



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, Asst. Airport Manager

BARNSTABLE MUNICIPAL AIRPORT COMMISSION
MINUTES OF THE REGULAR SESSION
TUESDAY, JULY 21, 2009

Barnstable Municipal
Airport Commission:

Daniel W. Santos, P.E.,
Chairman

Donald E. Megathlin,
Vice Chairman

Robert L. O'Brien,
Clerk

John T. Griffin, Jr.,
Commissioner

Donald E. Megathlin,
Commissioner

Ronald Persuitte,
Commissioner

Timothy R. Luzietti,
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. Luzietti, 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 - Absent

Airport Staff Present:

Roland W. Breault, Jr., Airport Manager; Frank Sanchez, Asst. Airport Manager; and Christina Lounsbury, Security/Noise Abatement Coordinator.

Public Members:

Dave Chamberlain, Jacobs Engineering; Jim Kinsella, Barnstable Enterprise; David Still II, Barnstable Patriot; and Jim Kubat, AECOM.

Call To Order:

Chairman Santos called the regular meeting of the Barnstable Municipal Airport Commission to order at 6:00 p.m. Attendance roll call was taken. At approximately 6:02 p.m., Commissioner Dunning and Commissioner Persuitte arrived to the meeting.

Minutes of the previous meetings:

Vice Chairman Griffin moved to approve the minutes of the June 16, 2009 Airport Commission Meeting. This was seconded by Commissioner Luzietti and approved unanimously.

Public Comment:

None

Commissioners Response to Public Comment:

None

Reports from Subcommittees:

Finance Subcommittee (Commissioners Megathlin, Dunning, Persuitte)

The Finance subcommittee met on Tuesday, July 7, 2009. Commissioner Megathlin reported on the following items:

- The subcommittee decided to recommend implementing a PFC, even with Nantucket and Martha's Vineyard Airports requesting that it not be added, as the revenue to Barnstable Municipal Airport is essential. The process will be started as

implementation will take months which would allow the airlines tenants to participate in the hearings. The Finance subcommittee voted to recommend to the full Commission that at their August meeting to implement a \$1.90 PFC.

- Commissioner Megathlin also reported the CFC's were implemented on the car rentals effective July 1, 2009.
- The two tenants left at the MacGregor property should be vacated by August 15, 2009.
- The \$175,000 Barnstable Municipal Airport share will be paid from surplus.
- The Finance subcommittee voted to recommend that the full Commission ask the Town Council if the original \$50,000 proposed landscaping allocation for the Route 28 improvement due to the Hilton Hotel would be included as part of the project cost.

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

The Real Estate subcommittee met on Tuesday, July 7, 2009. Commissioner Dunning reported that the following items were discussed:

- No documents were received regarding the Rectrix proposed ramp extension and their attorney advised that they would not be able to attend the meeting.
- Hyannis Air Service Lease was awaiting final proposal amounts from Peter Farrell.
- Café at the Airport Lease Extension request was tabled to the August meeting.
- Daffodilly's Gift Shop tenant-at-will lease was approved in the amount of \$338.87 and recommended for approval by the full Commission.
- Atlantic Aero Support was informed that the subcommittee was awaiting the feasibility study and then would considered possible uses for Hangar II.
- Bob's Discount Furniture Parking Proposal was reviewed and the subcommittee would like to review a draft of the usage agreement to consider recommendation to the full Commission.

Vice Chairman Griffin inquired if there had been any further documentation regarding the possibility of a new Air Cape Cod hangar. Commissioner Dunning reported there had been no new information.

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

The Environmental subcommittee met on Wednesday, July 1, 2009. Vice Chairman Griffin reported that the following items were discussed:

- The community noise monitoring results were noted and will be reported during the special committees report.
- The subcommittee noted that airport staff will contact Pinnacle Air for reimbursement for the Hangar II storm drain clean-up and will determine if escrow funds may be use to clear this outstanding debt.
- The subcommittee discussed the Cape Cod Commission DRI modification update and development agreement at length. The subcommittee instructed airport staff to contact Nitsch Engineering for the original plans for the access road and traffic signal.
- It was noted that the Planning and Development Subcommittee would be discussing the RVZ tree clearing plan.
- Asst. Manager Sanchez reported RFP for Wildlife Hazard assessment information was triggered by the US Airways bird strike and subsequent Hudson River emergency landing. He stated that an RFP has been prepared and sent to the Town of Barnstable Purchasing Department. The cost will be reimbursable by the FAA and the assessment biologist will compile a formal plan for the Airport Certification Manual.
- Finally, it was noted that the Hyannis Water Board has been receiving invitations to the Environmental Subcommittee meetings, but has not been attending.

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

The Planning and Development Subcommittee met on Wednesday, July 1, 2009. Vice Chairman Griffin reported that the following items were discussed:

- The subcommittee will formulate plans to generate revenue from the Mildred's property.
- Airport staff requested NOAA to send written information of their concerns about possible effects to the minimum approach zones by the proposed Hilton Garden Hotel.
- The subcommittee decided to recommend adding the RVZ tree clearing plan to the CIP budgeting forecast.
- Asst. Manager Sanchez reported that the six year old EMAS bed may need a retro fit with upgraded materials as they are not meeting their 10 year life expectancy. The EMAS bed inspection should be added to the CIP in 3-5 years.

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

The Terminal Building committee met on Tuesday, July 21, 2009. Chairman Santos reported that the following items were discussed:

- After a lengthy discussion, the Terminal Building Subcommittee recommended approval of AECOM's supplemental agreement #2 in the amount of \$356,286 to include the add alternate raised roof design to the full Barnstable Municipal Airport Commission.
- The Access Road 30% design has been reviewed.
- The hearing with the Cape Cod Commission subcommittee is scheduled for Thursday, July 30th, at 6:00 p.m. A draft report was distributed.
- The Project Schedule is to bring the access road to the Town Council in November and the Terminal project in December with a possible notice to proceed in January or February, 2010.

Unfinished Business:

BMA0609-05 - Election of Officers

Chairman Santos moved this item to the last item of the agenda.

BMA 0609-01 – Approval of Jacobs Engineering On-call Services Contract Approval

This agenda item was tabled to be reviewed by the Finance Subcommittee. Manager Breault reported that Attorney Gilmore has approved this contract to form and it should be included on the August Commission agenda for approval.

New Business:

BMA 0709-01 – Approval of Hyannis Air Service, Inc Hangar II Lease Amendment #2

MOTION to approve a lease amendment for Hyannis Air Service, Inc., D/B/A Cape Air/Nantucket Airlines to authorize Hyannis Air Service, Inc. to use approximately 200 square feet of additional space consisting of two offices on the first floor of the Hangar II building. Terms of the lease amendment are set forth in the lease amendment document based upon the recommendation of the Real Estate Subcommittee, and reviewed by Airport Legal Counsel. **SPONSOR:** Real Estate Subcommittee (**May be acted upon**) item was moved and read by Commissioner Dunning, and seconded by Commissioner Megathlin. Commissioner Dunning verified that there was a 30-day termination of lease. This agenda item was unanimously approved by verbal vote.

BMA0709-02 – Approval of Daffodilly's Gift Shoppe Tenant-at-Will Lease

MOTION to approve the Tenant-at-Will Lease agreement between the Barnstable Municipal Airport Commission and the Daffodilly's Gift Shoppe effective May 1, 2009 for approximately 368 square feet of retail 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 Megathlin, and seconded by Commissioner Persuette. There was no discussion. This agenda item was unanimously approved by verbal vote. Manager Breault noted that the airport had received their 30 day notice to terminate the lease.

BMA0709-03 – Approval of AECOM Supplemental Agreement No. 2 for additional services associated with the 60% design revisions for the New Terminal Project

MOTION to approve Supplemental Agreement No. 2 to the AECOM Technical Services Northeast, Inc Agreement dated January 15, 2008 in the amount of \$356,286.00 for additional services related to project design reductions, new 60% design drawings and specifications, project schedule delays, project budget and project oversight circumstances beyond the design team's control as it pertains to the new design scheme C-1. **SPONSOR:** Terminal Building Committee (**May be acted upon**)

This agenda item was moved and read by Commissioner O'Brien, and seconded by Vice Chairman Griffin. Manager Breault reported that AECOM had continued to work on the changes without an agreement from the Commission. He also stated that this amount should not affect the budget or projected costs and that at this point; AECOM would not release the 60% design to Suffolk Construction without an agreement. Commissioner Megathlin stated that the Terminal Subcommittee is in support of the approval and feels that Manager Breault has done an outstanding job keeping the terminal project going and they trust his recommendation to accept this contract. Commissioner O'Brien also voiced his support to go forward with this agreement. This agenda item was unanimously approved by verbal vote.

BMA0709-04 – Approval of Stowe Enterprises, LLC D/B/A Fresh Air Services License Agreement

MOTION to approve a License Agreement between the Barnstable Municipal Airport Commission and Stowe Enterprises LLC, D/B/A Fresh Air Services to enter upon the airfield premises for the purpose of providing General Aviation aircraft cleaning services. Terms of the License Agreement are set forth in the document based upon the recommendation of the Real Estate Subcommittee, and reviewed by Airport Legal Counsel. **SPONSOR:** Finance Subcommittee (**May be acted upon**)

This agenda item was moved and read by Commissioner Megathlin, and seconded by Vice Chairman Griffin. Manager Breault reported that fee was negotiated to \$1200 per year made either in one payment or monthly payment and 3% of earnings will be paid to Barnstable Municipal Airport to be consistent with other tenant agreements. Commissioner Griffin asked how they would gain access and Manager Breault reported that they would be escorted by their customers. It was noted that Fresh Air Services had not signed the agreement yet. This agenda item was unanimously approved by verbal vote.

BMA0709-05 – PFC Discussion

Commissioner Megathlin noted that the Nantucket Airport Commission has sent a letter to their Congressional Delegate requesting that air taxi flights be exempt from PFC's and also forwarded the letter to the FAA and MAC. Commissioner Megathlin stated that the majority of the Barnstable Municipal Airport flights were air taxi flights and that this discussion had been going on for over a year. The Finance Subcommittee was recommending that the Barnstable Municipal Airport Commission enact a \$1.90 PFC which would yield the airport \$365,000 per year. He also stated that this item could be tabled until the August Finance Subcommittee meeting to allow for the airline tenants to be present. Manager Breault stated that he had spoken with the FAA Northeast Regional Office and the PFC's are only allowed in the following increments: \$1, \$2, \$4 or \$4.50. He also stated that he was reviewing the current parking program for additional options which would be brought before the Finance Subcommittee. Commissioner Megathlin stated that the Finance Subcommittee would look to enact a \$2.00 PFC even though Nantucket and Martha's Vineyard Airport Commissions are against it as it is utilized across the country as a means of airport revenue.

Report of Special Committees:

Noise Report:

There were a total of six complaints made by six noise complainants in June 2009. One from the village of Centerville, one from the village of Hyannis, one from the Town of Brewster and three from the Town of Yarmouth. The total quiet hour flights for May 2009 were one hundred seventy-one operations, reduced of

seventy-one from June 2008. Departures and Arrivals prior to 5:30 am were twenty-two, down twenty flights from June 2008. Noise monitoring was conducted at location #4 on Wendward Way and is consistent with prior monitoring.

Commissioner Dunning stated that Barnstable Municipal Airport and the Town of Barnstable owe Yarmouth Representative Robert Howard a debt of gratitude for having the courage to report the facts from the commission meeting to the Town of Yarmouth. He also stated that Mr. Howard has achieved a balance between the two towns and has greatly improved the relationship with Yarmouth.

Yarmouth Representative's Report:

Robert Howard was absent.

Airport Manager's Report:

Manager Breault reported the following:

- The aircraft operations are down 3%, the enplanements are also down 19% and fuel sales are down 18%; however, we had achieved the projected fuel revenue, just sold less gallons. Vice Chairman Griffin asked why our fuel cost was 3 cents higher than Nantucket. Asst. Manager Sanchez stated that Barnstable has 1/5 the fuel storage capacity as Nantucket and this allows them to purchase at a lower rate and maintain the price. He reported that staff is reviewing the formula to better calculate the cost.
- The Airport will participate with the Town of Barnstable Student Academy on Thursday, July 30th with a presentation and a static display of the ARFF vehicle.
- Ted Baldwin of HMMH will be attending the August 6th Community Working Group to present information collected for the 1999 study and future options for noise. Manager Breault stated that HMMH was doing this at no cost to Barnstable Municipal Airport.

BMA0609-05 - Election of Officers

CHAIRMAN:

Commissioner Dunning nominated Dan Santos to continue serving as Chairman of the Commission. The motion was seconded by Commissioner O'Brien. Vice Chairman Griffin stated that he has been very impressed by the excellent job Chairman Santos has done with the Commission and community relations. This motion was unanimously approved by verbal vote.

VICE CHAIRMAN:

Commissioner Persuitte motioned to nominate Don Megathlin as Vice Chairman. The motion was seconded by Commissioner Luzietti. Commissioner Dunning stated that Commissioner Megathlin was a very good candidate for Vice Chairman. Commissioner Persuitte commented that Commissioner Megathlin is a very bright and dedicated commissioner and would be a great asset as Vice Chairman. This motion was unanimously approved by verbal vote.

Chairman Santos thanked Commissioner Griffin for his long service as Vice Chairman and complemented him on excellent service to the Barnstable Municipal Airport Commission.

CLERK:

Commissioner Persuitte motioned to nominate Robert O'Brien to continue serving as Clerk. The motion was seconded by Commissioner Megathlin. This motion was unanimously approved by verbal vote.

Chairman Santos then addressed the current members serving on the four subcommittees. After some discussion regarding Manager Breault's suggestion to consolidate the subcommittees to avoid agenda item redundancy and expedite issues, Chairman Santos appointed Commissioners Griffin, Luzietti and Dunning along with Manager Breault and Asst. Manager Sanchez to an Ad Hoc Subcommittee Review Committee. Chairman Santos asked the members to meet before the August Barnstable Municipal Airport Commission meeting and report their findings and recommendations for the number and issues to be covered in the subcommittees.

Announcements - Commissioner's Comments:

Commissioner Griffin complimented Chairman Santos on his rebuttal letter to the editor regarding inaccuracies about the airport published in a previous published letter to the editor of the Cape Cod Times.

Chairman Santos reported that Rectrix Aerodrome Center's federal court complaints had been dismissed and the Commission is very pleased with the outcome. He also announced that the Community Working Group meeting with high level officials from the Airport, Town of Barnstable and Town of Yarmouth went well. The group did a very good job identifying concerns and related noise issues. He stated that no airline tenants have responded to participate but felt that their participation is crucial.

Vice Chairman Megathlin stated that Chairman Santos has done an excellent job interfacing with the community and they will be working to possibly update the noise study as he stated there have only been three done in the last twenty-five years.

Chairman Santos stated that this would be an open meeting working group and that he would like to hear from any commissioner who would like to attend, but the commissioners attending must not constitute a quorum.

The next meeting will be held on Tuesday, August 18, 2009.

Adjournment:

Upon Motion duly made by Commissioner Pursitte and seconded by Commissioner Luziatti, it was voted to adjourn the meeting at 7:35 p.m.

ROBERT L. O'BRIEN, CLERK