste for both Towns and trucks it to our disposal site at the Crapo Landfill facility in New Bedford. The current contract is expiring, and we are rebidding to move into a new contract, in which we hope to see the current contractor take great interest. This gives us an opportunity to tighten up and update some of the language in the contract as necessitated by our relationship with the refuse district in New Bedford. We anticipate the bid going out by the first of the year and a new contract for this spring.
6. **Regional Emergency Communications Finance Committee.** On Tuesday, November 12 we conducted the first meeting of our RECC Finance Committee. Each of the Towns has appointed its Town Administrator to meet with the Sheriff's office to review requests for "maintenance" funding to operate the new communications network. You will recall that the Sheriff presented a five-year estimate of maintenance funding from the Town and we are in the process of analyzing the detail on a year-by-year basis to reconcile the estimates with actual costs.
7. **Steamship Authority Long-Range Vision Task Force-**Attached please find the invitation from the Steamship Authority for the Board to designate two members to serve on the Long-Range Vineyard Transportation Task Force and Working Group. Obviously, this is a great opportunity to help shape the long-term vision for our island transportation, and I would recommend that the Board consider this item for an upcoming agenda to review and make appointments on behalf of the Town.

11/15/2019 09:38  
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TOWN OF OAK BLUFFS  
FY20 REPORT YTD

P 1  
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FOR 2020 04

JOURNAL DETAIL 2020 1 TO 2020 13

ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	MTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	% USED
01 GENERAL FUND						
01 MOTOR VEH EXCISE						
-825,000.00	-825,000.00	-150,324.66	-22,700.75	0.00	-674,675.34	18.2%
02 OTHER EXCISE						
-804,000.00	-804,000.00	-540,495.45	-5,541.00	0.00	-263,504.55	67.2%
03 PENALTIES & INTEREST						
-125,000.00	-125,000.00	-94,577.70	-14,670.82	0.00	-30,422.30	75.7%
04 PILOT						
-14,000.00	-14,000.00	0.00	0.00	0.00	-14,000.00	.0%
08 CHGS TRASH DISP						
-185,000.00	-185,000.00	-91,940.00	-14,338.00	0.00	-93,060.00	49.7%
09 OTHER CHGS						
0.00	0.00	-23.00	0.00	0.00	23.00	100.0%
10 FEES						
-100,000.00	-100,000.00	-32,231.78	-10,336.28	0.00	-67,768.22	32.2%
11 RENTALS						
-60,000.00	-60,000.00	-11,855.00	-3,250.00	0.00	-48,145.00	19.8%
13 DEPT LIBRARY						
-9,000.00	-9,000.00	-3,502.68	-484.09	0.00	-5,497.32	38.9%
16 OTHER DEPTL						
-134,000.00	-134,000.00	-120,208.68	-48,801.93	0.00	-13,791.32	89.7%
17 LIC & PERMITS						
-417,750.00	-417,750.00	-149,633.15	-35,748.50	0.00	-268,116.85	35.8%
19 FINES & FORFEIT						
-20,000.00	-20,000.00	-7,861.88	-2,060.30	0.00	-12,138.12	39.3%
20 INVMT INCOME						
-15,000.00	-15,000.00	-46,649.85	0.00	0.00	31,649.85	311.0%
21 MISC RECURRING						
-900,000.00	-900,000.00	-816,107.07	-20,256.38	0.00	-83,892.93	90.7%
30 CHERRY SHEET						
-1,482,608.00	-1,482,608.00	-446,123.00	-114,756.00	0.00	-1,036,485.00	30.1%
33 OTHER INTERGOV						
-6,519.00	-6,519.00	0.00	0.00	0.00	-6,519.00	.0%
41 PERSONAL PROPERTY						
-350,000.00	-350,000.00	-195,107.54	-56,000.54	0.00	-154,892.46	55.7%
42 REAL ESTATE						
-25,091,502.72	-25,091,502.72	-10,279,041.91	-3,637,191.50	0.00	-14,812,460.81	41.0%
43 ALLOWANCE FOR AB/EXE						
-150,000.00	-150,000.00	0.00	0.00	0.00	-150,000.00	.0%
44 LIENS & OTHER TAXES						
0.00	0.00	-133,612.10	-10,578.79	0.00	133,612.10	100.0%

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TOWN OF OAK BLUFFS  
FY20 REPORT YTD

P 2  
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FOR 2020 04

JOURNAL DETAIL 2020 1 TO 2020 13

	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	MTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	% USED
49 TRANSFERS IN/OFS							
	-936,910.73	-936,910.73	0.00	0.00	0.00	-936,910.73	.0%
98 CASH ACCOUNTS							
	0.00	0.00	-8,686,718.47	-8,686,718.47	0.00	8,686,718.47	100.0%
TOTAL GENERAL FUND							
	-31,626,290.45	-31,626,290.45	-21,806,013.92	-12,683,433.35	0.00	-9,820,276.53	68.9%
TOTAL REVENUES							
	-31,626,290.45	-31,626,290.45	-21,806,013.92	-12,683,433.35	0.00	-9,820,276.53	
GRAND TOTAL							
	-31,626,290.45	-31,626,290.45	-21,806,013.92	-12,683,433.35	0.00	-9,820,276.53	68.9%

\*\* END OF REPORT - Generated by Deborah Potter \*\*

REPORT OPTIONS

Sequence 1	Field #	Total	Page Break	Year/Period: 2020/ 4
Sequence 2	1	Y	N	Print revenue as credit: Y
Sequence 3	10	Y	N	Print totals only: Y
Sequence 4	0	N	N	Suppress zero bal accts: Y
	0	N	N	Print full GL account: N

Report title: FY20 REPORT YTD

Print Full or Short description: F  
Print MTD Version: Y  
Print Revenues-Version headings: N  
Format type: 1  
Print revenue budgets as zero: N  
Include Fund Balance: N  
Include requisition amount: N  
Multiyear view: D  
Amounts/totals exceed 999 million dollars: Y

Carry forward code: 1  
Print journal detail: Y  
From Yr/Per: 2020/ 1  
To Yr/Per: 2020/13  
Include budget entries: Y  
Incl encumb/liq entries: Y  
Sort by JE # or PO #: J  
Detail format option: 1

Double space: N  
Roll projects to object: N

Find Criteria

Field Name	Field Value
Fund	01
Department	
Character Code	
Org	
Object	4*
Account type	
Account status	
Rollup Code	

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TOWN OF OAK BLUFFS  
FY20 EXP REPORT YTD

P 1  
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FOR 2020 05

JOURNAL DETAIL 2020 1 TO 2020 13

ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	% USED
01 GENERAL FUND						
107 AHT SELECTMEN						
1,500.00	1,500.00	1,927.53	214.17	0.00	-427.53	128.5%
122 BOARD OF SELECTMEN						
519,562.48	519,562.48	150,662.00	13,854.19	0.00	368,900.48	29.0%
131 FINANCE COMMITTEE						
7,675.00	8,175.00	1,336.25	640.00	0.00	6,838.75	16.3%
132 FIN COMM RESERVE FD.						
150,000.00	149,500.00	0.00	0.00	0.00	149,500.00	.0%
135 TOWN ACCOUNTANT						
100,806.66	100,806.66	26,999.56	2,942.40	0.00	73,807.10	26.8%
141 ASSESSORS						
131,036.00	131,036.00	43,298.08	4,822.92	0.00	87,737.92	33.0%
144 TREAS/COLL (FIXED P/R COST)						
4,376,919.00	4,376,919.00	2,374,318.12	9,767.67	0.00	2,002,600.88	54.2%
146 TREASURER/COLLECTOR						
251,249.13	251,249.13	87,889.59	7,997.66	0.00	163,359.54	35.0%
155 INFORMATION TECHNOLOGY						
357,909.72	357,909.72	168,767.11	10,189.10	0.00	189,142.61	47.2%
161 TOWN CLERK						
143,158.21	143,158.21	47,578.45	5,402.53	0.00	95,579.76	33.2%
163 BOARD OF REGISTRARS						
31,767.80	31,767.80	4,720.76	749.40	0.00	27,047.04	14.9%
171 CONSERVATION COMMISSION						
109,922.56	109,922.56	45,648.19	2,913.60	0.00	64,274.37	41.5%
175 PLANNING BOARD						
44,466.51	44,466.51	15,420.16	1,715.00	0.00	29,046.35	34.7%
199 UNCLASSIFIED (SELECTMEN)						
1,263,513.00	1,263,513.00	974,399.46	0.00	0.00	289,113.54	77.1%
210 POLICE DEPARTMENT						
2,458,208.30	2,458,208.30	891,918.27	91,023.90	0.00	1,566,290.03	36.3%
220 FIRE DEPARTMENT						
388,206.00	400,206.00	82,207.28	8,424.75	0.00	317,998.72	20.5%
231 AMBULANCE SERVICE						
365,021.20	365,021.20	123,478.16	15,227.58	0.00	241,543.04	33.8%
241 BUILDING INSPECTOR						
275,498.58	275,498.58	90,074.98	7,903.70	0.00	185,423.60	32.7%
249 SHELLFISH						
208,031.04	208,031.04	55,147.40	5,945.22	0.00	152,883.64	26.5%
291 EMERGENCY MANAGEMENT						
24,700.00	24,700.00	2,917.57	367.12	0.00	21,782.43	11.8%

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TOWN OF OAK BLUFFS  
FY20 EXP REPORT YTD

P 2  
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FOR 2020 05

JOURNAL DETAIL 2020 1 TO 2020 13

ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	% USED
296 MARINA MANAGER						
271,626.21	271,626.21	141,190.81	6,246.00	0.00	130,435.40	52.0%
300 OAK BLUFFS SCHOOL						
8,389,753.63	8,389,753.63	1,723,022.96	437,699.78	0.00	6,666,730.67	20.5%
301 MARTHA'S VINEYARD REG HS						
5,115,713.33	5,115,713.33	2,557,856.67	0.00	0.00	2,557,856.66	50.0%
421 HIGHWAY-ADMINISTRATION						
1,685,103.64	1,685,103.64	644,313.60	66,114.54	0.00	1,040,790.04	38.2%
519 BOARD OF HEALTH						
202,000.00	202,000.00	53,382.22	5,769.85	0.00	148,617.78	26.4%
541 COUNCIL ON AGING						
249,177.77	249,177.77	104,458.15	4,365.70	0.00	144,719.62	41.9%
543 VETERANS' SERVICES						
60,500.00	60,500.00	17,248.16	4,021.50	0.00	43,251.84	28.5%
610 LIBRARY						
551,913.35	551,913.35	211,965.68	16,508.99	0.00	339,947.67	38.4%
612 ARTS COUNCIL						
2,000.00	2,000.00	1,500.00	0.00	0.00	500.00	75.0%
630 PARKS AND RECREATION						
182,690.72	182,690.72	145,176.54	4,539.25	0.00	37,514.18	79.5%
710 MATURING DEBT-PRINCIPAL						
1,865,054.60	1,865,054.60	1,336,518.60	0.00	0.00	528,536.00	71.7%
750 MATURING DEBT-INTEREST						
411,504.74	411,504.74	162,053.43	0.00	0.00	249,451.31	39.4%
760 MATURING BAN-INTEREST						
50,000.00	50,000.00	66,920.75	0.00	0.00	-16,920.75	133.8%
840 STATE/COUNTY ASSESSMENTS						
1,165,890.00	1,165,890.00	400,479.00	0.00	0.00	765,411.00	34.3%
TOTAL GENERAL FUND						
31,412,079.18	31,424,079.18	12,754,795.49	735,366.52	0.00	18,669,283.69	40.6%
GRAND TOTAL						
31,412,079.18	31,424,079.18	12,754,795.49	735,366.52	0.00	18,669,283.69	40.6%

\*\* END OF REPORT - Generated by Deborah Potter \*\*

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 TOWN OF OAK BLUFFS  
 FY20 EXP REPORT YTD

 P 3  
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## REPORT OPTIONS

Sequence	Field #	Total	Page Break	
Sequence 1	1	Y	N	Year/Period: 2020/ 5
Sequence 2	2	Y	N	Print revenue as credit: Y
Sequence 3	0	N	N	Print totals only: Y
Sequence 4	0	N	N	Suppress zero bal accts: Y

Report title:  
 FY20 EXP REPORT YTD

Print Full or Short description: F  
 Print MTD Version: Y  
 Print Revenues-Version headings: N  
 Format type: 1  
 Print revenue budgets as zero: N  
 Include Fund Balance: N  
 Include requisition amount: N  
 Multiyear view: D  
 Amounts/totals exceed 999 million dollars: Y

Carry forward code: 1  
 Print journal detail: Y  
 From Yr/Per: 2020/ 1  
 To Yr/Per: 2020/13  
 Include budget entries: Y  
 Incl encumb/liq entries: Y  
 Sort by JE # or PO #: J  
 Detail format option: 1  
 Double space: N  
 Roll projects to object: N

Find Criteria	
Field Name	Field Value
Fund	01
Department	
Character Code	
Org	
Object	5*
Account type	
Account status	
Rollup Code	

Preliminary Fiscal Year 2020 Local Estimated Receipts By Monthly Collections (Unaudited)

thru 11/15/19

	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	YTD
01 MV Excise	\$ 12,750	\$ 86,348	\$ 28,526	\$ 22,701	\$ 1,357	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	151,682
02 Other Excise	\$ 122	\$ (76)	\$ 534,908	\$ 5,541	\$ 648	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	541,143
03 Penalties and Interest	\$ 24,651	\$ 32,176	\$ 23,100	\$ 14,671	\$ 3,872	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	98,470
04 Payments in Lieu of Taxes	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-
08 Charges for Services-Trash	\$ 33,698	\$ 31,187	\$ 12,717	\$ 14,338	\$ 3,453	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	95,393
10 Fees	\$ 6,885	\$ 6,534	\$ 8,500	\$ 10,336	\$ 1,395	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	33,650
11 Rentals	\$ 1,500	\$ 6,355	\$ 750	\$ 3,250	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	11,855
00 Dept. Revenue-School	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-
13 Dept. Revenue-Library	\$ 786	\$ 598	\$ 1,635	\$ 484	\$ 320	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	3,823
16 Other Dept. Revenue	\$ 46,872	\$ 6,097	\$ 18,438	\$ 48,802	\$ 55	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	120,264
17 Licenses and Permits	\$ 38,449	\$ 30,243	\$ 45,193	\$ 35,749	\$ 280	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	149,913
19 Fines and Forfeits	\$ 1,998	\$ 1,434	\$ 2,370	\$ 2,060	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	7,862
20 Investment Income	\$ 14,839	\$ 18,846	\$ 10,421	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	44,106
21 Other Miscellaneous-Recurring	\$ 377,533	\$ 318,954	\$ 99,364	\$ 20,256	\$ 16,082	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	832,189
00 Miscellaneous-Non Recurring	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-
Total	\$ 560,082	\$ 538,694	\$ 785,922	\$ 178,188	\$ 27,461	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	2,090,348
Cummulative Monthly Totals	\$ 560,082	\$ 1,098,776	\$ 1,884,699	\$ 2,062,887	\$ 2,090,348	\$ 2,090,348	\$ 2,090,348	\$ 2,090,348	\$ 2,090,348	\$ 2,090,348	\$ 2,090,348	\$ 2,090,348	

Preliminary Fiscal Year 2019 Local Estimated Receipts By Monthly Collections (Unaudited)

	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	YTD
01 MV Excise	\$ 35,122	\$ 72,321	\$ 19,579	\$ 20,691	\$ 7,948	\$ 16,993	\$ 50,046	\$ 402,905	\$ 133,198	\$ 80,458	\$ 41,942	\$ 64,270	945,474
02 Other Excise	\$ 82	\$ 53	\$ 434,867	\$ -	\$ -	\$ 444,952	\$ 3,952	\$ 1,994	\$ 63,340	\$ 395	\$ 143	\$ 58,326	1,008,103
03 Penalties and Interest	\$ 24,198	\$ 16,028	\$ 25,486	\$ 13,298	\$ 8,332	\$ 9,331	\$ 18,766	\$ 29,708	\$ 26,395	\$ 20,564	\$ 35,039	\$ 29,611	256,756
04 Payments in Lieu of Taxes	\$ 831	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 831	\$ -	\$ 15,742	17,404
08 Charges for Services-Trash	\$ 35,305	\$ 22,335	\$ 16,801	\$ 15,030	\$ 4,365	\$ 14,080	\$ 3,695	\$ 13,030	\$ 2,950	\$ 14,814	\$ 16,395	\$ 28,018	186,818
10 Fees	\$ 8,627	\$ 7,814	\$ 4,906	\$ 9,757	\$ 8,829	\$ 9,426	\$ 9,544	\$ 13,705	\$ 90,081	\$ 11,957	\$ 35,537	\$ 10,650	220,830
11 Rentals	\$ 12,750	\$ 5,500	\$ 5,625	\$ 3,000	\$ 395	\$ (1,000)	\$ 6,450	\$ 1,400	\$ 4,650	\$ 1,550	\$ 24,309	\$ 7,400	72,029
00 Dept. Revenue-School	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-
13 Dept. Revenue-Library	\$ 1,305	\$ 1,184	\$ 577	\$ -	\$ 1,814	\$ 317	\$ 554	\$ 376	\$ 491	\$ 28	\$ 846	\$ 1,189	8,678
16 Other Dept. Revenue	\$ 21,814	\$ 14,913	\$ 35,519	\$ 12,730	\$ 27,020	\$ 5,473	\$ 14,772	\$ 6,060	\$ 17,521	\$ 7,112	\$ 28,632	\$ 17,459	209,024
17 Licenses and Permits	\$ 26,558	\$ 28,209	\$ 6,619	\$ 29,414	\$ 74,745	\$ 31,321	\$ 24,026	\$ 29,393	\$ 98,000	\$ 36,003	\$ 45,892	\$ 14,474	444,654
19 Fines and Forfeits	\$ 1,608	\$ 2,015	\$ 2,044	\$ 2,489	\$ 1,180	\$ 1,446	\$ 997	\$ 681	\$ 1,325	\$ 1,390	\$ 1,046	\$ 694	16,914
20 Investment Income	\$ 4,712	\$ 6,090	\$ 6,930	\$ 7,570	\$ 8,062	\$ 7,718	\$ 7,888	\$ 11,862	\$ 12,787	\$ 13,329	\$ 17,624	\$ 19,001	123,571
21 Other Miscellaneous-Recurring	\$ 359,959	\$ 287,943	\$ 125,926	\$ (5,939)	\$ 400	\$ 1,058	\$ (13,148)	\$ 250	\$ 15,412	\$ 16,102	\$ 119,806	\$ 73,290	981,058
00 Miscellaneous-Non Recurring	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-
Total	\$ 532,871	\$ 464,403	\$ 684,877	\$ 108,041	\$ 143,089	\$ 541,114	\$ 127,541	\$ 511,363	\$ 466,149	\$ 204,533	\$ 367,211	\$ 324,380	4,475,572
Cummulative Monthly Totals	\$ 532,871	\$ 997,274	\$ 1,682,151	\$ 1,790,192	\$ 1,933,281	\$ 2,474,395	\$ 2,601,936	\$ 3,113,299	\$ 3,579,448	\$ 3,783,981	\$ 4,151,192	\$ 4,475,572	

Percentage change from PY for same period

5%      10%      12%      15%





1. SITE PLAN  
 SCALE 1" = 40'-0"

DRAWING #  
 G100

SHEET TITLE  
 SITE PLAN





**APPLIED COASTAL RESEARCH AND ENGINEERING, INC.**  
**TERMS AND CONDITIONS OF AGREEMENT**  
***Assessment of Shore Protection Options to Improve Coastal Resiliency along the***  
***Oak Bluffs Harbor Shoreline***

The engagement of Applied Coastal Research and Engineering, Inc. (Applied Coastal) by the Town of Oak Bluffs (CLIENT) is under the following terms and conditions. These terms and conditions are an integral part of the collective Agreement between CLIENT and Applied Coastal.

1. The description and fee estimate for the proposed Scope of Services is described in Attachment A and amended in Attachment B.
2. All schedules set forth in the attached Scope of Services commence upon receipt of a signed Agreement and, if requested, a retainer. All retainer amounts will be applied to the last invoice.
3. Requests for additional services and any associated fee adjustment must be authorized in writing before additional services can begin.
4. Invoices will be rendered monthly and become due upon receipt.
5. Invoice payments must be kept current for services to continue. If the CLIENT fails to pay any invoice due to APPLIED COASTAL within 45 days of the date of invoice, APPLIED COASTAL may, without waiving any other claim or right against CLIENT, suspend services under this Agreement until APPLIED COASTAL has been paid in full all amounts due APPLIED COASTAL and/or any of its Consultants and Subcontractors. Sealed plans, final documents, reports and attendance at meetings/hearings will not be provided unless payment for services is current.

If APPLIED COASTAL is performing services for the CLIENT under multiple projects, invoice payments must be kept current on all projects for services hereunder to continue. CLIENT acknowledges APPLIED COASTAL's right to suspend services and withhold plans and documents, as provided above, if payments are not current on all projects. If services are suspended for 30 days or longer, upon resuming services APPLIED COASTAL shall be entitled to expenses incurred in the interruption and resumption of its services. If services are suspended for 90 days or longer, APPLIED COASTAL shall be entitled to expenses incurred in the interruption and resumption of its services and fees for remaining services shall be equitably adjusted.

The parties agree to coordinate invoices to assure timely payment. Among other things, APPLIED COASTAL's project manager and the CLIENT will confer as often as reasonably necessary about any issues that arise involving invoicing and collections.

6. APPLIED COASTAL agrees to carry the following insurance during the term of this Agreement:
  - Workmen's Compensation and Employer's Liability Insurance in compliance with statutory limits.
  - Comprehensive General Liability Insurance including coverage with combined single limits of \$1,000,000 per occurrence and \$3,000,000 in the

aggregate.

- Professional Liability Insurance with a limit of \$1,000,000 per claim and in the aggregate.
- Automobile Liability Insurance including non-owned and hired automobiles with the combined single limit of \$1,000,000.

Certificates of Insurance will be furnished upon request. If the CLIENT requires additional insurance coverage, and it is available, CLIENT agrees to reimburse APPLIED COASTAL for such additional expense.

7. APPLIED COASTAL shall not be responsible for failure to perform or for delays in the performance of services which arise out of causes beyond the control and/or without the fault or negligence of APPLIED COASTAL.
8. APPLIED COASTAL shall be entitled to rely on the accuracy and completeness of data, reports, surveys, requirements and other information required to be provided by CLIENT under this Agreement.
9. APPLIED COASTAL's services will be performed on behalf of and solely for the benefit and exclusive use of CLIENT for the limited purposes set forth in the Agreement. CLIENT acknowledges that APPLIED COASTAL's services require decisions which are not based upon science, but rather upon judgmental considerations. CLIENT may not delegate, assign, sublet or transfer its duties or interest in this Agreement without the written consent of APPLIED COASTAL.
10. In the performance or furnishing of professional services hereunder, APPLIED COASTAL, and those it is responsible for, shall exercise the degree of skill and care customarily accepted as good professional practices and procedures by members of the same profession currently practicing under similar conditions in the same locality ("Standard of Care").

Consistent with this Standard of Care, the services shall conform to applicable laws, codes, ordinances and regulations of any governmental agency having jurisdiction over the project, at the time services are rendered. APPLIED COASTAL shall perform its services as expeditiously as is consistent with the Standard of Care and with the orderly progress of the Work.

11. APPLIED COASTAL shall not be required to sign any documents, no matter by whom requested, that would result in APPLIED COASTAL's having to certify, guaranty or warrant the existence of conditions whose existence APPLIED COASTAL cannot ascertain. Any certification provided by APPLIED COASTAL shall be so provided based on APPLIED COASTAL's knowledge, information and belief subject to the preceding sentence, and shall be given in APPLIED COASTAL's professional opinion consistent with the Standard of Care. APPLIED COASTAL shall be compensated for any work necessary to verify project compliance with regulatory standards for purposes of such certification.

12. All documents including Drawings and Specifications (whether in hard or electronic form) prepared by APPLIED COASTAL pursuant to the Agreement are instruments of service with respect to the Project. They are not intended or represented to be suitable for reuse by the CLIENT or others on extensions of the Project or on any other Project. Any reuse by CLIENT or a third person or entity authorized by CLIENT without written verification or adaptation by APPLIED COASTAL for the specific purpose intended will be at the CLIENT's sole risk and without liability or legal exposure to APPLIED COASTAL; and the CLIENT, shall release, indemnify and hold harmless APPLIED COASTAL from all claims, damages, losses and expenses including attorneys' fees arising out of or resulting there from. Any such verification or adaptation will entitle APPLIED COASTAL to additional compensation at rates to be agreed upon by APPLIED COASTAL and the third person or entity seeking to reuse said documents.

If any information hereunder is provided in electronic format, CLIENT recognizes that such plans, documents or other information recorded on or transmitted as electronic media, including CADD documents ("Electronic Documents") are subject to undetectable alteration, either intentional or unintentional, due to, among other causes, transmission, conversion, media degradation, software error, or human alteration. Accordingly, the Electronic Documents are provided to CLIENT for informational purposes only and not as record documents.

13. Any materials, reports, information, data, etc. given to or prepared or assembled by APPLIED COASTAL under this Contract are to be kept confidential and shall not be made available to any individual or organization by APPLIED COASTAL (except agents, servants, or employees of APPLIED COASTAL) without the prior written approval of the CLIENT, except as otherwise required by law. The Contractor shall comply with the provisions Chapter 66A of the General Laws of Massachusetts as it relates to public documents, and all other state and federal laws and regulations relating to confidentiality, security, privacy and use of confidential data.

Any materials produced in whole or in part under this Contract shall not be subject to copyright, except by the CLIENT, in the United States or any other country. The Town shall have unrestricted authority to, without payment of any royalty, commission, or additional fee of any type or nature, publicly disclose, reproduce, distribute and otherwise use, and authorize others to use, in whole or in part, any reports, data or other materials prepared under this Contract.

All data, reports, programs, software, equipment, furnishings, and any other documentation or product paid for by the CLIENT shall vest in the CLIENT at the termination of this Contract. APPLIED COASTAL shall at all times, during or after termination of this Contract, obtain the prior written approval of the CLIENT before making any statement bearing on the work performed or data collected under this Contract to the press or issues any material for publication through any medium.

14. All questions in dispute under this Agreement shall be submitted to non-binding mediation. On the written notice of either party to the other of the election to submit any dispute under this Agreement to mediation, each party shall designate their representative and shall meet within ten (10) days after the service of the notice. The parties themselves shall then attempt to resolve the dispute within ten (10) days of meeting. Should the parties themselves be unable to agree on a resolution of the dispute, then the parties shall proceed with mediation in accordance with the mediation

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**John S. Ramsey, Vice-President  
Applied Coastal Research and Engineering, Inc.  
766 Falmouth Road, Suite A-1  
Mashpee, MA 02649**

**Date**



*November 5, 2019*

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**Date**

**Authorized Signatory for  
Town of Oak Bluffs, Massachusetts**

rules of the American Arbitration Association. The cost of mediation shall be borne equally by both parties. This process shall be considered as a condition precedent to moving to a more formal or judicial process.

15. Notwithstanding any other provision of this Agreement, neither party shall be liable to the other for any incidental, special, indirect or other consequential damages incurred due to the fault of the other party regardless of the nature of the fault or whether it was committed by the CLIENT or APPLIED COASTAL, or their employees, sub consultants, or subcontractors. Consequential damages include, without limitation, liability for loss of use of the Project or existing property, loss of profits, loss of production or business interruption, however the same may be caused.
16. In entering into this Agreement, CLIENT has relied only upon the representations set forth in this Agreement. No verbal warranties, representations or statements shall be considered a part of this Agreement or a basis upon which the CLIENT relied in entering into this Agreement. No statements, representations, warranties or understandings, unless contained herein, exist between CLIENT and APPLIED COASTAL.
17. Nothing contained in this Agreement shall create a contractual relationship with, or a cause of action in favor of, a third party against either the CLIENT or APPLIED COASTAL. APPLIED COASTAL's services under this Agreement are being performed solely for the benefit of the CLIENT and no person or other entity shall have any claim against APPLIED COASTAL because of this Agreement. In addition, nothing herein shall be construed as creating a contractual relationship between the CLIENT and any APPLIED COASTAL employee, representative or consultant. The CLIENT agrees that in the event of a dispute regarding this Agreement or the services rendered by APPLIED COASTAL hereunder, the CLIENT shall only seek recourse against APPLIED COASTAL and waives any right to pursue a claim against APPLIED COASTAL's individual directors, officers or employees.
18. Any taxes or fees, enacted by local, state or federal government and based on gross receipts or revenues, will be invoiced to and payable by CLIENT as an additional amount due under this Agreement. The CLIENT is a tax-exempt governmental agency.
19. This Agreement shall be governed and construed in accordance with the laws of the Commonwealth of Massachusetts.

## Attachment A: Scope of Services

### Project Approach

The overall goal of the planning analysis is to produce a “roadmap” that the Town can utilize to proactively plan for projects that will improve the coastal resiliency of the area associated with Oak Bluffs Harbor. In general, the shoreline surrounding the Harbor area is bounded by two upland areas, East Chop and the bluff fronting Seaview Avenue. Historically, these upland bluff areas provided sediment to the beach system, as shown in the “bird’s eye view” from 1890 (Figure 1). As part of the Cottage City development, the Oak Bluffs Harbor jetties were constructed by the state in 1899 (USACE, 1965). A relatively wide sandy beach is still held north of the north jetty despite the lack of a sandy shoreline along the East Chop bluffs. Continued armoring of the shorelines to the north and south of the Oak Bluffs Harbor jetties has eliminated the sediment source to East Chop Beach, allowing gradual erosion of the barrier beach system.

Due to the orientation of the Harbor entrance, as well as the low-lying nature of the barrier beach system protecting the Harbor, coastal resiliency for infrastructure surrounding the Harbor is a major concern for the Town. Building on previous efforts by the Town (e.g. the *Coastal Vulnerability Assessment and Adaptation Plan* (2015), and the *Coastal Sediment Transport Study for the Shoreline from East Chop Lighthouse to the Farm Pond Culvert* (2010)), it is anticipated that more specific conceptual solutions can be developed regarding (a) enhancing the stability of the barrier beach system, (b) methods for reducing the impact of easterly storm waves from propagating into the Harbor, and (c) pragmatic alternatives to reduce coastal flooding impacts to areas surrounding the Harbor over the next 30-to-50 years.

To support these conceptual design efforts, site-specific analyses of wave and tidal dynamics, combined with an evaluation of sediment transport pathways, will be required. In this manner, alternatives to improve resiliency can be assessed in a quantitative manner. It is anticipated that engineering options will consist of both structural and non-structural enhancements to existing infrastructure. The alternatives analyses will include both engineering aspects of design to improve overall coastal resiliency, as well as potential environmental impacts associated with these options. By basing future shore protection decisions on a quantitative analysis of coastal processes, the Town of Oak Bluffs anticipates more cost-effective and sustainable solutions in the long-term. The proposed project is intended to meet the following goals and objectives:

- Utilize existing tidal, bathymetric and environmental information to inform development of the baseline models needed to support the project, including previous site-specific coastal processes models developed by Applied Coastal in 2010 for the shoreline of Oak Bluffs.
- Utilize combined numerical tidal hydrodynamic, wave, and sediment transport models to quantitatively evaluate coastal processes along the Oak Bluffs shoreline area shown in Figure 2. This modeling will be performed for existing conditions of the shoreline, as well as for alternatives developed for the purpose of improving storm protection and resiliency within the harbor.
- Perform a screening analysis of various engineering and/or management alternatives that can be used to improve sustainability and resiliency of the shoreline in the vicinity of the Harbor entrance along with the Harbor itself.

- Develop recommended alternatives for potential shore protection and flood management options, where evaluation criteria will be focused on both long-term sustainability, as well as overall protection of the coastal environment.
- Promote transferability of the project through public presentations and development of a clear concise summary report that demonstrates the steps taken to support the alternatives evaluations and derive a recommended shoreline management approach.

### **Project Tasks**

The following Tasks are proposed to accomplish these planning goals:

#### Task 1: Kick-Off Meeting and Analysis of Coastal Flooding

An updated evaluation of the existing storm surge risk for the project area will be performed, specifically for the dominant nor'easters. At the base level, it is important to understand how frequently these types of storms can be expected and how frequently damage may occur at the present sea-level conditions. To accomplish this task, Applied Coastal will evaluate existing LiDAR data to determine the combined influence of "still water" coastal flood levels combined with the influence of wave set-up within the subject area. The assessment of flood levels will be based on available historical tide data for both Nantucket and Woods Hole augmented with local information (e.g. tide data available for Oak Bluffs Harbor), as well as more recent modeling efforts by the U.S. Army Corps of Engineers. Once existing coastal flooding conditions are established, likely sea-level rise scenarios for the next 10, 25, and 50 years were developed from the best available data and projections. Information used to develop these scenarios was based on the most defensible scientific information available including (a) historical relative sea-level trends for southeastern Massachusetts, as well as longer-term records from the region, and (b) assessments utilized as the basis for the International Panel on Climate Change (IPCC) and information contained within the Massachusetts Climate Change Clearinghouse. Based on this information, an evaluation of relative flood risk determined for each area of a specific land elevation will indicate the increase in flooding frequency associated with each timeframe.

#### Task 2: Quantitative Analysis of Coastal and Harbor Processes

The glacially-derived Oak Bluffs shoreline at the harbor entrance includes relatively natural barrier beach resources to the north of the inlet, and an area that can be characterized as man-manipulated coastal bluff, which has a heavily structured and sand-starved beach segment between the inlet and the steamship dock. The maintenance of the harbor's inlet is assisted by two jetties, which with the other structures in this area influence and control the movement of sand along the shoreline and reduce sand availability from the upland. Understanding the geologic nature of the beach/shoreline system, as well as the strong anthropogenic influences, allows determination of the limits of the local "littoral system". In this manner, determinations can be made regarding potential future sources of natural littoral sediments (e.g. beach nourishment or dune placement) to the Oak Bluffs shoreline. This evaluation also will include how anthropogenic changes may have altered the natural sediment transport processes and the influence of sea-level rise upon the long-term stability of the harbor coastline.

The previous evaluation of both long-term and short-term shoreline change will be updated with a shoreline survey of the observed 2019 high water line to evaluate recent changes in shoreline position. Comparison of the 2019 surveyed shoreline position with historical survey data and

shorelines developed as part of this project will provide needed information for the evaluation of sediment movement in this region.



Figure 1. An 1890 birds-eye view of Cottage City showing the condition of the Oak Bluffs shoreline including the unarmored harbor entrance and the series of shore perpendicular groins in the vicinity of Pay and Inkwell Beaches.



Figure 2. Map illustrating the Oak Bluffs Harbor area where the site-specific coastal processes analysis is proposed.

A quantitative analysis of coastal processes will be required to develop a defensible evaluation of sediment transport along the harbor shoreline that can provide the basis for development of shoreline management strategies that promote sustainability. A suite of numerical models is proposed to evaluate coastal processes: a wave refraction model, a combined tidal hydrodynamic model/morphology change model, and a long-term shoreline change model. Wave refraction modeling is required to estimate the driving forces governing sediment transport along the shoreline and in the harbor. Since the local bathymetry modifies the wave directions and heights, this model will be used to determine how local changes in wave conditions modify sediment transport potential along the beach and inside the harbor channel. The wave analysis will be based upon Nantucket Sound waves that control local coastal processes. The study will incorporate state-of-the-art wave refraction analysis techniques to transform the offshore waves to the shoreline.

To provide insight into longer-term changes of the Oak Bluffs shoreline within the vicinity of the harbor entrance, a shoreline model will be developed that utilizes average wave conditions developed for the area, and has outputs that include annualized sediment transport rates and shoreline position changes over time. This model will leverage the results of the 2010 Oak Bluffs shoreline study and also incorporate more recent shoreline position data. Sediment transport direction and rate are important parameters that characterize the stability of the nearshore system. Utilizing a combination of the wave model information and existing historical shoreline change data, a predictive model of longshore sediment transport will be calibrated to observed conditions. Once the shoreline change model has been calibrated, it can be utilized to simulate the longevity and migration of potential beach/dune nourishment projects, as well as the influence of sand-trapping structures. This aspect of the modeling effort is critical for assessing the viability of potential shore protection alternatives.

It is anticipated that alternatives analyses also will require analysis of combined wave- and current-induced transport in the vicinity of the existing harbor entrance. This evaluation of the nearshore area will require two-dimensional morphology change modeling to indicate alterations to sediment transport patterns (e.g. changes in shoaling rates in the vicinity of the navigation channel) associated with potential alterations to the entrance channel structures. In this manner, the environmental implications of existing anthropogenic modifications to the harbor entrance, as well as any potential future changes, can be accurately assessed. This model also provides site-specific computations of storm surge dynamics including water elevations and flow patterns through specific upland areas during severe events. The hydrodynamic model will be calibrated based upon data from previous modeling efforts for the Harbor, where the model extent will allow assessment of flooding impacts of upland areas within the flood plain of the Harbor. Once calibrated for existing conditions, various storm surge scenarios will be evaluated, including appropriate sea-level rise scenarios for the approximate 50-year timeframe of the assessment. Within the context of ongoing coastal evolution, the influence of relative sea-level rise also will be accounted for within the analysis. In this manner, quantitative information can inform the evaluation of engineering alternatives for appropriate time horizons.

### Task 3: Engineering Analysis to Screen Potential Alternatives

Combining the results developed in Tasks 1 and 2, an engineering analysis of potential shore and flood protection options will be developed for the area surrounding the harbor and along the fronting barrier beach. Results from the sediment transport and morphology change analyses will inform the viability of different shore protection strategies at meeting the long-term sustainability goals of the project. Specifically, the alternatives evaluation will assess the relative role of the existing jetty system, land elevation, fronting dune system, and “sediment starvation” to overall mitigation needs. This will include an evaluation for enhancing beach/dune nourishment to provide additional coastal resiliency for appropriate areas. Results of scenarios run in the hydrodynamic/morphological model will be used to evaluate whether different structural alternatives are likely to achieve the goals of improved sustainability and resiliency against flooding for the harbor region.

Once alternatives are evaluated relative to their applicability to shoreline and flood damage protection, screening of these options will be performed to determine the most appropriate alternatives. In general, both exclusionary and discretionary criteria will be utilized to assess the applicability of different options, considering aspects of each alternative including engineering, economics, and potential environmental impacts. Once the alternatives screening process is completed, a matrix of potential shore protection and coastal flood resiliency options will be developed.

### Task 4: Prioritize Shore and Flood Protection Strategies

Once specific potential shore and flood protection options, along with potential infrastructure improvement costs, have been identified for each of the separate harbor areas identified on the study, an assessment of vulnerability and “need” will be developed based on the overall economic parameters. While it is important to protect all vulnerable coastal properties to the extent practical, the Town realizes that developing a proactive plan for addressing coastal hazards in the most critical areas needs to be the priority.

Utilizing the coastal processes, engineering alternatives, and economics data developed from the above tasks, a prioritization scheme for shore and flood protection within the study limits will be developed. This scheme likely will include both ‘hard’ and ‘soft’ shore protection measures, and also infrastructure improvements including raising road elevations and possibly adding flood control devices to existing culverts. These schemes will be based on achieving sustainability goals developed for within each of the areas identified. In general, economic drivers will be critical to this prioritization process; however, coastal resiliency also will need to be addressed, as future shore protection expenditure planning will require that a sustainable outcome will be achieved based upon a 50-year planning horizon.

### Task 5: Public Presentation of Project Results

Finally, a critical aspect of the overall prioritization plan for shore protection is public “buy-in” regarding both the process and the findings of the prioritization effort. It is anticipated that two public presentations will be needed, as stakeholder input is critical to the overall process of coastal planning efforts. Two community “working sessions” are planned to initially present draft alternatives and then the final findings of the report.

**Attachment B: Scope of Services**  
**FY20 CZM Coastal Resilience Grant Program**  
**Town of Oak Bluffs**  
**October 10, 2019**

**Contractor**

Todd Alexander, Harbormaster  
Town of Oak Bluffs  
P.O. Box 1327  
Oak Bluffs, MA 02557  
508-693-4355  
[obmarina@comcast.net](mailto:obmarina@comcast.net)

**Project Title**

*Assessment of Shore Protection Options to Improve Coastal Resiliency Along the Oak Bluffs Harbor Shoreline*

**Summary**

The Town of Oak Bluffs will develop a complete understanding of coastal processes (e.g. tidal, wave, and sediment transport), as well as current and future storm surge levels, and develop conceptual shore protection strategies for critical infrastructure in the low-lying Oak Bluffs Harbor area over the next 50 years. The project will build on previous local planning efforts, including the MVP process, and develop more specific strategies regarding enhancing the stability of the barrier beach system, methods for reducing wave impacts in the harbor, and alternatives to reduce coastal flooding impacts to areas surrounding the harbor. The results of the project will provide the engineering and scientific basis for the town to proactively plan for long-term effects of climate change.

**Scope, Budget and Schedule**

As described in the application to the Coastal Resilience Grant Program, the following tasks will be performed under this contract (See Pages 3 and 4).

**Reimbursement**

To receive grant funding, the applicant must have agreed to the fiscal requirements of the program by providing a statement from the authorized signatory of the organization acknowledging and accepting the following:

- Matching funds, in cash and/or in-kind, must total at least 25% of the total project cost.
- Grant funding is provided on a reimbursement basis according to the agreed upon scope of work and contract and only upon receipt of a reimbursement package as described below. Advanced payments shall not be made. No payments will be made for Massachusetts sales tax.
- Work done prior to the project start date (the date issued and signed by the Commonwealth's Department Authorized Signatory) shall NOT be reimbursed.

- **No funds will be granted for work performed after June 30, 2020. Requests for reimbursement will NOT be accepted after July 31, 2020.**

Once tasks are completed and deliverables have been submitted to, reviewed and approved by CZM, the contractor may submit a reimbursement package containing the following items:

1. **A letter (on city or town letterhead) from the contractor with the contractor's authorized signatory requesting reimbursement.**
2. **All invoices requesting payment, including those from subcontractors. Invoices must itemize costs consistent with the agreed upon scope of work. Invoices must demonstrate sufficient information for CZM to determine that the services were performed and/or products were received, and that the invoiced items meet all contractual performance requirements.**
3. **A detailed breakdown of the required match for the project. For in-kind services, include sufficient details to demonstrate the total amounts of match contributed, and as appropriate, a list of personnel, hours worked, hourly rate, etc.**

**Reimbursement packages should be submitted according to the above schedule, and reflect work performed according to the schedule of deliverables included in the project budget. Reimbursement is generally made within 45 days subsequent to approval of a reimbursement package.**

**CZM will retain a minimum of ten percent (10%) of the total maximum obligation of funds until all contract provisions are satisfied and final reports and other products are delivered and accepted.**

### **Progress Reporting**

**To help CZM stay current on work being conducted over the course of the project, it is expected that the Contractor will submit monthly progress reports describing:**

- **Significant activities that have occurred to show progress toward deliverables**
- **Whether a change in schedule or scope of work is anticipated**
- **Whether costs are anticipated to be overrun or underrun**
- **If additional assistance from CZM or partners is needed**

**At the conclusion of the project, the Contractor will submit a final Summary Report (See Case Study template provided).**

**FY20 Coastal Resilience Grant Scope Template**

<b>Project Task Description</b>	<b>Deliverables</b>	<b>Deliverable Due Date</b>	<b>Invoice Due Date</b>	<b>Grant</b>	<b>Match</b>	<b>Total</b>
<b>Task 1: Kick-Off Meeting and Analysis of Coastal Flooding</b>						
Sub-task Kick-Off Meeting	Kick-Off Meeting Notes	Oct-19	Oct-19	\$2,960	\$970	\$3,930
Sub-task 1.2 Analysis of Coastal Flooding – Evaluate existing and future coastal flooding scenarios using best available data and projections.	Flooding Analysis Update	Feb-20	Feb-20	\$10,290	\$3,430	\$13,720
<b>Total Task 1 Cost</b>				<b>\$13,250</b>	<b>\$4,400</b>	<b>\$17,650</b>
<b>Task 2: Quantitative Analysis of Coastal and Harbor Processes</b>						
Sub-task 2.1 Shoreline Change Analysis – Evaluate long and short term shoreline change, updated with shoreline survey of the observed 2019 high water line	Model Update 1	Nov-19	Nov-19	\$6,620	\$2,540	\$9,160
Sub-task 2.2 Longshore Transport Model – Utilize wave model information and existing historical shoreline change data to calibrate longshore sediment transport model; simulate longevity and migration of potential beach/dune nourishment projects and sand-trapping structures	Model Update 2	Jan-20	Jan-20	\$16,440	\$5,920	\$22,360
Sub-task 2.3 Hydro/Morphology Model – Evaluation of nearshore area, storm-surge dynamics and flow patterns through upland areas during severe events	Model Update 3	Mar-20	Mar-20	\$36,600	\$12,260	\$48,860
<b>Total Task 2 Cost</b>				<b>\$59,660</b>	<b>\$20,720</b>	<b>\$80,380</b>



<b>Task 3: Engineering Analysis to Screen Potential Alternatives</b>							
Sub-task 3.1 Analysis of Alternatives – Conduct engineering analysis of potential shore and flood protection options for the harbor area and along the fronting barrier beach	Results incorporated in task 3.2 deliverable				\$8,220	\$2,740	\$10,960
Sub-task 3.2 Screening Process – Once alternatives are evaluated relative to their applicability to shoreline and flood damage protection, screen options to determine most appropriate based on engineering, economics, and environmental impacts	Alternatives Analysis Update	Apr-20	Apr-20		\$4,680	\$1,560	\$6,240
<b>Total Task 3 Cost</b>					<b>\$12,900</b>	<b>\$4,300</b>	<b>\$17,200</b>
<b>Task 4: Prioritize Shore and Flood Protection Strategies</b>							
Sub-task 4.1 "Need" Assessment – Assess vulnerability and need based on overall economic parameters	Results incorporated in task 4.2 deliverable				\$5,790	\$1,930	\$7,720
Sub-task 4.2 Prioritization Matrix – utilizing results from previous tasks, develop a prioritization scheme for shore and flood protection within the study limits. Include both 'hard' and 'soft' measures and infrastructure improvements (e.g., raising road elevations and adding flood control devices to existing culverts)	Prioritization Matrix	May-20	May-20		\$5,790	\$1,930	\$7,720
<b>Total Task 4 Cost</b>					<b>\$11,580</b>	<b>\$3,860</b>	<b>\$15,440</b>
<b>Task 5: Public Presentation of Project Results</b>							
Sub-task 5.1 Working Session 1 – Public presentation of draft alternatives	Powerpoint of Working Session 1	Mar-20	Mar-20		\$7,985	\$2,645	\$10,630
Sub-task 5.2 Working Session 2 – Public presentation of final findings of the report	Powerpoint of Working Session 2	Jun-20	Jun-20		\$7,985	\$2,645	\$10,630

Sub-task 5.3 Draft Report	Draft Report	May-20	May-20	\$18,300	\$6,100	\$24,400
Sub-task 5.3 Final Report	Final Report	Jun-20	Jun-20	\$6,720	\$2,240	\$8,960
Total Task 5 Cost				\$40,990	\$13,630	\$54,620
<b>Task 6: Case Study</b>						
Prepare draft and final case study summary using template provided	Draft and final case study	June 30, 2020	June 30, 2020	\$0	\$0	\$0
Total Task 6 Cost				\$0	\$0	\$0

TOTAL PROJECT COST

\$138,380	\$46,910	\$185,290
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## **Case Study Template**

**Municipality:**

**Project Title:**

**Grant Award: \$**

**Match: \$**

**Community Overview:**

Provide a general description of your community as a brief introduction to the project.

**Description of Climate Impact:**

Address the community's current and potential future vulnerability to climate change impacts. What are the specific threats to the project area/site and reasons for applying to the grant program?

**Project Goals:**

What were the specific goals of the project?

**Approach and Result:**

How did the project team implement the project? Describe the methodology or your approach to achieve the project goals. Describe, and quantify (where possible) project results (e.g. square footage of habitat restored or created). Provide web links, if available, to your project deliverables.

**Lessons Learned:**

What lessons were learned as a result of the project? Focus on both technical matter of the project and process-oriented lessons learned.

**Partners and Other Support:**

Include a list of all project partners and describe their role in supporting/assisting in the project.

**Project Photos:**

In your electronic submission of this report, please attach (as .jpg) a few representative photos of the project. Photos cannot show persons who can be easily identified, and avoid inclusion of any copyrighted, trademarked, or branded logos in the images.

# System Maintenance Costs Request

## Financial Breakout

	Maintenance of Effort Costs				
	Year 1	Year 2	Year 3	Year 4	Year 5
Motorola Essentials+ Service Package	\$ 69,411.00	\$ 122,175.00	\$ 128,804.00	\$ 133,204.00	\$ 137,775.00
Essentials+ Exclusions Estimates	\$ 17,352.75	\$ 30,543.75	\$ 32,201.00	\$ 33,301.00	\$ 34,443.75
Grant Ineligible Development Costs	\$ 15,464.00	\$ 15,850.60	\$ 16,246.87	\$ 16,653.04	\$ 17,069.36
Development Contingencies Reserve	\$ 79,641.80	\$ 81,632.85	\$ 83,673.67	\$ 85,765.51	\$ 87,909.65
Grant Ineligible Management Costs	\$ 4,330.56	\$ 4,438.82	\$ 4,549.79	\$ 4,663.54	\$ 4,780.13
RECC Maintenance Projections	\$ 51,113.00	\$ 52,390.83	\$ 53,700.60	\$ 55,043.11	\$ 56,419.19
<b>Total Maintenance Costs</b>	<b>\$ 237,313.11</b>	<b>\$ 307,031.84</b>	<b>\$ 319,175.92</b>	<b>\$ 328,630.19</b>	<b>\$ 338,397.07</b>

\* Essentials+ Service Package excluded items are calculated using an added 25% projection to Service Package quotations. These are preliminary "soft cost" estimates, to be finalized by Motorola Engineering team.

\*\* RECC maintenance is based on FY2019 projections, excluding personnel and other operational costs, with 2.5% annual growth. Development Grant ineligible costs are estimated to continue during subsequent phases of the development, with 2.5% annual growth. Site Development Contingencies Reserve is estimated at 10% of Phase 1a Development Costs, with 2.5% growth in later phases.

# System Maintenance Costs

Grant Ineligible Development, Maintenance and Management Items – Year 1

- **Motorola Essentials+ Service Package**
  - \$69,411
- **Service Package Exclusions**
  - Passive equipment such as feed line, antenna's, combining equipment, and dehydrators; UPS and UPS Batteries and Tower Climbing personnel expenses, if necessary.
  - Maintenance costs of towers, shelters, HVAC, or site generators.
  - \$17,353
- **Permitting Legal Services**
  - Assistance with Zoning Approvals and Negotiation of Option/Lease/License Agreement and Acquisition of Clear Land Title/Site Lease/Shared Use Agreement - \$5,972
  - Coordination of Zoning and Permitting of New Tower - \$9,492



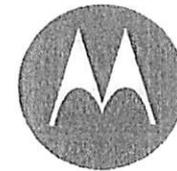
**MOTOROLA**



# System Maintenance Costs

Grant Ineligible Development, Maintenance and Management Items – Year 1

- **Reserve for Site Development Contingencies**
  - Tower structural enhancements if Structural Analysis fails at Pennywise, RECC, Peaked Hill, or the DCR tower.
  - If at Oak Bluffs during the Phase I environmental assessment, Motorola discovers hazardous soils, and site needs remediation to soil or additional testing.
  - If any of the sites require non-typical grounding upgrades.
  - If there are any utility fees required for any sites other than RECC and DCR tower, as Motorola is using existing shelters, etc.
  - The Path surveys are based on paper path studies only, which were accounted for in Motorola's Tower design. Once the physical path surveys are completed, the design will be finalized and updated based on that.
  - Re-programming cost of existing Kenwood mobile and portable radios
  - **\$79,642** (10% of Phase 1a Site Development Costs)



**MOTOROLA**



# System Maintenance Costs

## Grant Ineligible Development, Maintenance and Management Items – Year 1

- **Project Management Items**
  - Planning and facilitation of project meetings.
  - Monthly and quarterly project reports.
  - Assist the Office of Sheriff in the procurement process for the primary vendor.
  - Coordinate with the State 911 Department staff.
  - Develop the FY20 State 911 Department Regional Development Grant for Phase 2.
  - **\$4,331**
- **RECC Maintenance Costs**
  - Equipment Purchases - \$16,413
  - Equipment Lease – Maintain & Repair - \$10,437
  - Infrastructure - \$24,264
  - **Total - \$51,114**
- **Total Year 1 Maintenance of Effort - \$237,313**



Edward J. Collins, Jr. Center  
for Public Management



# System Maintenance Costs Request

Allocation – 50% Share + 50% Dispatch Volume

## 50% Share + 50% Call Volume Formula

	Shares	Share %	Call %	Total %
Aquinnah	1	16.67%	2.53%	9.60%
Chilmark	1	16.67%	6.60%	11.63%
Edgartown	1	16.67%	27.48%	22.07%
Oak Bluffs	1	16.67%	29.45%	23.06%
Tisbury	1	16.67%	22.98%	19.82%
West Tisbury	1	16.67%	10.71%	13.69%
Sheriff's Office			0.25%	0.13%
	6	100.00%	100.00%	100.00%

# System Maintenance Costs Request

Allocation – 50% Share + 50% Dispatch Volume

	50% Share 50% Call Volume	System Maintenance Costs				
		Year 1	Year 2	Year 3	Year 4	Year 5
Aquinnah	9.60%	\$ 22,778.10	\$ 29,469.94	\$ 30,635.57	\$ 31,543.02	\$ 32,480.48
Chilmark	11.63%	\$ 27,607.43	\$ 35,718.04	\$ 37,130.80	\$ 38,230.65	\$ 39,366.86
Edgartown	22.07%	\$ 52,382.91	\$ 67,772.16	\$ 70,452.77	\$ 72,539.64	\$ 74,695.51
Oak Bluffs	23.06%	\$ 54,720.45	\$ 70,796.43	\$ 73,596.65	\$ 75,776.65	\$ 78,028.73
Tisbury	19.82%	\$ 47,043.37	\$ 60,863.95	\$ 63,271.31	\$ 65,145.46	\$ 67,081.58
West Tisbury	13.69%	\$ 32,484.21	\$ 42,027.54	\$ 43,689.86	\$ 44,984.00	\$ 46,320.92
Sheriff's Office	0.13%	\$ 296.64	\$ 383.79	\$ 398.97	\$ 410.79	\$ 423.00
<b>Total Maintenance Costs</b>		<b>\$ 237,313.11</b>	<b>\$ 307,031.84</b>	<b>\$ 319,175.92</b>	<b>\$ 328,630.19</b>	<b>\$ 338,397.07</b>

**COOPERATIVE AGREEMENT FOR EMERGENCY COMMUNICATIONS AND DISPATCH SERVICES**

THIS AGREEMENT entered into this 1st day of October, 2019 by and among the **DUKES COUNTY SHERIFF** with a mailing address of 149 Main Street, P.O. Box 252 Edgartown, Massachusetts 02539 ("Sheriff"), and the **TOWN's of Aquinnah, Chilmark, Edgartown, Oak Bluffs, Tisbury, and West Tisbury**, Massachusetts municipalities acting by and through their Board of Selectmen, shall sometimes be referred to herein as "Town(s)." The Dukes County Sheriff's Office Regional Emergency Communication Center operated by the Sheriff's Office shall be referred to herein as the "RECC."

**WITNESSETH:**

**WHEREAS**, the Town(s) and the Sheriff desire to have the Sheriff staff, maintain, and operate a public safety communications/dispatch center, which is a proper governmental function and service; and

**WHEREAS**, the Dukes County Sheriff was authorized by Chapter 410 of the Massachusetts Acts and Resolves of 1964 to establish and maintain a Radio Communication Center for police, fire and other emergency purposes; and

**WHEREAS**, Chapter 61 of the Acts of 2009 transferred all functions, duties and responsibilities from the county to the commonwealth, and

**WHEREAS**, the Sheriff has established and maintains a county-wide Emergency Communications Center located at its facility at 9 Flight Path, West Tisbury, MA 02575. The RECC provides emergency communications call-taking and dispatch services for the municipalities within Dukes County; and

**WHEREAS**. The Sheriff has provided a cost-effective and professional regional emergency communications center to the Dukes County Towns since 1964 and has worked closely with the Massachusetts State 911 Department to deliver these services to the residents and visitors of the County through enhanced technology and the development of dispatch personnel; and

**WHEREAS**, The Town(s) desire that the RECC continue to serve as a regional emergency communications center providing emergency communications and dispatch services for the Town; and

**WHEREAS**, Section 18C of Chapter 6A of the Massachusetts General Laws authorizes municipalities to enter into written cooperative agreements to provide for regional emergency dispatch services; and

**WHEREAS**, the Town(s) and Sheriff intend that this Agreement shall set forth the terms and conditions for the provision of emergency communications and dispatch services to the Town, as well as the maximum financial liability to the Town for those services, in accordance with Section 4A of Chapter 40 of the Massachusetts General Laws:

**NOW THEREFORE**, in consideration of the mutual covenants and agreements set forth herein, the Town(s) and the Sheriff agree as follows:

**1. Approval by State Agencies:**

Pursuant to Sections 18B and 18D of Chapter 6A of the Massachusetts General Laws, this Agreement is subject to review and approval by the State 911 Department within the Massachusetts Executive Office of Public Safety and Security.

**2. Service:**

The RECC shall furnish emergency police, fire, and emergency medical services (EMS) communication and dispatch services to the Town(s). Those services shall include, but are not limited to:

- (a) Receiving emergency and routine calls for police, fire and emergency medical services (EMS);
- (b) Directing a response to said calls either by dispatching the appropriate police, fire or medical unit or by forwarding the call to the appropriate department or agency for response;
- (c) Providing on-going communication support to emergency personnel in the field;
- (d) Maintaining dispatch logs and 911 recordings as required by law;
- (e) Providing data and records from/to the Criminal Justice Information Services (CJIS), the Criminal History Systems Board (CHSB) and the National Crime Information Center (NCIC);
- (f) Updating, maintaining, and managing the radio communications systems, computer systems, support files, and resource materials necessary to accomplish the items above; and
- (g) Any other service or duty required by law of a Regional Emergency Communications Center.

**3. Advisory Boards:**

The RECC shall be advised by two (2) boards as described below. No voting Board member shall have any financial or employment association with the Sheriff; this shall not apply to the Sheriff's representative on the Public Safety Communications Advisory Board.

- (a) The Public Safety Communications Advisory Board shall consist of the 15 listed representatives from the respective member communities:

- |                                 |             |
|---------------------------------|-------------|
| 1. Aquinnah Fire and Police     | (2 members) |
| 2. Chilmark Fire and Police     | (2 members) |
| 3. Edgartown Fire and Police    | (2 members) |
| 4. Oak Bluffs Fire and Police   | (2 members) |
| 5. Tisbury Fire and Police      | (2 members) |
| 6. West Tisbury Fire and Police | (2 members) |
| 7. Tri-Town Ambulance           | (1 members) |
| 8. Dukes County Sheriff         | (2 members) |

(b) The Public Safety Communications Advisory Board shall have the power to recommend public safety related operating procedures and submit requested additional services for the approval of the Communications Finance Advisory Board.

- a. The Public Safety Communications Advisory Board shall have the authority to:
- i. Review the performance of the RECC and to identify Strategic initiatives for enhanced services.
  - ii. Review and recommend the written operational procedures for the RECC that govern the deployment of emergency services in the Town as part of the materials submitted to the State 911 Department.
  - iii. Submit requested additional services for the approval of the Communications Finance Advisory Board.
  - iv. Review the maintenance and operation of legacy communication systems.
  - v. Meet at least on a quarterly basis.

(c) The Communications Finance Advisory Board shall consist of the town administrators or financial officers, as designated by the Board of Selectmen of each member community. The Communications Finance Advisory Board shall consist of the 6 listed representatives from the respective member communities

- |                         |            |
|-------------------------|------------|
| 1. Town of Aquinnah     | (1 member) |
| 2. Town of Chilmark     | (1 member) |
| 3. Town of Edgartown    | (1 member) |
| 4. Town of Oak Bluffs   | (1 member) |
| 5. Town of Tisbury      | (1 member) |
| 6. Town of West Tisbury | (1 member) |

- b. The Communications Financial Advisory Board shall have the authority to:
- i. Review the annual operating and staffing budget of the RECC and changes thereto.
  - ii. Review and approve the proposed maintenance budget of RECC with Public Safety Communications Advisory Board.
  - iii. Present approved RECC maintenance budget to their respective municipal finance advisory committees and Boards of Selectmen.
  - iv. Review long range capital and operating plans for the RECC.

The Sheriff's Office or designee shall have the final decision-making authority with regard to all matters involving the day-to-day operations of the RECC.

#### **4. Radio Systems:**

(a) The Sheriff owns and operates a county-wide VHF conventional analog radio system known as the "Dukes County/Martha's Vineyard Public Safety Communications System." The Sheriff shall obtain and keep current all frequency-related licenses granted by the Federal Communications Commission (FCC) under Part 90 of the FCC rules and regulations. The Sheriff shall operate the radio system in accordance with Part 90 of the FCC rules and regulations.

- (b) The Sheriff will coordinate with the Public Safety Communications Advisory Board to develop a sustainable vision for the radio system and ensure that the system meets the operational needs of the RECC and the Town(s) for today and the future. This vision will include strong adherence to interoperability standards, life-cycle planning this systems, and ongoing maintenance of equipment.
- (c) Equipment purchased by the Sheriff with funds from the State 911 Department or other grant sources shall be owned and maintained by the Sheriff for the Dukes County/Martha's Vineyard Public Safety Communication System.
- (d) The Sheriff will be responsible for facilitating future upgrades and improvements to its radio systems. The Sheriff will work with the Town(s) to seek State 911 Department grant funding for required infrastructure and subscriber radio system improvements. Any portion of the capital expenses for upgrading and maintaining the radio system not covered by State 911 Department development grant funds may be contributed by the Town(s) participating in the regional radio system, if appropriated by their respective Town Meetings.
- (e) Radio equipment and facilities purchased or obtained by the towns shall remain the property of the respective town unless that town chooses to transfer such equipment or facilities to the Sheriff.

**5. Adherence to Operational Protocols and Practices:**

The Town(s) representatives on the Public Safety Communications Advisory Board will coordinate the necessary feedback from their respective Town(s) regarding the performance of the RECC's call-taking and dispatch services and communicate the feedback to the Public Safety Communications Advisory Board.

**6. Media Inquiries:**

Media Inquiries regarding the operation of the RECC shall be referred to the Sheriff or Sheriff's Office's designee for the RECC. Media inquiries regarding the Town(s) personnel shall be referred to the appropriate department head, such as the Police or Fire Chief of the Town or a designee. Media inquiries concerning specific incidents under the jurisdiction of the Town(s) respective police, fire, or emergency medical services (EMS) provider shall be directed to the appropriate department.

**7. Reporting:**

Within ten (10) business days of the Sheriff's receipt of the quarterly report issued to Massachusetts Regional Emergency Communication Centers by the Statewide Emergency Telecommunications Board, a copy of said report shall be provided to the Town(s)

**8. Maintenance Assessment:**

- (a) The Town(s) shall pay a yearly Maintenance Assessment ("Fee") based upon a budget approved by the Communications Finance Advisory Board. The Assessment will be determined by an agreed upon formula of the participating Town(s).

- (b) By no later than October 1<sup>st</sup> of each year, the RECC, through the Sheriff, shall provide the Town(s) with notice of the Fee to be charged for the next fiscal year.
- (c) At the beginning of the budget planning cycle for each fiscal year, the Sheriff will provide an analysis of the Town(s) RECC call volume and capital costs. The Assessment will be calculated as the agreed upon formula determined by the Town(s), after incorporating any reimbursements provided by the Massachusetts State 911 Department's Incentive and Support funding or any other sources. The Sheriff will furnish the Communications Finance Advisory Board with a copy of the Budget, including the calculations of the total operating costs and the amounts of reimbursements received from the State 911 Department and/or other sources.
- (d) If additional federal, state, county or local revenue, which can be used directly to offset the operational costs of RECC, is secured by the Sheriff, the fee shall be pro-rated accordingly either during the fiscal year when the fees are due or effective with the next fiscal year.

**9. Payments:**

The Town(s) shall make semi-annual payments of the Assessment to the Sheriff, payable on the same day that tax payments are due. The Sheriff shall send semi-annual invoices to the Town(s), electronically or by mail, no later than thirty (30) days before the due date. The Sheriff may elect to send one annual invoice that outlines semi-annual payments for the fiscal year. If payment is not received by the due date, the Sheriff shall send a second notice by certified mail.

The Sheriff shall establish through the Secretary of Administration & Finance a segregated account and separate appropriation into which the payments from the Town(s) will be deposited, and from which the expenses will only be made for the benefit of RECC. The Sheriff shall communicate a complete report created by the Executive Office of Administration and Finance to the towns of all transactions in this account, after the close of each fiscal year, no later than October 1<sup>st</sup> of each year, and shall comply in other respects with Section 4A of Chapter 40 of the Massachusetts General Laws (par. 2) regarding sufficient financial safeguards for all participants.

**10. Assignment:**

No assignment or other transfer of any right or obligation under this Agreement shall be made by either the Town(s) or the Sheriff.

**11. Liability:**

Pursuant to Section 4A of Chapter 40 of the Massachusetts General Laws, the Town(s) and the Sheriff shall be liable for the acts and omissions of its own employees and not for the employees of any other agency in the performance of this Agreement to the extent provided by Chapter 258 of the Massachusetts General Laws (the Massachusetts Tort Claims Act). By entering into this Agreement, neither the Town(s) nor the Sheriff has waived any governmental immunity or limitation of damages that may be extended to them by operation of law. Notwithstanding the foregoing, the Sheriff shall not be liable for damages caused by any failure to provide services through the RECC arising from an Act of God, loss of power, or any other cause beyond its reasonable control.

**12. Amendments:**

This Agreement may only be amended by a written document duly executed by both the Town(s) and the Sheriff.

**13. Governing Law:**

This Agreement shall be governed by, construed and enforced in accordance with the laws of the Commonwealth of Massachusetts.

**14. Termination:**

The Town(s) may terminate this Agreement upon giving written notice no later than the 15<sup>th</sup> of December for the following Fiscal Year.

**15. Term of Agreement:**

This Agreement is intended as a long-term obligation of each of the Parties. Consistent with the time limitation set forth in Section 4A of Chapter 40 of the Massachusetts General Laws, the initial term of this Agreement shall be for five (5) years. Unless earlier terminated as set forth herein, this Agreement shall automatically renew every five (5) years on the anniversary of the Commencement Date for additional terms of five (5) years each, and shall expire twenty-five (25) years from the Commencement Date.

**[SIGNATURES ON NEXT PAGE]**

**IN WITNESS WHEREOF**, the Sheriff and the Town have hereto, intending to be legally bound, caused their duly authorized representatives to set their hands and seals on the set forth below.

Dukes County Sheriff  
By: [Signature]  
Sheriff

Date: 10/1/19

Town of Aquinnah

By: [Signature]

Date: \_\_\_\_\_

Town of Chilmark

By: [Signature]

Date: 8/20/19

Town of Edgartown

By: [Signature]

Date: 20190722

Town of Oak Bluffs

By: [Signature]

Date: September 10, 2019

Town of Tisbury

By: [Signature]

Date: 9/10/19

Town of West Tisbury

By: [Signature]

Date: 7-24-19



## Woods Hole, Martha's Vineyard and Nantucket Steamship Authority

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October 28, 2019

Brian C. Packish, Chairman  
Oak Bluffs Board of Selectmen  
56 School Street  
Oak Bluffs, Massachusetts 02557

Re: Long-Range Vineyard Transportation Task Force and  
Working Group to Identify and Develop Ways to Mitigate Traffic  
Issues arising from the SSA's Woods Hole Ferry Terminal Operations

Dear Chairman Packish:

At their October 15, 2019 monthly meeting, the SSA's governing Board unanimously voted:

- to establish a Long-Range Vineyard Transportation Task Force (the "Task Force") to work together with the Martha's Vineyard Commission, the Towns of Falmouth, Oak Bluffs and Tisbury, and the City of New Bedford, and with public input, to attempt to identify reasonable steps that can be taken to address issues and concerns about freight and other traffic in each of those communities on a long-term basis; and
- to establish a different working group (the "Working Group") with the Martha's Vineyard Commission and the Towns of Falmouth, Oak Bluffs and Tisbury to focus exclusively, with public input, on identifying and developing reasonable and practical ways to monitor and enforce compliance with the SSA's current noise mitigation policies as well as identifying and developing additional ways to mitigate traffic issues arising from the SSA's Woods Hole ferry terminal operations – not just during the early morning hours but throughout the day – which can be implemented sooner rather than later.

The Board also authorized me to take all necessary and appropriate actions to establish and facilitate the Task Force and the Working Group, including providing them with reasonable administrative support. (Requests for more substantial financial support for the hiring of any consultants, surveys or other special expenses will be considered on a case-by-case basis.)

Accordingly, I am asking the Town of Oak Bluffs to participate in both the Task Force and the Working Group by:

- Designating two individuals to be its representatives on the Task Force, with one of those individuals ideally being a staff member with transportation and/or planning experience and responsibilities; and
- Designating one individual to be its representatives on the separate Working Group.

The SSA believes that, once the Task Force and the Working Group begin their work, they can decide for themselves how best they can function in a productive and efficient manner, including how often they should meet in order to accomplish their objectives. In this regard, however, we are open to any suggestions you may have regarding how they should be comprised and operate.

As you may know, the SSA's Board voted to establish the Task Force and the Working Group at the same meeting when the Board voted to approve the SSA's 2020 Summer and Fall Operating Schedules and to issue a report on those proposed schedules in accordance with Section 15A of the SSA's Enabling Act. Because the reasons for establishing the Task Force and the Working Group are described in that report, I am attaching a copy of it (without its appendices) for your convenience. A complete copy of the report with all of its appendices can be viewed and downloaded by going to the SSA's website, clicking on the "About" tab and then the "Policies, Forms and Information" webpage. The report is the seventh item under "Reports on Proposed Operating Schedules." Alternatively, you can directly view and download the report by clicking on the following link:

[https://www.steamshipauthority.com/writable/versioned\\_downloadable\\_forms/path/report\\_-\\_proposed\\_2020\\_summer\\_operating\\_schedules\\_-\\_final.pdf](https://www.steamshipauthority.com/writable/versioned_downloadable_forms/path/report_-_proposed_2020_summer_operating_schedules_-_final.pdf)

Of course, if you would like to discuss this matter before deciding whether to designate any individuals to be Oak Bluffs' representatives on the Task Force and/or the Working Group, please feel free to contact me. I also would be more than happy to attend one of your meetings for this purpose. But given the importance of their missions, we hope that both the Task Force and the Working Group will be able to begin their work as soon as possible.

Very truly yours,

*Robert B. Davis*

Robert B. Davis  
General Manager

Encl: Section 15A Report on Proposed 2020 Summer Operating Schedules (without appendices)

cc: Oak Bluffs Selectman Jason Balboni (w/encl.)  
Oak Bluffs Selectman Gail M. Barmakian(w/encl.)  
Oak Bluffs Gregory A. Coogan (w/encl.)  
Oak Bluffs Michael J. Santoro (w/encl.)  
Oak Bluffs Town Administrator Robert L. Whritenour, Jr. (w/encl.)  
SSA Board and Port Council Members (w/out encl.)



# Woods Hole, Martha's Vineyard and Nantucket Steamship Authority

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**Report Issued under Section 15A of the Authority's Enabling Act**  
**on the**  
**Proposed 2020 Summer Operating Schedules**  
**of the**  
**Woods Hole, Martha's Vineyard and Nantucket Steamship Authority**

## **Introduction**

Section 15A of the Enabling Act of the Woods Hole, Martha's Vineyard and Nantucket Steamship Authority (the "SSA") requires the SSA to post and advertise in newspapers with general circulation in Falmouth, Barnstable, Martha's Vineyard, Nantucket and New Bedford all of its proposed schedule changes at least 60 days prior to their effective date. St. 1960, c. 701, §15A. Accordingly, the SSA placed advertisements of its proposed 2020 Summer Operating Schedules for the period from May 15 through October 20, 2020 in the following newspapers:

- *The Inquirer and Mirror* and *The Martha's Vineyard Times* on July 25, 2019; and
- *The Cape Cod Times*, *The Falmouth Enterprise*, *The Standard-Times* and the *Vineyard Gazette* on July 26, 2019.

The SSA's Enabling Act also provides that, if the SSA receives a petition within 30 days of those advertisements that is signed by not less than 50 persons who are residents of any of those communities requesting a public hearing on the proposed schedule changes, the SSA is to conduct a public hearing within 14 days of receiving the petition. In addition, the hearing is to take place in the community where the greatest number of petitioners reside. On August 26, 2019, the SSA received a petition with respect to its proposed 2020 Summer Operating Schedules that was signed by 50 residents of the Town of Falmouth (**Appendix A**). Therefore, the SSA held a public hearing on its proposed schedules at the Falmouth High School Auditorium on September 9, 2019.

### **The Petitioners' Objection to the SSA's Proposed Schedules**

In their petition, the 50 Falmouth residents “object to the scheduling of freight from Woods Hole prior to 6:00AM due to the sleep deprivation caused by the early morning noise impact of Steamship Authority-related freight trucks on Falmouth and Woods Hole residents.” As advertised, the SSA’s proposed 2020 Summer Operating Schedules for the Martha’s Vineyard route (**Appendix B**) would include the following trips from Woods Hole prior to 6:00 a.m.:

5:30 a.m.      *Governor* (from May 15th through October 20th)

### **The Public Hearing on the Proposed Schedules**

SSA Members Robert R. Jones (Barnstable), Marc N. Hanover (Dukes County) and Kathryn Wilson (Falmouth), as well as Port Council member Robert S. C. Munier (Falmouth), attended the public hearing on the proposed 2020 Summer Operating Schedules. The SSA’s General Manager Robert B. Davis, Treasurer/Comptroller Mark K. Rozum, General Counsel Terence G. Kenneally, Communications Director Sean F. Driscoll, Director of Shoreside Operations Alison Fletcher, and Counsel Steven M. Sayers also attended the hearing. 71 other people signed in at the hearing, and 21 of them gave testimony that day.

1. Peter Francis (Falmouth) – Mr. Francis stated that he works for a food service company that uses a freight boat every day, which means that about 16 trucks travel on it each week during the summer season. He said it would be hard for him to continue his job serving the islands without the early trip, so he supports the 5:30 a.m. boat.
2. Brian Hughes (Southwick) – Mr. Hughes is a fuel transportation driver for the island for a company that runs three trucks per day. He said that he supports the early-morning freight boat so that the trucks can make as little of a disruption possible on the island. Mr. Hughes said the trip has the added benefit of not putting people at risk with big trucks driving around on roads that are made for regular cars during busier times of day.
3. Stephen Araujo (West Tisbury) – Mr. Araujo said that Woods Hole Road is a state-owned road and that, as a truck driver, he and others he knows try to be as hospitable and respectful as possible. He said they are not trying to make a problem or a ruckus; they just want to do their jobs. Mr. Araujo said this effort is an attempt to mess with free trade, noting that he lives off a state road in Vineyard Haven and that he is used to the noise and that it is just part of the day. He said people who live in Falmouth around the Walmart have the same problem and that everyone has to work together on it.
4. Owen White (Berlin, Connecticut) – Mr. White said that his truck drivers regularly are on the 6:30 a.m. hazmat ferry and that, to even get to that boat on time, they have to be on Woods Hole Road by 5:45 a.m. He said that the more that arrival gets delayed until later than 6:00 a.m. will make things very difficult. He said he thinks not having a 5:30 a.m. freight ferry will cause a backup of freight throughout the day.

5. John H. Leite (Oak Bluffs) – Mr. Leite said that the company he manages, JWL Transport, uses the SSA every day, sometimes multiple times a day, and has been since 1953. He said he feels badly for the plight of those who signed the petition suffer from but said it was a choice that was made by them, as individuals. He said there is a law on the books that states that if there is a business in effect and an individual moves into a house they have accepted that. He said while they are entitled to their peace and solitude, the same issue is in effect on the Vineyard and that people know they need that traffic to be able to survive as a community. He said that it would be a big hardship for him to lose the early-morning trips and that, in his opinion there should be more trips. He said he does not think the early-morning trips are going to go away and that they are a necessary evil. Changing the way things are now would present a real hardship to those who need and provide service to the island.
6. Ted Fitzelle (Woods Hole) – Mr. Fitzelle said that what is being said at the hearing so far is malarkey and that the SSA regularly disregards the Town of Falmouth’s wishes. He said it is no longer possible to jam more cars down Woods Hole Road, that the hospital lights are in a constant state of gridlock, that the gas and propane tankers present a danger and that it is all the result of poor planning by the SSA. He said that when the new headquarters was built on Palmer Avenue residents were told it would result in fewer people going down Woods Hole Road and said the SSA should admit it has failed to plan for the future.
7. Margaret Fitzelle (Woods Hole) – Ms. Fitzelle said that she has been living in Falmouth for 51 years and has an eight-year-old granddaughter and that it is dangerous for her and other children to wait for their school bus on Woods Hole Road. She said that questions about the safety of transporting fuel to the island have been raised for years and asked why New Bedford cannot be used as a port for the SSA and if it would take a tragedy for that to happen. She said that she feels her statements will fall on deaf ears and that fuel trucks will continue to boom down Woods Hole Road. She said that those trucks are the nuisance, not the neighbors, and that it is time to try New Bedford.
8. Jim Rogers (Vineyard Haven) – Mr. Rogers said that he sympathizes with people of Woods Hole. He said that he has lived on Martha’s Vineyard his whole life and that his father worked for the SSA for many years and that, overall, they do a pretty good job of providing a reliable mode of public transportation. He said that New Bedford has been tried as a port and would continue to present many problems; additionally, such a move would result in a loss of jobs in Falmouth, as there are many in town who are employed by the SSA. He said that Falmouth has grown a great deal in his lifetime but that the Vineyard has no other way to get its goods delivered. New Bedford is not close to being a reasonable option, would result in more cancelled trips, and would not be a reliable mode of transportation.
9. Peter Goodale (Tisbury) – Mr. Goodale said that he grew up on the Vineyard and now runs his family business there. The SSA was created to service the Vineyard, he said. New Bedford would not work as a port due to the cancellations and transit time and would be more expensive for both the trucking companies and the SSA. He said that trucks are safer to run in the morning than later in the day when more people are on the roads.

10. Deborah Siegal (West Falmouth) – Ms. Siegal said that, although those along Woods Hole Road bear the brunt of the noise, it is not only those people who are affected. She said that lives in West Falmouth a quarter of a mile from Route 28A and is awakened between 4:00 a.m. and 4:30 a.m. by truck noise. She since has found out that people are using traffic apps and using 28A to get around traffic on Route 28 to get to the ferry. She said it is very important for people to realize that it is not just a Woods Hole problem. She understands that people who are just doing their jobs have problems as well, but that the noise is a serious disruption to many lives. The noise problem is not only on Woods Hole Road; people in West Falmouth also are woken up by trucks.
11. Judy Laster (Woods Hole) – Ms. Laster said that the purpose of the hearing is to focus on scheduling, not on how people make a living. She said at a different hearing held by the SSA that she asked them to develop a strategic plan to guide its decision making and that, while she does not know the status of that effort, the SSA should delay a determination on its schedule until that strategic plan has been completed and whatever develops should guide its decision making. She said that Woods Hole residents are not against truck drivers or people on Martha’s Vineyard but they also don’t have to suck it up and take it. She said that there has to be a way to come to a solution that is reasonable and takes into account the community impact and gives the opportunity for people who are not boat-related to provide a community impact statement. She said that the SSA should also do its own traffic study in addition to its strategic planning process. Ms. Laster noted that the many negative comments people are making about the residents of Woods Hole are not helpful. She said that she was disturbed to see that the selectmen of Tisbury and Aquinnah had written letters in favor of the ferry without considering what the people of Woods Hole need as well.

Later in the hearing, Ms. Laster said congestion pricing is being discussed all over the Commonwealth to address travel at different times of day. She asked what things the SSA was looking at to make people change their travel times and suggested that it would make more sense for the SSA to start looking at those issues now rather than later.

12. Becky Connors (Woods Hole) – Ms. Connors said that she manages the Sands of Time hotel and walks across Woods Hole Road six times a day and traffic on the road is very dangerous. She said that the 5:30 a.m. boat is going to be disruptive no matter what and that she has to use her air conditioner to block the noise, meaning that her family cannot enjoy the sea air because her kids are woken up at 3:00 a.m. and 4:00 a.m. by traffic. At the time her family bought their house, there was not the incredible amount of traffic there is now. She said that what the residents want is a give and take and that 5:30 a.m. is simply too early for the people and community of Woods Hole. She said she appreciates that the Vineyard residents have needs but that they have needs as well.
13. Eugenie Kuffler (Woods Hole) – Ms. Kuffler said that she does not like the new Slip No. 3 and that it has destroyed that corner of Woods Hole. If Slips 1 and 2 follow suit, the ships will form a fortress to block the ocean view. The terminal project will force the SSA to attract more cars and trucks to pay off their investments and that the roads will continue to be overwhelmed by traffic.

14. Nan Logan (Woods Hole) – Ms. Logan said that it was both “charming and inconvenient” to live on an island and referred to a friend, Hunter Moorman, who lives in West Tisbury and was unable to attend tonight’s hearing. But she said that Hunter Morman had sent a letter, which she read into the record (and is included in Appendix C of this report).
15. Bob Morris (Woods Hole) – Mr. Morris said that while there has been lots of talk about New Bedford, he sees freight boats sitting in the SSA’s slips all day. He noted that while the SSA’s traffic headcounts have been very flat, Seastreak’s traffic from New Bedford has been up during that same time period.
16. Johnathan Goldman (Woods Hole) – Mr. Goldman said that, unlike the Vineyard, Woods Hole is a “drinking town with a sailing problem” in that a lot of its residents use the water for sailing and recreation. In the context of the 5:30 a.m. boat, it disrupts village life on both sides and that both towns need to be preserved, as each has been affected slowly over time by the SSA’s activities. He said that both the Vineyard and Woods Hole need to be unified and that this is a regional problem. Regarding the truck traffic, he said that he can set his clock by the Jake braking that occurs every day and that, regardless of what they are told, the behavior does not change. The concentrated effort to get trucks to their destination has an impact and that is just the reality. He said that the Vineyard and Woods Hole need to stop seeing each other as combatants, that they have to work together on the issue, and that there has to be a common solution. The two sides need to establish trust and find a common wellbeing. If the SSA rams a 5:30 a.m. boat through Woods Hole again, there is no concession to make and no change to the impression that the SSA is a bull in a china shop.
17. Dan Smith (Woods Hole) – Mr. Smith said that he has lived on Woods Hole Road for 24 years and that the Vineyard gets all the benefit from the freight traffic and Woods Hole gets almost all the hardship.
18. Susan Shephard (Falmouth) – Ms. Shephard said that she has been coming to Falmouth since the 1980s and that it is déjà vu all over again. If the SSA is going to push 2.5 million people through Woods Hole a year, that’s a problem. Although there is a little bit of a hill between her residence and Woods Hole Road, she still hears the traffic every morning. The SSA is pushing more and more camels through a needle and it is not working. She said that part of the solution is to go to back to the original mission of the SSA, which is to provide the essentials of life. She said that she sees SSA ads on television all the time, that the SSA has become an entity into and of itself, and that it has forgotten its constituents on both sides. She said she does not know what the answer is but that it has needed to be worked on for three or four decades now.
19. Nat Trumbull (Woods Hole) – Mr. Trumbull said he wished to present several facts then had a statement to read. Freight to the Vineyard is growing at a 4% annual rate, he said, meaning it doubles every 18 years. He called the situation “unmanageable” and that there needs to be strategic thinking. While meeting about these logistics is useful, the larger issue is what he would like to focus on. He said that he has not heard about objections to a 5:30 a.m. ferry and noted that, after looking closely at the Authority’s capacity reports,

the 5:30 a.m. ferry is not full as it leaves Woods Hole, while the 5:30 a.m. trip from the Vineyard is quite full. He said it would appear that the purpose of that ferry is to serve the Vineyard but that it need not involve trucks. He said that the 6:00 a.m. and 6:30 a.m. ferries are also rarely at capacity, which suggests that the trucks could be carried on the 6:00 a.m. ferry without difficulty.

Mr. Trumbull further said that, in regards to the larger issue at hand, the only solution is to be thinking regionally and what can be done to diversify how freight is carried to the Vineyard. The specter of a hazardous materials spill in Woods Hole must keep the SSA up at night, he said, as there is no other solution to delivering freight to the Vineyard. He then proceeded to read a short statement from an unnamed individual in attendance who had given Mr. Trumbull permission to read his solution, an example of the possibility of solutions at hand. The statement noted the increase in truck traffic and the associated safety concerns on the region's highways. The trucks come from various places in New England but a large number of them travel from I-95 along I-495 near New Bedford. (Mr. Trumbull noted his own research shows that 80% to 85% of the traffic headed to the Vineyard takes that route.) The statement continued that the individual's wish was to provide freight shipping services from the Port of New Bedford to multiple Massachusetts ports and would include services such as advertising and marketing, supply chain logistics and back-office support. The intention is to be an autonomous solution for suppliers, including those on Cape Cod and the Islands.

Mr. Trumbull said that this is not the model that the SSA foresees with a tightly integrated participation by the SSA, but he said that it would be worth looking at more closely. He asked that the door not be closed to such initiatives that could provide a viable solution. He also said that Vineyards do not believe it, but that a New Bedford option would help them, as items that do not need to be delivered tomorrow could be delivered slowly and with a lower carbon footprint.

20. Jeff Kristal (Tisbury Selectman, Tisbury) – Mr. Kristal said that he loves Falmouth and Woods Hole and frequently stays in and shops in Woods Hole. He said he hears traffic noise on the Vineyard as well and that it does not bother him, but he has empathy for those who live along Woods Hole Road. He said that Tisbury and Woods Hole are one community and that each should have consideration for the other side. He said that Vineyard Haven is the island's only year-round port and that that the Vineyard's workforce relies on the early trips, as they are what gets the community going. He said that those with health issues who need to get to Boston for treatment also rely on it. He said the island has limited road systems to handle trucks later in the day and that moving freight traffic later will cause added congestion on the island.
21. Leon Brathwaite (Dukes County Commissioner, West Tisbury) – Mr. Brathwaite noted that the Dukes County Commissioners also had written a letter of support for the 5:30 a.m. trip. He said it was his understanding that, by taking vehicles of less than 40 feet on the early trip, a lot of businesses were then able to get their foodstuffs delivered to the island. He said that propane needs to go on the hazardous trip as the island only has a one- to two-

day supply of fuel and that it is critical that the early-morning boats be able to get the fuel there.

**Written Testimony Regarding the Proposed Schedules**

Although Section 15A of the SSA's Enabling Act requires it only to consider the testimony given at the September 9th public hearing, the SSA decided that, because parties who may be affected by the proposed schedule changes may not be able to attend the public hearing, it should in fairness also consider any written testimony that is submitted regarding the proposed schedule changes. Therefore, in its Notice of Public Hearing, the SSA stated that it would consider such written testimony that is submitted electronically to [schedules@steamshipauthority.com](mailto:schedules@steamshipauthority.com) or addressed to General Manager Robert B. Davis.

Copies of all of the written testimony received by the SSA are included as **Appendix C** to this report and, therefore, they do not need to be (and are not) described herein. The following individuals submitted written testimony:

1. Robin Ackroyd (Woods Hole);
2. Kimberly Biggs (Vineyard Haven);
3. Kate Nace Day (Woods Hole);
4. Meg Fitzelle (Woods Hole);
5. William R. Funk, III;
6. Celia Gillis (Martha's Vineyard resident);
7. Jonathan Goldman (Woods Hole);
8. Nicole Goldman (Woods Hole);
9. John Grande (Town Administrator for the Town of Tisbury on behalf of the Tisbury Selectmen);
10. Helix DNA;
11. Robert Jaye (Woods Hole);
12. Thomas Jennings (Boston area resident);
13. Virginia C. Jones (Foxfire Marine Consulting, LLC, West Tisbury);
14. Myla Kabat-Zinn (Woods Hole seasonal resident);
15. Jamie Kageleiry (Martha's Vineyard Times);
16. Camilla King (Woods Hole);
17. Judy Kranz (Oak Bluffs);
18. Eugenie Kuffler (Woods Hole);
19. Suzanne Kuffler (Woods Hole);
20. Stephen Laster (Woods Hole);

21. Paul Lobo;
22. Richard Lovering (Woods Hole);
23. Susan Maddigan (Falmouth);
24. Thomas A. Maddigan (Falmouth);
25. Mike McCue (Assonet);
26. Charles A. McIntosh (Martha's Vineyard seasonal resident);
27. Mark R. Metell (Warren Trask Company, Lakeville);
28. Hunter N. Moorman (West Tisbury);
29. Robert Morris (Woods Hole);
30. Russell G. Murphy (Woods Hole);
31. Helen Neumann (Chilmark);
32. Brian Packish (Chairman of the Oak Bluffs Board of Selectmen, on behalf of the Oak Bluffs Board of Selectmen);
33. Lena Prisco (island resident);
34. Tracy Resendes (Boren & Remington Corp., Fall River);
35. Stephen Starosta (Falmouth);
36. Martina Thornton (Duke County Manager on behalf of the Dukes County Commissioners);
37. Nat Trumbull (Woods Hole);
38. Jane Vose;
39. Valerie Walbek (Woods Hole);
40. Chris Warner; and
41. Ryan Webber.

#### **History of the SSA's Early Morning Trips from Woods Hole**

The history of the SSA's early morning trips from Woods Hole is described in the previous reports it issued on August 15, 2017 on the SSA's proposed 2018 Winter and Spring Operating Schedules (the "August 15, 2017 Section 15A Report") and on October 17, 2017 on the SSA's proposed 2018 Summer and Fall Operating Schedules (the "October 17, 2017 Section 15A Report"). In summary:

- Until 2007, the SSA's first regularly scheduled trip from Woods Hole was a freight trip that left at 6:15 a.m. that was designated as a hazardous cargo trip on Mondays through Fridays throughout the year (as well as on Saturdays during the summer operating schedules).

- Since 2007, the SSA has regularly scheduled the first trip of the *Island Home* (or a substitute ferry) to leave Woods Hole at 6:00 a.m., the same time that the *Martha's Vineyard* (or another substitute ferry) historically has made (and continues to make) its first daily sailing from Vineyard Haven.
- In September 2011, the SSA tried out a revised schedule for the *Governor* on a trial basis, having its first trip leave Woods Hole at 5:45 a.m. instead of 7:30 a.m. through the remainder of the 2011 Late Summer Operating Schedule.
- Since 2012, the SSA has regularly scheduled the first trip of the *Governor* to leave Woods Hole at 5:30 a.m. during the summer operating schedules.
- In 2013, the SSA began regularly scheduling its first freight trip to leave Woods Hole at 5:30 a.m. during the spring operating schedules as well, but for the reasons described in the August 15, 2017 Section 15A Report this 5:30 a.m. trip has not been operated during any of the SSA's spring operating schedules since 2017.
- In 2015, the SSA also regularly scheduled its first freight trip to leave Woods Hole at 5:30 a.m. during the fall operating schedule. However, in 2016 the SSA stopped operating this trip during the fall operating schedule on December 8, 2016; in 2017 the SSA stopped operating this trip on October 28, 2017; and this trip has not been operated during any of the SSA's fall operating schedules since then.
- By contrast, in its October 17, 2017 Section 15A Report, the SSA concluded that it could not continue to fulfill its statutory obligation of providing adequate transportation for the island of Martha's Vineyard during its summer operating schedules without continuing to operate its 5:30 a.m. freight trip from Woods Hole. However, in order to mitigate the impact of that trip on Woods Hole residents, it adopted certain new operating policies for that trip beginning in 2018, including the following:
  - Limiting the size of the trucks the SSA carries on its 5:30 a.m. freight trip from Woods Hole to trucks that are less than 40 feet in length, so that less noise is generated by the trucks that drive to the SSA's Woods Hole terminal in the early morning hours.
  - Requesting that freight shippers participating in the SSA's bulk freight reservation program who request reservations on the 5:30 a.m. freight trip from Woods Hole have their truck drivers not exceed the speed limit on any roads in Falmouth or 35 miles per hour, whichever is lower, in order to reduce the noise from those trucks even more.
  - Reviewing all of the SSA's other efforts to mitigate noise from the early morning operations of the Woods Hole terminal, including but not limited to prohibiting trucks from arriving at the terminal earlier than necessary to be processed and loaded onto the SSA's ferries, to ensure that those efforts are followed and to see how they can be improved.

As now proposed, the SSA's 2020 Summer Operating Schedules would operate from May 15, 2020 through October 20, 2020, ending three days earlier than in 2019, and essentially would be the same summer schedules as the SSA is running this year and also ran last year. Accordingly,

the SSA is again proposing to operate the 5:30 a.m. freight trip from Woods Hole with the motor vessel *Governor* during this time period.

### Discussion

**A. The SSA is faced with a difficult decision due to the impacts of its freight ferry service between Woods Hole and Martha's Vineyard on Falmouth residents.**

There should be no mistake in anyone's mind that the SSA's paramount interest is to ensure that the islands of Martha's Vineyard and Nantucket are provided with adequate transportation of persons and necessities of life on a year-round basis. The island economies are and will continue to be strongly affected by the cost of their transportation service to and from the mainland, whether it is paid for entirely through passenger, freight or automobile rates or through a combination thereof. Either inadequate service or unnecessarily expensive service will jeopardize their future. Frequency and reliability of service are still the key to their stability and well-being. Accordingly, the interest of the islands is paramount and must be the overriding consideration in evaluating the SSA's proposed operating schedules.

In this regard, island officials have adamantly opposed the elimination of the 5:30 a.m. freight trip from Woods Hole during the SSA's 2020 Summer Operating Schedules, arguing that eliminating the trip would have a substantial adverse impact on the island because the island's residents, businesses and daily commuters rely on the early morning boats for their workforce and daily deliveries. In addition, they argue that any reduction in ferry service during the early morning would increase traffic congestion on the island, impede public transit service, and prevent the smooth and timely flow of goods and services to the island. Observing that the SSA provides an essential service for the island's towns, they assert that this essential service could not be met with an elimination or reduction of any service and that, indeed, the service currently provided under the SSA's 2019 Summer Operating Schedules (which is the same level of service provided under the SSA's proposed 2020 Summer Operating Schedules) is just meeting the minimum needs of the island. As stated by Brian Packish, Chairman of the Oak Bluffs Board of Selectmen:

Another critical issue deals with the delivery of food and other supplies which require the early boat to be able to unload critical supplies at various business locations in the Town at reasonable times in the morning to avoid complete gridlock on our local roads. Later boats mean later deliveries during times when our narrow roads are packed with traffic. The geometry simply does not exist to accommodate food deliveries, local traffic and visitor traffic at the same time. It creates complete chaos and shuts our business districts down. We rely on the 5:30 A.M. boat during the summer and shoulder seasons to accommodate the flow of goods and traffic that we need to service our local and visiting population.

*Issued on October 15, 2019*

Available space on the current ferry service schedule is already very limited during the busy summer months, and the 5:30 A.M. ferries currently offer an extremely limited number of trips. We hope to work with the Authority to increase our level of services as local residents' needs often get lost in the summer trade. To eliminate the service would be an unthinkable detriment to our community, and a measure that we hope you will join us in opposing.

(Letter from Brian Packish, as Chairman of the Oak Bluffs Board of Selectmen, to the SSA's Board, dated Sept. 3, 2019).

The elimination of the 5:30 a.m. freight trip from Woods Hole during the 2020 Summer Operating Schedules is also strongly opposed by those who ship freight to the island. They fear that being required to travel later in the day would result in their trucks being stuck in more traffic congestion both on the island and in Falmouth, longer wait times for the ferries, increased costs, and possibly not being able to complete their deliveries within the maximum number of hours that the U.S. Department of Transportation allows them to drive each day. The freight shippers also view the SSA's ferry service as an extension of the highway (similar to a bridge) between Falmouth and Martha's Vineyard, and believe they should have the right to travel on that highway (or bridge) the same way that freight shippers have the right to travel on all of the other state highways, including the Bourne and Sagamore Bridges, during the early morning.

By contrast, although eliminating early morning freight trips might increase the cost of delivering goods to Martha's Vineyard, Falmouth residents believe that it is appropriate for island residents and visitors to pay for that cost increase rather than having the SSA provide the island's increased freight service solely at the expense of its Falmouth neighbors whose peace and quiet during the early morning hours are being invaded. They also believe that the SSA should provide alternative freight service (either from New Bedford or another mainland port) in order to eliminate its early morning freight trips from Woods Hole.

Falmouth residents also have emphasized that the negative impacts of the SSA's freight trips are not limited to the noise generated by just the early morning freight trips. To the contrary, the noise is even worse later in the day when larger tractor trailers and hazardous cargo trucks travel to and from the SSA's Woods Hole terminal. Residents along Woods Hole Road also complain of the threat to their personal safety posed by the intensity of this freight traffic, the diminution of the value of their businesses and homes, and the physical and mental health issues they say they are experiencing as a result. In addition, they note, as the SSA's traffic levels continue to rise, the situation along Woods Hole Road is only getting worse and at some point (if that point has not already arrived) transporting all of the island's cars and freight trucks through Woods Hole will become unsustainable as policy not only because of the unacceptable burdens being imposed upon Falmouth residents but also due to the absolute gridlock that will result on Falmouth roads.

In its September 20, 2019 editorial, *The Falmouth Enterprise* observed that there is "no simple solution" to this situation and that "there is only so much the [SSA] can do." Similarly, in its September 18, 2019 editorial, the *Martha's Vineyard Times* noted that "the SSA has already made concessions. The SSA has eliminated the early morning ferries in spring and fall. They've

reduced the size of trucks allowed on those first ferries. And they've asked their early morning customers not to arrive more than a half hour before the scheduled departure." Although *The Falmouth Enterprise* argued that "the obvious solution is to route freight through New Bedford," it pessimistically noted that "no one on the island that we know of is in favor of that," and while "another solution might reside in infrastructure improvements on the island," the *Enterprise* acknowledged "that is not likely to happen" and that "meanwhile, a number of residents of Woods Hole have to put up with noise in the early hours of the morning." For its part, the *Martha's Vineyard Times* took the position that "the SSA should keep the schedule as is," and its only recommendation was for the SSA to "continue to work with freight customers to be mindful of the residential neighborhoods they pass through. Put up signs on the SSA property to remind truck drivers about the rules for early morning ferries, and employ someone — perhaps a detail officer, as one commenter suggested — to enforce those rules."

**B. The SSA should lead a structured process with all of the affected communities and public input to develop long-term solutions for these regional transportation issues.**

But the Falmouth residents who gave testimony at the SSA's September 9, 2019 hearing were not as negative or fatalistic as the editorials in either the *Enterprise* or the *Martha's Vineyard Times*. Although they acknowledged that they have been raising these same seemingly intractable traffic issues with the SSA for decades, at the hearing they repeatedly asked the SSA to recognize the complexities of the problem and to work together with the communities in a process to achieve compromises and develop reasonable solutions that take into account the interests of everyone who is affected.

Moreover, they characterized the situation as not simply an "SSA problem," but a regional problem in which the SSA plays a key part. Similarly, they said, the SSA could play a key part in developing regional solutions for this problem and helping all of the affected communities find new ways of meeting their needs. For example, currently the principal, if not exclusive, means to deliver freight to Martha's Vineyard is by the SSA's ferries from Woods Hole. In order to ameliorate the impacts that this freight traffic imposes on Falmouth, not only will the island have to control its growth in a responsible manner, but the manner in which freight is carried to the island has to be changed and/or diversified, and all of the potential solutions require regional thinking with the participation of all of the communities who may be affected.

In the same spirit, freight shippers at the hearing expressed their desire to be as hospitable and respectful to Falmouth residents as possible. They noted that they just want to do their jobs, that they are not trying to create a problem, and that everyone has to work together to find solutions. Similarly, island officials expressed their empathy for those who live along Woods Hole Road, and they observed that Martha's Vineyard and Woods Hole form one community and that each should have consideration for those on the other side of Vineyard Sound.

Those sentiments also are shared by others in the island community at large. For example, page 53 of the Martha's Vineyard Regional Transportation Plan 2020-2040 (the "Regional Transportation Plan"), which was issued in July 2019 by the Martha's Vineyard Commission with the Martha's Vineyard Joint Transportation Committee, lists the following objectives, among others, for the island's future water transportation network:

- Engage the SSA and other stakeholders (town officials, Chamber of Commerce, etc.) in discussions to explore limiting the number of vehicles traveling to the Island in the summer.
- Continue to encourage visitors to come to the Island without their cars.
- Reduce the number of vehicles traveling to the ferry terminals in Vineyard Haven, Oak Bluffs, and Woods Hole to drop off passengers.
- Work with SSA to explore ways to reduce congestion associated with freight trips between the Island and Woods Hole.
- Improve vehicle and passenger access to and from ferry terminals, including better remote parking, improved passenger drop-off, vehicle queuing, and distribution between the two Island terminals.
- Coordinate improved connections with transit at both ends of the ferry trip.

On pages 53 and 54, the Regional Transportation Plan also specifies the following proposed actions (among others) to try to achieve those objectives:

- Encourage passenger drop-off and pick-up at park-and-ride facilities to reduce traffic congestion in town and especially near terminals. Consider setting up remote check-in facilities at park-and-ride locations.
- Continue to improve the SSA reservation system and queuing for passenger convenience and to reduce unnecessary traffic.
- Coordinate the capacities of the boat lines with the capacities of the region's roads and public surface transportation services.
- Utilize the websites of the SSA and other ferry companies to provide information about car-free travel on the Vineyard.
- Continue working to establish a park-and-ride in Oak Bluffs with shuttle service to the terminal.
- Provide information on the SSA website and in SSA terminals about the free park-and-ride service in Vineyard Haven.
- Work with the SSA as it continues to investigate proposals to establish a freight dock in New Bedford.
- Renew discussions surrounding the 1997 referendum, possibly by way of a public forum hosted by the MVC.

The Regional Transportation Plan even has a section devoted entirely to “Freight Transportation” that lists, on page 57, only two objectives:

1. Ensure that freight is brought to the Island and distributed to its destinations in a timely and efficient way, with minimal negative effects on traffic, safety, and the environment.
2. Reduce vehicle traffic to the ferry in Island towns as well as in Woods Hole and the rest of the Cape—particularly trucks and hazardous materials.

And its proposed actions with respect to these freight transportation objectives, which are also listed on page 57, are:

- Explore how a greater proportion of freight—and particularly low-value and less time-sensitive commodities (e.g. lumber) and hazardous materials (e.g. oil and propane)—could be brought to the Island by barge instead of ferry.
- Examine the feasibility of establishing an Island warehouse where products could be stored and distributed to Island businesses during non-peak hours.
- Continue to study the benefits and detriments of freight and trash runs between Tisbury and New Bedford; explore the possibility of using containerization.
- Look at the possibility of establishing truck routes in order to limit the presence of trucks on roads that pose particular traffic or public safety problems.
- Review the SSA freight policy with respect to its impact on the amount and cost of goods brought to the Island by ferry.
- Consider the possibility of offering discounts for off-peak travel and giving priority to time-sensitive freight.
- Consider the possibility of running more freight boats to facilitate truck access to the Island, particularly in the late afternoon, and reducing other trips.
- Look at the possibility of further limiting the maximum size of trucks and buses on the roads, or at least discouraging very large vehicles either all the time or at certain hours.
- Explore the possibility of delivering to people’s homes so shoppers don’t need to take their cars to go shopping. Explore the possibility of expanding mail delivery with door-to-door service in town centers, and by encouraging people in other areas to use rural delivery. Consider the possibility of satellite mail service at the Airport in summer.
- Explore the possibility of reducing the need to transport waste by treating liquid waste on the Island; promote the use of new and additional community composting facilities.
- Examine the possibility of limiting which vessels are used to transport garbage and septic waste, and the possibility of using only barges.

Importantly, many of these objectives and proposed actions in the Regional Transportation Plan sound strikingly similar to several suggestions that were made by Falmouth residents at the September 9, 2019 hearing. This reinforces the SSA’s belief that the Martha’s Vineyard community also recognizes that there are impacts on Falmouth residents from the SSA’s ferry service from Woods Hole which are part of a larger regional problem involving Martha’s Vineyard, and that the island community also desires to develop and implement long-term

solutions for this regional problem that can best be developed collectively by all of the affected communities.

Accordingly, the SSA will request those communities to participate along with the SSA in the SSA's Long-Range Vineyard Transportation Task Force (the "Task Force"). The Task Force will work together, with public input, to attempt to identify reasonable steps that can be taken to address issues and concerns about freight and other traffic in each of those communities on a long-term basis. In this regard, the SSA offers the following suggestions about how the Task Force should be comprised and operate, but the SSA is open to other suggestions as well. Of course, once the Task Force begins its work, it can decide itself how best it can function in a productive and efficient manner.

1. The SSA will ask the Martha's Vineyard Commission, the Towns of Falmouth, Oak Bluffs and Tisbury, and, whenever the Task Force is discussing possible ferry or barge service for Martha's Vineyard from a mainland port other than Woods Hole, the City of New Bedford, to be participants in the Task Force
  2. The SSA will ask each participant to designate two individuals to be its representatives on the Task Force, and ideally at least one of those individuals should be a staff member with transportation and/or planning experience and responsibilities.
  3. The SSA will ask the Task Force to meet as often as the Task Force determines is most appropriate for its work.
  4. The SSA will provide reasonable administrative support for the Task Force, while requests for more substantial financial support for the hiring of any consultants, surveys or other special expenses will be considered on a case-by-case basis.
- B. The SSA also should lead a structured process with all of the affected communities and public input to find practical ways to mitigate noise generated by its Woods Hole ferry service that can be implemented sooner rather than later.**

While the SSA envisions that the Task Force will present the best opportunity to identify, develop and implement long-term solutions to this regional traffic problem, it will not be enough to address the noise and other issues currently being experienced by Falmouth residents as a result of the SSA's ferry service from Woods Hole, and the SSA believes that a parallel effort has to be undertaken to mitigate those issues on a more expedited basis. But this is not to say that the SSA has not already attempted to mitigate the noise generated from the early morning operations at its Woods Hole terminal, nor that the SSA's ferry service is the only cause of the traffic noise that occurs on Woods Hole Road. As described in both its August 15, 2017 Section 15A Report and its October 17, 2017 Section 15A Report, the list of actions that the SSA has taken include:

- The SSA changed its methods of staging trucks at the terminal during the early morning so they do not have to back up (or use their backup alarms) when being staged before being

loaded onto the ferries. As a result, the use of trucks' backup alarms has been eliminated almost entirely.

- The SSA stopped assigning the *Katama*, *Gay Head* or *Sankaty* to operate the 5:30 a.m. freight trip, as all of those boats require trucks to back up, and use their backup alarms, when they are being loaded onto those boats. The SSA now assigns only the *Governor*, *Woods Hole* or another drive-through ferry to run that 5:30 a.m. freight trip, because trucks drive forward onto those boats when they are loaded.
- The SSA delayed the opening of the Woods Hole terminal to 5:00 a.m. and prohibits trucks from entering the terminal before that time.
- The SSA has added a message to its variable message sign on Route 28 advising drivers traveling down the highway between 3:00 a.m. and 5:00 a.m. that no trucks are allowed to enter the Woods Hole terminal prior to 5:00 a.m.
- The SSA periodically sends letters to its freight shippers reminding them that their truck drivers are not allowed to idle their engines unnecessarily while they are at the terminal, that they should obey the speed limit as they drive down Woods Hole Road, and that they should not use their Jake brakes while they are on the road.
- The SSA has put up signs at various location around the terminal reminding customers of the Massachusetts "Anti-Idling" Law.
- The SSA began kicking out truckers who repeatedly violate the SSA's policies and then also began cancelling their reservations when necessary to ensure that the SSA's regular freight customers adhere to the SSA's policies, including the prohibition against arriving at the terminal prior to 5:00 a.m.
- In 2017, the SSA also began prohibiting any standby trucks from arriving at the Woods Hole terminal until 6:30 a.m., and also established the following new procedures for all other trucks arriving at the terminal:
  - Only trucks with reservations for the 5:30 a.m. trip are allowed to show up at the terminal beginning at 5:00 a.m.
  - Trucks with reservations for the 6:00 a.m. trip are not allowed to show up at the terminal until 5:15 a.m.
  - Trucks with reservations for the 6:30 a.m. trip are not allowed to show up at the terminal until 5:45 a.m.
  - Trucks with reservations for the 7:00 a.m. trip are not allowed to show up until 6:00 a.m.
  - And all other trucks, including standby trucks, are not allowed to show up at the terminal until 6:30 a.m.
- In 2018, the SSA also implemented new operating policies for the 5:30 a.m. freight trip from Woods Hole, including the following:
  - Limiting the size of the trucks the SSA carries on its 5:30 a.m. freight trip from Woods Hole to trucks that are less than 40 feet in length, so that less noise is

generated by the trucks that drive to the SSA's Woods Hole terminal in the early morning hours.

- Requesting that freight shippers participating in the SSA's bulk freight reservation program who request reservations on the 5:30 a.m. freight trip from Woods Hole have their truck drivers not exceed the speed limit on any roads in Falmouth or 35 miles per hour, whichever is lower, in order to reduce the noise from those trucks even more.
- Reviewing all of the SSA's other efforts to mitigate noise from the early morning operations of the Woods Hole terminal, including but not limited to prohibiting trucks from arriving at the terminal earlier than necessary to be processed and loaded onto the SSA's ferries, to ensure that those efforts are followed and to see how they can be improved.

Nevertheless, Falmouth residents made it clear at the September 9, 2019 hearing that the SSA's efforts to mitigate noise from its ferry operations are not enough and that the SSA also does not always follow or enforce the noise mitigation policies that it has adopted. In addition, drivers of some freight trucks traveling to the Woods Hole terminal still exceed the speed limit on Woods Hole Road and use their Jake brakes, despite the SSA's repeated requests that they not do so.

Accordingly, the SSA believes that a different working group should be established to focus exclusively, with public input, on identifying and developing reasonable and practical ways to monitor and enforce compliance with the SSA's current noise mitigation policies as well as identifying and developing additional ways to mitigate traffic issues arising from the SSA's Woods Hole ferry terminal operations – not just during the early morning hours but throughout the day – which can be implemented sooner rather than later. For example, the working group could investigate the following suggestions that have been made during this hearing process, as well as whatever additional ideas they might come up with themselves:

- Identifying whose trucks are waking up Woods Hole residents at 3:00 and 4:00 in the morning even though the SSA prohibits trucks from showing up at the Woods Hole terminal before 5:00 a.m., and stopping those trucks from disturbing the neighborhood at that time;
- Identifying which truck drivers are using their Jake brakes on Woods Hole Road and persuading them not to do so except in the case of an emergency;
- Identifying which truck drivers are exceeding the speed limit on Woods Hole Road and stopping them from doing so;
- Investigating whether a lower speed limit for large trucks on Woods Hole Road would reduce the noise from those trucks and, if so, how to implement and enforce that lower speed limit;
- Identifying which trucks are noisier than others due to age or lack of proper maintenance and persuading the owners of those trucks to upgrade their vehicles.
- Identifying whose trucks are parking in the turnout on Woods Hole Road near FR Lilly Road and stopping them from doing so.

- Investigating whether the trucks which are staged at the Woods Hole terminal can have a different type of back-up alarm that does not beep and wake people up when the trucks are backing up.
- Identifying whose trucks are using back roads to get to the Woods Hole terminal and persuading them not to do so except when traffic is detoured from Woods Hole Road for maintenance or other reasons.
- Investigating whether the SSA can reasonably reduce the amount of time it takes to check in freight trucks at the Woods Hole terminal, which would allow the SSA to prohibit trucks from showing up at the terminal until later in the morning.

The SSA offers the following suggestions about how this working group (which can be named by the working group itself) should be comprised and operate, but the SSA is open to other suggestions as well. Of course, once the Working Group begins its work, it can decide itself how best it can function in a productive and efficient manner.

1. The SSA will ask the Martha's Vineyard Commission, and the Towns of Falmouth, Oak Bluffs and Tisbury to be participants in the working group.
2. The SSA and the Town of Falmouth will each be asked to designate two individuals to be their representatives on the working group, while the Martha's Vineyard Commission and the Towns of Oak Bluffs and Tisbury will each be asked to designate one individual.
3. The SSA will ask the working group to meet as often as the working group determines is most appropriate for its work.
4. The SSA will provide reasonable administrative support for the working group, while requests for more substantial financial support for the hiring of any consultants, surveys or other special expenses will be considered on a case-by-case basis.
5. The SSA will strongly encourage that the working group have one or more meetings with the SSA's regular freight shippers to discuss what recommendations are being considered and to receive their input before deciding upon any recommendations.

**D. Until long-term solutions to the regional traffic problem are developed and implemented, the SSA needs to continue to operate its 5:30 a.m. freight trip from Woods Hole during its 2020 Summer Operating Schedules.**

As recounted earlier in this report, since 2012 the SSA has regularly scheduled the first trip of the *Governor* to leave Woods Hole for Vineyard Haven at 5:30 a.m. during its summer operating schedules and, from the outset, the *Governor* has repeatedly left full or nearly full. That 5:30 a.m. freight trip also allows the *Governor* to leave Vineyard Haven at 6:30 a.m. and results in the boat departures from both Woods Hole and Vineyard Haven being spread out more evenly in the early

morning, when there is a greater demand for service and many freight shippers and island residents want to travel.

In 2013, the SSA also began regularly scheduling its first freight trip to leave Woods Hole at 5:30 a.m. during its spring operating schedules and, in 2015, the SSA regularly scheduled the 5:30 a.m. freight trip during its fall operating schedules as well. But in response to concerns raised by the Woods Hole community, on December 8, 2016 the SSA stopped operating the 5:30 a.m. freight trip during its 2016 Fall Operating Schedule; and in 2017 it also decided not to operate the trip that year after October 27, 2017 and to eliminate the 5:30 a.m. freight trip entirely from its proposed 2018 Fall Operating Schedules as well. Similarly, after considering testimony submitted in connection with its originally proposed 2018 Winter and Spring Operating Schedules, the SSA's modifications to those schedules included the elimination of the 5:30 a.m. freight trip that originally had been proposed for the 2018 Spring Operating Schedule. (See the SSA's August 15, 2017 Section 15A Report).

Thus, even though there were (and still are) good reasons to schedule the 5:30 a.m. freight trip from Woods Hole on a year-round basis, in light of the competing interests of the Woods Hole community the SSA has eliminated that trip during the winter, spring and fall seasons for the last two years. Implicit in those decisions, however, was the SSA's conclusion that it could continue to fulfill its statutory obligation of providing adequate transportation for the island of Martha's Vineyard during those times of year without the 5:30 a.m. freight trip. Unfortunately, after conducting another hearing on August 28, 2017, with respect to its proposed 2018 Summer Operating Schedules, it could not reach the same conclusion with respect to the summer season (see the SSA's October 17, 2017 Section 15A Report) and, for substantially the same reasons as set forth in its October 17, 2017 Section 15A Report, the SSA believes that it is still necessary to schedule the 5:30 a.m. freight trip from Woods Hole during the 2020 Summer Operating Schedules because it is unlikely that long-term solutions to the regional traffic problem will be developed and implemented by that time.<sup>1</sup>

If the SSA were to reschedule its first freight trip from Woods Hole during the summer so that it left at 6:30 a.m. instead of 5:30 a.m., it would be very difficult if not impossible to absorb the trucks that would have traveled on the 5:30 a.m. trip onto later trips in the morning. As shown in **Appendix D** to this report, all of the trips made by the SSA's larger passenger/vehicle ferries from Woods Hole on business days during the 2019 Early and Peak Summer Operating Schedules (through August 31, 2019, the last day for which the SSA's traffic statistics were available when preparing this report) already were at their practical vehicle capacity during summer business days

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<sup>1</sup> Woods Hole resident Nat Trumbull has argued that the fact that the SSA was able to operate prior to 2012 without carrying freight trucks on a 5:30 a.m. ferry, and without apparent detriment or outcry from Vineyard residents of freight shippers, raises serious questions about the arguments that a 5:30 a.m. freight truck service is essential today. But Mr. Trumbull's argument does not take into account the fact that the island's transportation demands have substantially increased since 2011.

until after 7:30 p.m., with almost every trip from 7:30 a.m. through 7:30 p.m. operating on average at close to or more than 90% of its vehicle capacity.

While the SSA's freight trips from Woods Hole during the same business days operated on average at a slightly lower percentage of their vehicle capacities from 5:30 a.m. through 5:20 p.m. (ranging from 76.4% to 92.7% as also shown on **Appendix D**), the difference is mostly attributable to the SSA's ability to make much more efficient use of the larger freight decks on its larger passenger/ vehicle ferries, particularly with the number of smaller cars that are carried on those trips which can be loaded to fill up what otherwise would be empty space on the freight deck. It also is even more difficult to use the entire amount of a freight boat's freight deck on hazardous cargo trips (when more large trucks are carried) and, on the *Governor*, when the combined weight of all the trucks carried on the vessel increases the vessel's draft to a depth that requires the SSA to restrict the number of passengers (and their cars) that can be carried on a particular trip. Thus, even if the SSA were to carry no more trucks next summer than it carried this past summer, it will still need the 5:30 a.m. freight trip during its 2020 Summer Operating Schedules to ensure that it is able to provide adequate freight service between Woods Hole and Martha's Vineyard during the business hours that freight shippers operate.<sup>2</sup>

As shown in **Appendix E** to this report, the situation essentially is the same for trips from Martha's Vineyard to Woods Hole during the summer. The 5:30 a.m. freight trip adds another trip off-island for island residents in the morning when they need to travel, as many of them cannot accomplish the purposes for which they are traveling if they are unable to leave the island until later in the day (only to arrive in Woods Hole after mainland businesses close for the day), and it has a domino effect throughout the day that makes more space available when it is needed. By contrast, very few island visitors want to leave the island late in the day because, after the ferry docks, they still have to drive from Woods Hole to their homes or other final destinations. Thus, scheduling the freight trips earlier in the day has worked out much better in providing additional capacity when people want and need to travel.

And even if the SSA were able to transport all of the trucks that need to travel to Martha's Vineyard at reasonable times during the morning without the 5:30 a.m. freight trip – which it does not believe it can do during the summer – scheduling the first freight trip for a later time would result in more trips leaving with the same number of trucks in a shorter time period, which would

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<sup>2</sup> The occupied capacity percentages are calculated using each vessel's standard load, primarily based on cars spaces. Those percentages may vary based upon the configuration of the individual vehicles. Further, in the case of the *M/V Governor*, the standard capacity customarily used is an average between what a car-only load is and what a truck-only load is. Thus, even though the *M/V Governor* may have a lower than 100% occupancy when loaded with trucks, the trip may in fact be a full load. In addition, while there may be space in the "wings" of the freight decks of the SSA's larger passenger/vehicle ferries to carry cars, trucks will not fit in those "wings." As a result, those larger passenger/vehicle ferries may be carrying as many trucks as possible on a particular trip even though their occupied capacity percentage may indicate that they are not substantially full. This is particularly true for the early morning trips from Woods Hole, as the SSA's ferries generally carry fewer cars on those trips than on trips later in the day.

require more positioning of those trucks at the Woods Hole terminal, including more backing up with their backup alarms, in order for them to be staged and loaded on the vessels. It would also require space on the SSA's larger passenger/vehicle ferries that is currently allocated for automobiles to be used for trucks, resulting in either a delay of automobiles getting to the island until later in the day or people choosing not to go to the island because they cannot travel when they want or need to do so.

In addition, by having the 5:30 a.m. freight trip from Woods Hole during the summer, more trucks traveling to the SSA's Woods Hole terminal will be driving on Woods Hole Road and other roads in Falmouth earlier in the morning when there is less traffic congestion in Falmouth. As reported in the Town of Falmouth's Transportation Master Plan for Route 28/Main Street ("Falmouth Transportation Master Plan") (April 2016), peak traffic volumes on Falmouth's Route 28 corridor are consistently high throughout the day. Specifically, the Falmouth Transportation Master Plan found that the weekday morning peak hour on Route 28 occurs between 7:00 AM and 8:00 AM (Falmouth Transportation Master Plan, at p. 23) and that thereafter, unlike other suburban areas where the morning commute time period is the distinct peak period for traffic volumes, "traffic volumes are consistently high on Route 28 in Falmouth from 8:00 AM to 7:00 PM" (Falmouth Transportation Master Plan, at p. 22).

Thus, there is a huge benefit to the SSA's freight shippers in being able to avoid that traffic by arriving earlier in the morning at the SSA's Woods Hole terminal.<sup>3</sup> The SSA is also able to transport more trucks earlier in the day to Martha's Vineyard, which gives them more time to make their deliveries in the morning (for example, before stores are busy with customers and restaurants are preparing to serve lunch) before traffic gets similarly congested there, as well as to return back to the mainland during generally accepted business hours. Further, by starting its operating schedule earlier in the day so that more freight trucks going to and from the Woods Hole terminal can travel prior to Falmouth's morning peak traffic hour that begins around 7:00 a.m., the SSA believe that it helps reduce those peak traffic hour volumes, even if only slightly, for the benefit of both its customers and everyone else who is driving around Falmouth after 7:00 in the morning.

Although the SSA has once again considered whether it could delay the 5:30 a.m. freight trip from Woods Hole by 45 minutes to 6:15 a.m. (instead of eliminating the 5:30 a.m. trip entirely, which would result in the first freight trip leaves Woods Hole at 6:30 a.m.), such a schedule would present significant operational issues and essentially would have the same adverse effect on the SSA's ability to provide adequate transportation for Martha's Vineyard as eliminating the 5:30 a.m. trip entirely. Given its current freight traffic demand and the nearly 100% utilization of the available vehicle spaces on all of its ferries during the summer until the early evening hours, the SSA does not believe that it would be able to provide adequate freight service between Woods Hole and Martha's Vineyard during the business hours that freight shippers operate if its first daily freight trip during the summer were delayed by 45 minutes. Nor can the SSA further compress its

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<sup>3</sup> During the academic year, trucks traveling on the SSA's early morning trips from Woods Hole also drive down Woods Hole Road before children begin waiting beside the road for school buses, thereby reducing the possibility of truck accidents that could injure any of those children.

operating schedules so that its first trip can leave later in the morning without affecting trips that are scheduled later in the day. The SSA already has shortened the vessel turnaround times of the first three trips that arrive in both Woods Hole and Vineyard Haven each morning from the usual 30 minutes to 15 minutes so that the SSA's operating day does not have to start even earlier, and it cannot realistically compress its vessels' turnaround times any more.

And even though the SSA thought it might be able to delay the 5:30 a.m. freight trip during its 2020 Late Summer Operating Schedule when it carries fewer trucks, as shown in **Appendix F**, all of the trips made by the SSA's larger passenger/vehicle ferries from the island during that entire schedule in 2018 already were at their practical vehicle capacity on weekdays until after 5:00 p.m., with every trip until then operating on average at more than 90% of its vehicle capacity (except for the 6:00 a.m. trip, which operated at 89.3% of its vehicle capacity). While, again, the SSA's freight trips from the island during the same business days operated on average at a slightly lower percentage of their vehicle capacities through 6:30 p.m., as explained at p. 20, *supra*, the difference is mostly attributable to the SSA's ability to make much more efficient use of the larger freight decks on its larger passenger/vehicle ferries. As a result, if the SSA were to eliminate the 5:30 a.m. freight trip during the 2020 Late Summer Operating Schedule, because the trucks that otherwise would have been carried on that trip would not get to the island until later in the day, they similarly would not be able to complete their deliveries until later in the day when all of the SSA's ferries from the island already are operating at their practical capacity. And even if the SSA were able to find them spaces on boats to carry them back to Woods Hole later in the afternoon, once they arrive in Falmouth they would contribute to (and get stuck in) the even greater traffic congestion that exists on Palmer Avenue (heading north to the Jones Road intersection) during the late afternoon commuter hours, potentially making it impossible for them to complete their daily round trips to the island within the maximum number of hours mandated by the U.S. Department of Transportation.<sup>4</sup>

The SSA also notes that, since 2018, it already has stopped carrying large freight trucks on the 5:30 a.m. freight trip from Woods Hole in order to reduce the noise generated by its Woods Hole terminal operations and trucks driving down Woods Hole Road during the early morning hours, and has limited the size of the trucks it carries on that trip to ones that are less than 40 feet in length. Generally, those smaller trucks are food trucks, common carriers (*e.g.*, Federal Express and U.P.S.), home products and appliance supply trucks, independent trades and services (*e.g.*, plumbing, electrical and landscaping), and mail and newspaper delivery trucks and, as noted in the SSA's October 17, 2017 Section 15A Report, they generate substantially less noise than the larger tractor trailers and tanker trucks which are carried on the SSA's later trips. Of course, over the

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<sup>4</sup> Mr. Trumbull also has argued that the SSA's own traffic statistics indicate that there is no necessity for the 5:30 a.m. freight trip during the Late Summer Operating Schedule, observing that the total number of trucks carried in April 2018 (11,925), when there was no 5:30 a.m. ferry, was very similar to the total number of trucks in September 2018 (12,183) and October 2018 (12,522). But Mr. Trumbull's argument does not take into account the fact that the SSA carried many more cars in September 2018 (45,367) and October 2018 (36,059) than it carried during the month of April 2018 (27,873), and that those additional cars compete with the freight trucks for spaces on the SSA's ferries during that time period.

course of the next year, the SSA also will be working with the working group to identify, develop and implement additional measures that can be taken to reduce that noise from those trucks (as well as noise generated by larger trucks later in the day) even more.<sup>5</sup>

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<sup>5</sup> In its October 17, 2017 Section 15A Report, the SSA also compared its Woods Hole terminal operations with other highway, bus, subway, train and ferry transportation systems and observed that it did not appear unreasonable for the SSA to schedule its first ferry trip from Woods Hole at 5:30 a.m. If anything, freight shippers traveling to Martha's Vineyard need to leave earlier than those driving to other communities on the mainland, as it takes an additional 45 minutes by water (plus waiting time at the dock) before they can begin making their deliveries on the island, and then another waiting period at the dock and an additional 45 minutes back by water before they can begin their drive home from Woods Hole.