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## Notes on Flagship Niagara League-PHMC Relationship

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To: rebecca@sailfnl.org Rebecca Grimaldi, marineops@sailfnl.org Joe Lengieza

Regina,

Here are some notes for the NWPA Delegation.

Am urgent situation has been created by PHMC's administrative staff unwillingness to disclose their intentions for the US Brig Niagara and Flagship Niagara League. FNL has been attempting to discuss these topics with PHMC for over 12 months. PHMC has refused to discuss our Associate Agreement and Management Agreement always pushing the negotiations to after a future date (once the cover is off, once the ship is back from shipyard, once the audit is finished, etc...) Their other delay tactic is to just ignore correspondence from staff, board members, or council. By not negotiating with, engaging with or even responding to the Flagship Niagara League, PHMC has already kept Niagara from sailing in 2021 and if this pattern continues she will not sail in 2022 either.

The following is a list of small sample of the frustrations we have had in the past 18 months:

- On multiple occasions, PHMC staff have stated that it is their intention to make *Niagara* a "dockside exhibit."
  - History Code states that Niagara shall sail to other ports of call representing Pennsylvania as the Flagship of the Commonwealth.
  - Recently these comments were made by PHMC to our local business partners at a Visit Erie 2022 planning session. This was great cause for concern by many of our local businesses who immediately contacted us.
- PHMC removed the vast majority of office space available to FNL, effectively ejecting FNL from museum.
  - A dumpster was brought in to dispose of FNL property without our knowledge or involvement.
  - This necessitated FNL securing offsite office space.
- At the expiration of last Associate Agreement, PHMC sent a new iteration which was sloppily written and intended to convert FNL from an independently lead citizen's organization to a subsidiary pass-through corporation/fiscal conduit, and to remove decisions of maritime safety from qualified individuals. This is contrary to the law and best practices. PHMC has refused to respond to FNL board and counsel, and any PHMC statements that agreement is being negotiated are untrue.
- PHMC has failed to hire a qualified Site Administrator as stipulated in the Management Agreement.
- PHMC has engaged in a documented pattern of harassment intended to force compliance, including:
  - Threatening retribution if FNL contacted elected representatives or disputed inaccurate or misleading statements made by PHMC
  - Intentional destruction of FNL property and records
  - Personal harassment and intimidation of FNL staff and volunteers
  - Unfounded and slanderous allegations of financial malfeasance voiced publicly to volunteers and incoming FNL staff
- PHMC has willfully failed to meet its commitments under existing agreements to FNL and to the community in order to force compliance, including:
  - Failure to respond to communications
  - Denial of clearly documented previous communications
  - Making false statements to elected representatives and community partners (letter from Andrea Lowery to Lt. Gov. Fetterman, Senator Laughlin, and Rep. Bizzarro)
  - Failure to fully reopen Erie Maritime Museum (only open 2 days a week all summer even after FNL offered assistance to bring more volunteers to help)
  - Unreasonable withholding of access to *Niagara* (only allowing 1 person live on Niagara at a time when it's obvious that a crew must live on the ship to work which has just happened again limiting our winter maintenance crew)

This constitutes a pattern of intentional behavior intended to prevent FNL from making normal and necessary business plans, to damage FNL's reputation, and to sabotage *Niagara's* ability to operate as a sailing ship.

The Flagship Niagara League will mark 40 years of working with PHMC this coming May. We have spent that time serving our community the best way we know how through building then sailing our ship. Niagara under sail is a symbol of Erie's revitalization especially with the "Don't Give Up the Ship" flag flying from the fore mast. Nobody in our region is yearning for the days of Niagara rotting into concrete blocks at the foot of State St. Niagara needs to continue to be that iconic image for the next 40 years inspiring the future generations to set sail in their own lives and see what opportunities lay over that horizon.

Thank you for your time and interest in preserving our internationally recognized sailing program that puts our region on the map as one of the best places in the world for education under sail.

Sincerely,

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