



BARNSTABLE MUNICIPAL AIRPORT
BOARDMAN-POLANDO FIELD
 480 BARNSTABLE ROAD, 2ND FLOOR
 HYANNIS, MA 02601
www.town.barnstable.ma.us



Office: 508-775-2020
 Fax: 508-775-0453

R.W. "Bud" Breault, Jr., Airport Manager
 Frank Sanchez, Jr., Assistant Airport Manager

BARNSTABLE MUNICIPAL AIRPORT COMMISSION
MINUTES OF THE REGULAR SESSION
TUESDAY, JUNE 16, 2009

Barnstable Municipal
 Airport Commission:

Daniel W. Santos, P.E.
 Chairman

John T. Griffin, Jr.,
 Vice Chairman

Robert L. O'Brien,
 Commissioner, Clerk

Donald E. Megathlin,
 Commissioner

Michael A. Dunning,
 Commissioner

Ronald Persuitte,
 Commissioner

Timothy R. Luziatti,
 Commissioner

Commissioners Present:

Daniel W. Santos P.E, Chairman, John T. Griffin, Jr., Vice Chairman, Robert L. O'Brien, Clerk, Michael A. Dunning, Donald E. Megathlin, Timothy R. Luziatti, and Ronald Persuitte. The meeting was held at the Barnstable Municipal Airport in the Gourley Conference Room, 480 Barnstable Rd., Hyannis, MA.

Yarmouth Representative Present:

Robert Howard

Airport Staff Present:

Roland W. Breault, Jr., Airport Manager, Suzanne Kennedy, Executive Assistant to the Airport Manager and Christina Lounsbury, Noise Abatement Specialist

Public Members:

Hank Farnham, Town of Barnstable Council Liaison; David Chamberlain and Bill Richardson, Jacobs Engineering; Joe Longo and Mark Nelson, Horsley Witten Group; Jim Kinsella, Barnstable Enterprise; Bob Doane, Cape Air; and Ray Porfilio and Jim Kubat, AECOM.

Call To Order:

Chairman Santos called the regular meeting of the Barnstable Municipal Airport Commission to order at 6:06 p.m. and welcomed Robert O'Brien back. Attendance roll call was taken.

Minutes of the previous meetings:

Chairman Santos moved to approve the minutes of the May 19, 2009 Airport Commission Meeting. This was seconded and approved by majority vote. Commissioner O'Brien abstained from voting.

Public Comment:

None

Commissioners Response to Public Comment:

None

Reports from Subcommittees

Chairman Santos commented that some subcommittees have had a difficult time meeting due to lack of agenda items, but will be meeting in July 2009.

Finance Subcommittee (Commissioners Megathlin, Dunning, Persuitte)

The Finance subcommittee met on Tuesday, June 2, 2009. There was a lengthy agenda; two items of which were discussed as follows:

- PFC hearings were held by the subcommittee about a year ago, at which there was strong opposition from the commercial carriers and the Nantucket Airport Commission. Most USA airports have PFCs. New legislation pushed the PFC up to a maximum of

- \$7.50 per person. Information on Steamship Authority cost comparisons was requested for the next meeting. The Nantucket Commission submitted a draft letter for the FAA and Congressional Representatives requesting that PFCs be prohibited from Air Taxi Services, which encompasses about 94% of the Hyannis enplanements. A response will be drafted by staff. It was asked that the Commission formally vote to oppose the legislation proposed by the Nantucket Airport Commission.
- Starting in either July or August the commercial carriers, Nantucket Airport Commission, and others will be invited to attend hearings and then the subcommittee will have a recommendation for the full Commission on PFCs.
 - The MacGregor Property at 191 Airport Road was a friendly total taking rather than a partial taking which required two additional businesses to be relocated. This will require an additional \$13,000 in associated consultant costs which is on the agenda for approval this evening.

Real Estate & Contracts Subcommittee: (Commissioners Dunning, Megathlin, Pursuette)

The Real Estate subcommittee met on Tuesday, June 2, 2009. The following items were discussed:

- Mr. Cawley stated that the FAA had requested additional information, and the approval of the 7460 was still pending. Rectrix' attorney Shaffer requested to review the following issues:
 - The proposed ramp extension was not included in the ALP, because there is no current lease in place for this parcel
 - It was determined that Rectrix would approach the Cape Cod Commission pending the FAA 7460 approval
 - Even with the Cape Cod Commission DRI and 7460 approvals, the proposed Ramp Extension would not be approved by the Airport Commission until all of the conditions of the March 11, 2009 letter were met.
- Hyannis Air Service Lease draft letter of intent was requested.
- Café at the Airport Lease Extension request and the Daffodilly's Gift Shoppe Lease modification will be prepared.
- Volta Oil is in non-compliance with the removal of the fuel tank, and Airport counsel will send an eviction notice.
- Atlantic Aero Support has shown an interest in leasing a portion of Hangar II. A feasibility study will be completed to determine if an RFP would be issued for the building.
- Attorney Shaffer requested a discussion on the Rectrix request (Air Cape Cod Leasehold) for additional fuel storage capacity. He was advised this had been addressed, and the Commission's policy was to retain the surplus availability for the future of the airport.
- Attorney Shaffer asked what additional information was needed for the Commission to move forward on the request for the Air Cape Cod new hangar proposal. Manager Breault responded with a list of specific documents.
- Mr. Cawley offered to pay for a line of sight study for the proposed new Air Traffic Control Tower to show that the proposed Air Cape Cod hangar layout would not affect the tower. Manager Breault indicated that the siting study should be completed by the end of this year and would check with the FAA to see if the offer could be accepted.
- Mr. Cawley stated that Staff approval, not the full Cape Cod Commission approval, was required for the proposed Air Cape Cod hangar. Manager Breault requested such determination be made in writing so that the Airport Commission could have a copy of it.
- There was a discussion of available ramp space on the airport.

In reference to the Cape Cod Commission staff approval, Chairman Santos wanted to clarify that on the DRI, Hangar modifications would fall under the Development Agreement for future development, so there was no current approval for this, and would therefore require more than just Staff approval.

Environmental Subcommittee (Commissioners Griffin, O'Brien, Luzietti, Santos)

The Environmental subcommittee did not meet during June 2009.

Planning and Development Subcommittee: (Commissioners O'Brien, Griffin, Luzietti, Santos)

The Planning & Development subcommittee did not meet during June 2009.

Terminal Building Committee: (Commissioners Santos, O'Brien, Megathlin)

The Terminal Building committee met on Tuesday, June 16, 2009. The following items were discussed:

- Two of the MacGregor Property tenants have vacated the property, the other two have indicated that they will be out by the deadline.
- The Access Road 30% design has been reviewed on several levels; additional information has been requested by the Town of Barnstable which the airport is in the process of providing.
- The DRI Permit Modification Review submission was discussed. The Cape Cod Commission sub-committee met and agreed that the building changes were deemed a minor modification, and the transportation issues were recently found to be major modifications with a hearing to take place in July 2009 with a full review in August 2009.
- The 60% Revised Terminal Design has been completed. Cost Estimates should be completed in approximately two weeks and hopefully they will be in line with the budget so the project can proceed.
- The Project Schedule is being well tracked, and hopefully the groundbreaking planned for early next year is still on track.

Unfinished Business:

None

New Business:

BMA 0609-01 – Approval of Jacobs Engineering Contract Land Acquisition Project Supplemental Agreement No. 3 **MOTION** to approve the supplemental agreement No. 3 in the amount of \$12,692.00 to the Jacobs Engineering Contract for Land Acquisition. This supplemental agreement is for relocation assistance provided by O.R. Colan Associates for the two additional displaced business tenants impacted by the total taking of the 191 Airport Road property. The \$12,692.00 is 95% eligible for FAA reimbursement; therefore, the Airport would be responsible for \$635.00 of this additional cost. **SPONSOR:** Finance Subcommittee (**May be acted upon**)

This agenda item was moved and read by Commissioner Megathlin, and seconded. There was no discussion. This agenda item was unanimously approved by verbal vote.

BMA0609-02 – Approval of Cape & Islands Workforce Investment Board Tenant-at-Will Lease

MOTION to approve the Tenant-at-Will Lease agreement between the Barnstable Municipal Airport Commission and the Cape & Islands Workforce Investment Board effective June 1, 2009 for approximately 1,314 square feet of office space. Terms of the Lease Agreement are set forth in the document based upon the recommendation of the Real Estate Subcommittee, and reviewed by Airport Legal Counsel. **SPONSOR:** Real Estate Subcommittee (**May be acted upon**)

This agenda item was moved and read by Commissioner Dunning, and seconded. There was no discussion. This agenda item was unanimously approved by verbal vote.

BMA0609-03 – Approval of Hyannis Air Service, Inc. Letter of Understanding regarding lease negotiations

MOTION to approve the Letter of Understanding between the Barnstable Municipal Airport Commission and Hyannis Air Service, Inc. stating that a long-term (20 year) lease is under negotiations for the facility located at 660 Barnstable Road; and that terms of this new lease will include the conditions that the occupant shall, for the duration of the lease, be the owner of the proposed Solar Photo-Voltaic renewable energy system to be built and located on the roof of the facility. The proposed energy system construction must be in compliance with the Guidelines for Construction, Alterations and Improvements at the Barnstable Municipal Airport. The negotiations are expected to be concluded and the new lease will be in force by October 1, 2009. **SPONSOR:** Real Estate Subcommittee (**May be acted upon**)

This agenda item was moved and read by Commissioner Griffin, and seconded. Manager Breault explained the purpose of the letter was to express the intent of the Airport Commission to renegotiate a 20 year lease by October 1, 2009 with Hyannis Air Service so they may be eligible to receive a grant from the U.S.D.A. The grant needed to be finalized by July 2009. Mr. Doane, CFO of Hyannis Air Service, explained that the proposed grant-eligible solar units will supply electricity for the hangar and should generate 268 KW of power. One of the funding mechanisms is through the U.S.D.A grant, and one of the conditions is that Hyannis Air Service, Inc. has to own the solar panels, which will then be turned over to the airport at the end of the lease. This agenda item was unanimously approved by verbal vote.

BMA0609-04 – Engineer/Designer Selection for On-Call Engineering Services RFQ

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MOTION to review and approve the recommendation of the RFQ Designer Selection Board for the Barnstable Municipal Airport's Engineering On-Call Consultants to fulfill the contractual obligations as specified in the RFQ.

SPONSOR: RFQ Designer Selection Board (**May be acted upon**)

This agenda item was moved and read by Commissioner Griffin, and seconded. Manager Breault read the letter from David Anthony, Chief Procurement Officer and Chairman of the Selection Board, encapsulating the recommendations and process that the board went through to determine the award of the On-call Engineering Contract (see attached). There was no discussion. This agenda item was unanimously approved by verbal vote.

Commissioner Megathlin moved the following motion **BMA 0609-06** that was not on the agenda:

MOTION to authorize staff to send a letter in opposition to the Proposal for Air Taxi Exclusion on PFCs as proposed by the Nantucket Airport Commission, and to submit copies to the FAA and the Federal Congressional Delegation. **SPONSOR:** Finance Subcommittee (**May be acted upon**)

This was seconded, and unanimously approved by verbal vote.

BMA0609-05 – Commission Election of Officers

Chairman Santos tabled this agenda item until the July meeting as three of the current Airport Commission members (Santos, Griffin, O'Brien) are being considered for reappointment by the Town Council.

Noise Report:

There were a total of 14 complaints made by 5 noise complainants in May 2009. Eleven were from the Town of Yarmouth, and nine were from one complainant. The total quiet hour flights for May 2009 were 105 operations, reduced by seven from April 2009. Departures and Arrivals prior to 5:30 am were nineteen, still less than normally reported for this time of year. Noise monitoring will be conducted during the month of June 2009.

Commissioner Griffin asked if the Caravan was being utilized for the early morning flights. Ms. Lounsbury replied that about 60% or 70% early morning flights are with the Caravan, which has made a significant difference in the noise complaints.

Yarmouth Representative's Report:

Robert Howard will call and ask Island Airlines the flights and times when the Caravan is being used. Ms. Lounsbury stated that the Wednesday flight carries the newspaper to the island and the Caravan has been used for this. Island Air had only 11 departures prior to 5:30 am for the entire month. Mr. Howard noted that Nantucket Shuttle had six flights prior to 5:30 am in April and none in May 2009; and that some of the noise complaints reported "jets" rather than the "402s".

Airport Manager's Report:

Manager Breault reported the following:

- He has been sending his weekly report to the Commissioners, and would answer any questions or issues.
- The Airport passed the annual FAA Part 139 Inspection with only a minimal concern on a training record entry, and he thanked Frank Sanchez and entire Operations and Maintenance staff for the "clean" inspection.
- The bid results on the Bond Anticipation Note, at .6940%, were a cost of about 1/3 to 1/2 of what was anticipated.
- Jacobs Engineering has been asked to review the condition of the Hangar II building and the MacGregor building to determine the best use of the buildings and cost benefits. A draft proposal for this has been received, and will be addressed at the next sub-committee.
- He has been continuing to pursue the AFTIL process for the new Tower. The FAA is hoping to have the AFTIL done in October, but if not it cannot start until February 2010 at the earliest. It is a six-month process from whenever the process starts, and this should be taken into consideration with regard to any proposed development that may have an impact on the siting of the Tower. That is why he has been reluctant to proceed with any proposed development that may have an impact on this. This is all paid for as part of the OTA grant.

Commissioner Griffin congratulated the staff on the stellar FAA Inspection and noted that the response time for the ARFF was 1 minute, 59 seconds from when the alarm went off to actually shooting the foam on the field.

Announcements - Commissioner's Comments:

Chairman Santos stated that he would be on vacation from June 18th through 30th, but would be available on his cell phone.

The next meeting will be held on Tuesday, July 21, 2009.

Adjournment:

Upon Motion duly made and seconded, it was voted to adjourn the meeting at 6:54 p.m.

ROBERT L. O'BRIEN, CLERK