



CAPE COD GATEWAY AIRPORT
COMMISSION MINUTES OF THE REGULAR SESSION
Held at the Cape Cod Gateway Airport
TUESDAY, June 25, 2024

Commissioners Present:

John T. Griffin, Jr., Chair; John G. Flores, Vice Chair; Norman Weill, Clerk, Wendy Bierwirth; Bradley J. Bailey; Joseph DiGeorge; and Mark Guidod

Commissioners not present:

None

Yarmouth Representative:

Christine Greeley

Airport Staff Present:

Katie Servis, Airport Manager; Matthew Elia, Assistant Airport Manager; and Suzanne Kennedy, Administrative Assistant to the Airport Manager

Public Members:

David Anthony, Town of Barnstable Asset Management Director; Andy Clyburn, Town of Barnstable Assistant Town Manager; Karen Nober, Town of Barnstable Attorney, and Jennifer Platt, Anderson & Kreiger. *Helyne Mederios and Galileo Faria, Atlantic Aviation, joined the meeting at 4:47 pm.*

Call To Order:

Chairman Griffin called the regular meeting of the Cape Cod Gateway Airport Commission to order at 4:00 p.m. He stated this meeting of the Cape Cod Gateway Airport Commission meeting is being recorded and broadcast on the Town of Barnstable's Government Access Channel. In accordance with Massachusetts General Laws Chapter 30A, Section 20, the Chair must inquire whether anyone else is recording this meeting and, if so, please make their presence known.

Attendance roll call was taken followed by the Pledge of Allegiance.

Minutes of the previous meetings:

There were no minutes for signature.

Public Comment:

None

Commissioners Response to Public Comments:

None

Finance Subcommittee (Commissioners Weill, Flores, and Bailey)

The Finance Subcommittee met on Tuesday, June 4, 2024. Commissioner Weill gave a review of the meeting (see attached).

Infrastructure & Marketing Subcommittee (Commissioners Young, and Bierwirth)

The Infrastructure & Marketing Subcommittee did not meet during the month of June 2024.

The following was taken out of order:

- **Yarmouth Representative Comments**
 - Ms. Greeley had no comments at this time

Old Business:

COM0224-4 Approval of Lease Agreement by and Between Cape Cod Gateway Airport and Atlantic Aviation.

MOTION to approve the 20-year Lease Agreement by and Between Cape Cod Gateway Airport and Atlantic Aviation effective July 1, 2024, for associated land parcels totaling 207,824 square feet as described in the lease. **SPONSOR:** Finance Subcommittee (**May be acted upon**)

- This agenda item was moved and read by Commissioner Weill; and seconded by Commissioner Bailey.
- Airport Management has been working with the Airport's attorney's, Anderson & Kreiger, and Atlantic Aviation to develop a new 20-year lease for Atlantic Aviation.
- The Airport provided the agreement to the Finance Subcommittee in February, but more requests for modifications were received from Atlantic Aviation that needed to be negotiated with the attorneys. As of the beginning of June, both parties had reached an agreement, and the lease was forwarded to the Finance Subcommittee for review.
- The 20-year lease includes the land under the hangar that is owned by Atlantic and land for vehicle parking and aircraft parking ramps.
 - One of the aircraft parking ramps is adjacent to the terminal. A special clause was added to the lease stating that if that area was needed to serve commercial aviation in the future, that with 30 days' notice, the airport can modify the lease for that ramp area and remove it from the premises list.
- The lease includes annual increases (at CPI or 3%, whichever is greater) as well as 5-year lookbacks based on appraisal to ensure that the fair market value for the property is correct. At no point in time will the rental fee ever reduce, and the base rent is as follows:

Leased Premises	Area (square feet) = 207,824
Base Rent /Square Foot	\$ 0.55*
Annual Rate	\$ 114,303.20
Monthly Rate	\$ 9,525.26

- The lease also includes a maintenance plan to ensure that the facility is well maintained throughout the 20-year lease as the lease includes a reversion clause, meaning that the hangar could become airport property after the 20-years. Because of that, the Airport wants to ensure the facility is well maintained during the life of the lease. It requires quarterly reporting to the airport as outlined in exhibit C of the lease for maintenance.
- Commissioner Guiod inquired about the five-year lookback and the process if there was no agreement on the fair market value. Manager Servis stated that the details are stated in the lease as to how it would unfold. If each party's appraisal was very different in value, Attorney Platt stated that both appraisers would then pick a third appraiser to select the rate which would be final.
- This agenda item was unanimously approved by verbal vote.

Chairman Griffin recognized the town officials that were attending the meeting.

COM0424-5 Approval of the contract agreement by and between the Town of Barnstable (by and through the Airport Commission per MGL Chapter 90) and the Airport Manager for the Airport Manager Contract for Cape Cod Gateway Airport.

MOTION to approve the proposed Airport Management Contract by and between the Town of Barnstable (by and through the Airport Commission per MGL Chapter 90) and the Cape Cod Gateway Airport Manager for the following term and salary as recommended by the Airport Commission. **SPONSOR: Airport Commission (May be acted upon)**

- This agenda item was moved and read by Chairman Griffin; and seconded by Commissioner DiGeorge.
- All the Commissioners previously reviewed the contract and there was no discussion.
- This agenda item was unanimously approved by verbal vote.

New Business:

EXECUTIVE SESSION

Executive Session pursuant to M.G.L. c. 30A, § 21(a)(6) to discuss strategy with respect to the lease of real property of the Steamship Authority Parking Lots as a discussion in open session may have a detrimental effect on the negotiating position of the public body, the Airport Commission.

Chairman Griffin moved to go into Executive Session pursuant to M.G.L. c. 30A, § 21(a)(6) to discuss strategy with respect to the lease of real property of the Steamship Authority Parking Lots as a discussion in open session may have a detrimental effect on the negotiating position of the public body, the Airport Commission. This meeting will reconvene in open session after the Executive Session.

- The motion was seconded, and a roll call vote was taken to go into executive session at 4:13pm.

Griffin – yes	Flores – yes	Weill – yes	
Bierwirth – yes	Bailey – yes	DiGeorge – yes	Guiod - yes

- The regular session of the special commission meeting reconvened at 4:47pm. A roll call vote was taken.

Griffin – yes	Flores – yes	Weill – yes	
Bierwirth – yes	Bailey – yes	DiGeorge – yes	Guiod – yes

Helyne Mederios and Galileo Faria, Atlantic Aviation, joined the meeting at 4:47 pm.

COM0624-1 – Approval of the Option chosen in Executive Session to move forward on the future disposition of the Steamship Authority Parking Lots.

MOTION to approve the option chosen by the Airport Commission during Executive Session for the future disposition of the Steamship Authority Parking Lots. **SPONSOR: Finance Subcommittee (May be acted upon)**

- This agenda item was moved and read by Commissioner Weill; and seconded by Commissioner Guiod.
- Manager Servis commented that the Airport will implement the exemption that exists under M.G.L. c. 30B, § 1(7) with a duration of 60 days for negotiations.
- This agenda item was unanimously approved by verbal vote.

COM0624-2 Approval of the License Agreement, Amendment #2, by and between the Cape Cod Gateway Airport Commission and HMI Parking Services LLC.

MOTION to approve Amendment #2 to the License Agreement by and Between Cape Cod Gateway Airport and HMI Parking Services LLC effective July 1, 2024, for an additional 5,000 square feet of land. **SPONSOR: Finance Subcommittee (May be acted upon)**

- This agenda item was moved and read by Commissioner Flores; and seconded by Commissioner Bailey.
- HMI Parking Services LLC leases just over 29,029 square feet of airport property for vehicle parking.

- They currently have an existing 3-year License agreement with the Airport.
- They have requested an expansion of the land leased from the Airport in the amount of 5,000 additional square feet (from 29,029 to 34,029 square feet of leased land).
- This amendment will add an additional \$6,900/year (\$575/month) to the agreement.
- Overall, \$95,281 from July 1, 2024, through the life of the License Agreement.

PAYMENT SCHEDULE	
3-Year License 3% Minimum Annual Increase	
Assumes 3% Increase Annually	
Area (square feet)	34,029
Year 2 (October 1, 2023 – September 30, 2024)	\$1.38
Annual Rate	\$46,960.02
Monthly Rate	\$ 3,913.34
Year 3 (October 1, 2024 – September 30, 2025)	\$1.42
Annual Rate	\$ 48,321.18
Monthly Rate	\$ 4,026.77

- This license agreement expires in 2025 and then will have to go out to bid as procurement cannot have a perpetual lease beyond the existing 3-year lease.
- All insurance is in place and the lease is currently at Fair Market value.

Andy Clyburn left the meeting at 4:53 pm.

- Helyne Mederios asked for clarification on the location of the additional square footage.
- This agenda item was unanimously approved by verbal vote.

COM0624-3 Approval of Letter of Commitment by and between the Cape Cod Gateway Airport Commission and Island Café and Grill LLC.

MOTION to approve the Letter of Commitment by and Between Cape Cod Gateway Airport and Island Café and Grill, LLC effective June 3, 2024, to be able to Lease the café space and patio within the Airport Terminal to provide food service. This will allow café staff and contractors access to the facility prior to Lease execution. **SPONSOR:** Finance Subcommittee (**May be acted upon**)

- This agenda item was moved and read by Commissioner Flores; and seconded by Commissioner Bailey.
- The new anticipated start date is July 1, 2024.
- Island café has agreed to provide food service to the airport during the seasonal airline increase. They will be calling themselves, "Island Café Express".
- They are in the process of working with the Town's Health Department and Licensing for intended use of the space.
- They will provide prepared cold sandwiches, salads, and drinks to the traveling public. They will be allowed to use the space for catering for airport and off-airport tenants as they so choose. They will also have the opportunity for retail sales in the future (Retail is considered travel essentials that feature products such as snacks, beverages, grab and go foods, small electronics, magazines, travel products, and some souvenirs).
- Airport management provided Island Café with the attached letter of commitment that includes insurance requirements while the draft license agreement is finalized for the July commission meetings (subcommittee and full commission).
- Currently, the agreement is a 1-year agreement with 2-one-year option renewals. The option renewals will include the ability to negotiate the lease rate and percentage of gross based on the first-year revenue performance. Audits will require that the revenue collected at the airport site is provided to management for review.

- Previously the cafe has not been very successful and right now the focus is to provide service to the passengers. This lease will give them the opportunity to provide catering and work with the FBOs and then negotiate the rates moving forward in the following year.
- The Commission had concerns about using the kitchen facilities for off airport catering and the hours that they are able to have access. Catering would allow for additional revenue for the airport in the future. The Cafe hours will be inclusive of the terminal hours. Parking will be made available in the employee lot for free and there will be validation available for a two-hour window for patrons.
- A clause will be added to the lease for emergency situations to be available outside of regular operating hours for foodservice.
- A liquor license was not requested at this time.
- As the timeline of opening moved very quickly, this letter would allow the Island Café and Grill to operate with insurance provided prior to the lease approval.
- The Commission requested a ZOOM special meeting to approve the lease prior to July 1, 2024.
- The restaurant is an Amplify POC (Person of Color) business and they will be doing some promotion and marketing for the Island Café and Grill.
- David Anthony clarified that the restaurant requested to have an operating license from 7:00 am to 9:00 pm through the licensing board. This is to be able to extend their hours if they are successful with serving lunch.
- This agenda item was unanimously approved by verbal vote.

COM0624-4 Approval of Grant Assurances for the following State Grants awarded to the Cape Cod Gateway Airport: Purchase SRE Truck Airport #27 - \$58,640.00, Runway 6-24 RA \$3,080.93, Purchase SRE Truck Airport #31 \$73,600.00, and Purchase Tractor \$128,640.00.

MOTION to approve the Massachusetts Department of Transportation Aeronautics Division Grant Assurances awarded to the Cape Cod Gateway Airport for the Purchase of SRE Truck Airport #27 - \$58,640.00, the Runway 6-24 Reimbursable Agreement - \$3,080.93, the Purchase of SRE Truck Airport #31 - \$73,600.00, and the Purchase of a Tractor - \$128,640.00. **SPONSOR:** Management (May be acted upon)

- This agenda item was moved and read by Chairman Griffin; and seconded by Commissioner DiGeorge.
- The Airport received a number of State Grant Awards and Grant Assurances from Massachusetts Department of Transportation, Aeronautics Division for the above aforementioned projects. To receive awards and assurances when the project is underway has been the status quo of the department due to staffing shortages.
- All projects were previously approved by the Airport Commission through the CIP process.
- This differs a bit from the Federal Aviation Administration in which the grant award and the grant assurances are delivered at the same time.
- The dollar amounts reflect the following:
 - Purchase SRE Truck Airport #27 - \$58,640.00 (this is the 80% paid by MassDOT Aeronautics)
 - Runway 6-24 RA \$3,080.93 (this is the 5% paid by MassDOT Aeronautics)
 - Purchase SRE Truck Airport #31 \$73,600.00 (this is the 80% paid by MassDOT Aeronautics)
 - Purchase Tractor \$128,640.00 (this is the 80% paid by MassDOT Aeronautics)
- I would like to thank the Aeronautics Division for their continued funding support of Cape Cod Gateway Airport. These particular equipment purchases are not something that the FAA would participate in.
- The tractor purchase was for a large-scale tractor with an 18' mowing deck, bucket and backhoe attachments and post hole diggers to set light cans and bases for signage.
- This agenda item was unanimously approved by verbal vote.

COM0624-5 Approval of the 5-year Strategic Plan Model for the Cape Cod Gateway Airport and discussion of Stakeholder Development.

MOTION to approve the 5-year Strategic Plan Model to be used to develop the Cape Cod Gateway Airport Strategic Plan; and to discuss Stakeholder development. **SPONSOR:** Strategic Planning Ad Hoc Committee **(May be acted upon)**

- Commissioner Guiod gave a brief overview of the strategic planning model.
- This agenda item was moved and read by Commissioner Flores; and seconded by Commissioner Bailey.
- Manager Servis stated that dates should be set for the Ad Hoc committee to meet on a regular basis. There have not been a lot of agenda items for the Infrastructure Subcommittee as of late, so she asked if the committee would like to utilize the Tuesday, 10:30am time period to hold the Ad Hoc meeting.
- Commissioner Guiod stated that the stakeholders need to be identified that will be involved in the process. The following was discussed:
 - Airport Supervisors and Union representation, with all employees being invited to participate to be part of it to understand how it is moving forward
 - Civic Association representation
 - Town Council Representation (liaison)
 - Tenants
- Manager Servis and Commissioner Guiod will meet and formulate a list and an agenda, an invitation letter will be sent, a date and time will be set for a meeting, and those that accept the invitation will participate.
- Commissioner Flores recommended that the initial meeting should include all of the airport personnel to give them all a good overview of the basics. Manager Servis would like to review the agenda with Mark to understand what the appropriate groups should be invited, and should some internal meetings be held initially.
- The first meeting will be to brief everyone on the model, the second meeting would be to work on the Mission, Vision, and Philosophy statements, and then the third would be to work on the Goals and Objectives.
- Commissioner Bierwirth commented that this is a great team building experience.
- This agenda item was unanimously approved by verbal vote.

COM0624-6 Annual Election of Airport Commission Officers and appointment to subcommittees

Chairman Griffin stated that commissioner officers are up for re-election and asked for nominations.

Chairman Griffin made a motion to nominate John G. Flores to serve as Chairman of the Commission. This was seconded by Commissioner Bailey. There were no other nominations, and this passed unanimously.

Commissioner Flores and Commissioner Bierwirth both nominated Mark Guiod to serve as Vice Chairman. This was seconded by Commissioner DiGeorge. There were no other nominations, and this passed unanimously.

Chairman Griffin made a motion to nominate Norman Weill to continue to serve as Clerk of the Commission. This was seconded by Commissioner Flores. There were no other nominations, and this passed unanimously.

Commissioner Guiod made a motion that Chairman Griffin be granted the title of honorary Airport Commissioner Chairman. This was seconded by Commissioner Flores and unanimously approved. Applause followed.

Appointments to subcommittees will follow.

Noise Report (July, October, January, April)

- o There is no noise report for this month

Updates:

These will be reviewed at the July meeting

11. Announcements – Commissioner’s Comments

Commissioner Bierwirth asked for an update on the progress of appointing a new commissioner. There are four candidates that will be interviewed, and it was requested that there only be one reading by the Town Council so that the new appointee could be included in the Strategic Plan process.

Commissioner Flores stated that friend to friend, colleague to colleague, he will miss Chairman Griffin on the Airport Commission.

Chairman Griffin gave brief history of his family history with aviation and this Airport. He fondly spoke of many of the previous commissioners and tenants, managers and assistant managers, and the building of the new terminal and Air Traffic Control Tower. He spoke highly of the current team of employees and stated the combination of this team, and current Commissioners is an absolutely superb and talented group of people. The Town Management and the citizens of this town should be very thankful for their volunteer service and their commitment to excellence here. He stated that it has been an honor and a privilege to serve on this body for a quarter of a century and the airport is by far a better facility that it was before. It is an economic engine serving the entire Cape and region. Closing it would be utter foolishness! Don't ever let that happen.

12. Matters not reasonably anticipated by the Chair

None

Adjournment –

Upon Motion duly made and seconded, the meeting was adjourned at 5:31 PM. The next meeting will be held on July 16, 2024.



NORMAN WEILL, CLERK

Documents attached:
Finance Speaking notes
Map of HMI leased area

Met Tuesday, June 4, 2024

The meeting was held via ZOOM

The meeting was called to order at 8:30 a.m.

Commissioners Weill, Flores & Bailey were present via zoom.

Minutes of the April 2, 2024 & May 7, 2024, were unanimously approved

OLD BUSINESS

There was no old business to discuss.

NEW BUSINESS

FI0624-1 Approval of Lease Agreement by and Between Cape Cod Gateway Airport and Atlantic Aviation.

- Airport Management has been working with the Airport's attorney's, Anderson & Kreiger, and Atlantic Aviation to develop a new 20-year lease for Atlantic Aviation.
- The lease is for a twenty-year term with no option renewals.
- The lease includes the hangar that is owned by Atlantic, vehicle parking and aircraft parking ramps.
 - One of the aircraft parking ramps is adjacent to the terminal. A special clause was added to the lease stating that if that area was needed to serve commercial aviation in the future, that with 30-day notice, the airport can modify the lease for that ramp area and remove it from the premises list.

The agenda item was moved to the June 25, 2024, Full Commission meeting for approval.

FI0624-2 Review and Approve License Agreement, Amendment #2 by and between the Cape Cod Gateway Airport Commission and HMI Parking Services LLC.

- HMI Parking Services LLC leases just over 29,029 square feet of airport property for vehicle parking. They are under an existing 3-year License agreement with the Airport.
- They have requested an expansion of the land leased from the Airport in the amount of 5,000 additional square feet (from 29,029 to 34,029 square feet of leased land).
- Amendment #2 for this license agreement with the additional land added by way of an amendment to the existing agreement.
 - This amendment will add an additional \$6,900/year (\$575/month) to the agreement.
 - Overall, \$95,281 from July 1, 2024, through the life of the License Agreement

The agenda item was moved to the June 25, 2024, Full Commission meeting for approval.

FI0624-3 Review and Approve License Agreement by and between the Cape Cod Gateway Airport Commission and Island Café.

- Island Café has agreed to provide food service seasonally.
- Airport management has provided Island Café with a letter of commitment which includes insurance requirements while we work through the draft license agreement.

The agenda item was moved to the June 25, 2024, Full Commission meeting for approval.

