



**BARNSTABLE MUNICIPAL AIRPORT
BOARDMAN-POLANDO FIELD**

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

**BARNSTABLE MUNICIPAL AIRPORT COMMISSION
MINUTES OF THE REGULAR SESSION
TUESDAY, MARCH 17, 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. Luzietti,
Commissioner

Commissioners Present:

Daniel W. Santos P.E, Chairman, John T. Griffin, Jr., Vice Chairman, Michael A. Dunning, 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

Airport Staff Present:

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

Public Members:

David Still II, Barnstable Patriot; Patrick Dacey, Barnstable Enterprise; Eliza Cox, Nutter, McClennen & Fish, LLP; Leah Curtis, Town of Barnstable Council Liaison; Matt Pitta, WCOD/WXTK; Jason Richards, Suffolk Construction; Jen Ouellette, The Register

Call To Order:

Chairman Santos called the regular meeting of the Barnstable Municipal Airport Commission to order at 6:01 p.m. He wished everyone a Happy St. Patrick's Day. Attendance roll call was taken.

Minutes of the previous meetings:

Chairman Santos moved to approve the minutes of the February 17, 2009 Airport Commission Meeting. This was seconded and unanimously approved.

Chairman Santos moved to approve the minutes of the February 24, 2009 Special Airport Commission Meeting. This was seconded and unanimously approved.

Chairman Santos moved to approve, but not to release to the public, the Executive Session minutes of the February 17, 2009 Airport Commission Meeting. This was seconded and unanimously approved.

Chairman Santos moved to approve, but not to release to the public, the Executive Session minutes of the February 24, 2009 Special Airport Commission Meeting. This was seconded and unanimously approved.

Public Comment:

None

Commissioners Response to Public Comment:

None

Reports from Subcommittees

Finance Subcommittee (Commissioners Megathlin, Dunning, Persuitte)

The Finance subcommittee met on Tuesday, February 3, 2009. The following items were discussed:

- The monthly financial statements, enplanements, and fuel sales were reviewed
- The FY2010 municipal budget was reviewed
- The status of Federal Reimbursements from the FAA was discussed
- The potential PFC meeting with the FAA was discussed
- The Economic Stimulus Projects were reviewed
- The Jacobs Scope of Work for the Land Acquisition Project was reviewed
- The CM at Risk Contract was reviewed

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

The Real Estate subcommittee met on Tuesday, February 3, 2009. The following items were discussed:

- Rectrix request for ramp space was tabled until the March 2009 subcommittee meeting.
- The Hyannis Air Service Lease Renegotiation and Extension proposal was discussed
- The OTA between the Airport and the FAA is still under review
- Mr. Farrell, Cape Air, requested the Hangar II RFP be revisited

Chairman Santos asked for additional information on the OTA contract. Mr. Sanchez stated that the Airport wanted to modify the language in the OTA. It is still under review so there is the potential that this project might not move forward based on the conversation that he had with the FAA in Washington. Because of the terminal costs, the FAA understands that at this point the Airport cannot entertain construction costs for the tower, but they would be willing to revisit it later down the road.

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

The Environmental subcommittee met on Wednesday, February 4, 2009. Commissioner Griffin announced that this report would also suffice for the noise report this evening, as Ms. Lounsbury is not present. The following items were discussed:

- Early morning flights and noise reports were discussed. For the month of January 2009 there were a total of 6 complaints made by 2 complainants. None of these were out of the voluntary flight path. The complaints were down by 23 complaints compared to last year. Quiet hours are down significantly due to the economics and the seasonal weather. Noise monitoring will resume in March when the weather improves.
- The final reimbursement documents have been file for the Blackburn's property
- The DEP Inspection Report assessment has been completed and documentation submitted to the DEP.
- The Cape Cod Commission DRI update documentation has been submitted to MEPA.
- Mention of the inconvenience of proposed access/egress to the airport was discussed.
- A Scope of Work for the Tree Clearing Plan for the RVZ was discussed
- The Flight Track ERA System Demonstration was postponed
- The MMS EFIS with regard to the Cape Wind Project was discussed

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

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

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

The Terminal Building committee met Tuesday, February 17, 2009. The following items were discussed:

- Property Acquisition review. The Commission is in the process of obtaining appraisals for the MacGregor property and finalization of the purchase should occur soon.
- The Cape Cod Commission DRI Permit Modification was reviewed. A letter was received from MEPA that they were concurrent on the minor nature of the modification. The Cape Cod Commission Regulatory Review is scheduled for March 2, 2009
- The 60 % Terminal Design is on track. Color schemes, building configurations, and office layouts were reviewed. The 90% Design submission is due on April 1, 2009.

- The project schedule may be impacted by the DRI decision.
- The CM at Risk contract negotiations have not been completed, so the agenda item tonight will be tabled
- The MAC funding process was discussed.

Unfinished Business:

BMA 0109-01 –FY 2010 Operating Budget and Service Priority Packages Approval

MOTION to accept and approve the Airport Operating Budget in the amount of \$6,876,264.00 and additional Service Priority Package requests totaling \$427,500.00 for submittal as part of the Town of Barnstable Fiscal Year 2010 Budget. **SPONSOR:** Finance Subcommittee (**May be acted upon**)

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

New Business:

BMA 0209-01 - Construction Manager at Risk Contract Approval

MOTION to approve the Construction Manager at Risk Contract between the Barnstable Municipal Airport Commission and Suffolk Construction Company, Inc. for Construction Manager at Risk services for the New Terminal Project; and to approve the Notice to Proceed for the pre-construction services phase of the Contract in the amount of \$254,836.00. A Notice to Proceed and a contract addendum will be required for each additional contract phase beyond the pre-construction services phase. The final negotiated guaranteed maximum price for the Construction Manager at Risk Services to construct a new terminal facility at the Barnstable Municipal Airport may not exceed the amount of \$17, 850,000.00 based on a funding cap imposed by the Barnstable Town Council.

SPONSOR: Finance Subcommittee (**May be acted upon**)

This agenda item was tabled for the March 17, 2009 meeting.

BMA 0209-02 – Jacobs Engineering Land Acquisition Contract Supplemental Agreement #2 Approval

MOTION to approve the Supplemental Agreement No. 2 for modification to the Scope of Work for the Barnstable Municipal Airport Land Acquisition Project. This request is for an additional \$54,908.00, which is 95% eligible for reimbursement. Therefore, the Airport would be responsible for \$2,745.00 for the Supplemental Agreement No. 2.

SPONSOR: Finance Subcommittee (**May be acted upon**)

This agenda item was moved and read by Commissioner Dunning, and seconded. Commissioner Pursuite stated that he received an e-mail from the Town Manager concerning the terminal project. He was concerned about approving expenditures at this point in time if the Commission does not have the ability to provide what the Town Council is asking for. Commissioner Pursuite's position would probably not be to approve additional funding until some kind of a guarantee is received.

Mr. Sanchez stated that this appropriation is related to the MacGregor Property and by denying this it will prevent the Commission from moving forward with the closing within the next few weeks. Some of this work has already been done under an approval a while back and they need to be paid for this work.

Chairman Santos stated that this has been discussed in the Terminal Building subcommittee meetings and he was comfortable that the Commission has, in various forms, what is needed to satisfy the Town Manager. It needs to be put together and presented to the Town Manager and the Town Council soon so that they may be satisfied as well. The process by which MAC funds the projects, the guarantees that they provide, the Grant Assurances language which was negotiated with the Town has all been reviewed with the consultants. The directive that Chairman Santos provided to Mr. Sanchez and Mr. Breault was that priority number one was to put all of this together to present to the Town Council so that they can be satisfied and comfortable to move forward with the project. MAC has bonded for this money, they have the money, and they will be voting on funding for this project in July. The maximum contract amount has to be in place so that they can vote. Chairman Santos stated that he was comfortable proceeding.

Mr. Breault stated he thought with the existing appropriations that they were fine to vote. He was concerned about the “catch 22” situation of not being able to do one thing without the other. He thought at some point it would take a leap of faith to move forward, and suggested making a presentation to the Town Manager and the Town Council of the status of the project.

The motion was unanimously approved by verbal vote.

Noise Report:

The Noise Report was given by Commissioner Griffin during the Environmental subcommittee report.

Yarmouth Representative’s Report:

Robert Howard stated he had nothing to report at this time.

Airport Manager’s Report:

Manager Sanchez reported the following:

- The meeting scheduled with the FAA on Thursday, February 19th regarding the PFCs has been cancelled and will be rescheduled for a future date.
- Mr. Sanchez and Ms. Lounsbury will be hosting the Town of Barnstable Employee Leadership Academy on Friday, February 20th, 2009.

Announcements - Commissioner’s Comments:

None

The next meeting will be held on Tuesday, March 17, 2009.

Chairman Santos motioned for the Airport Commission to go into Executive Session under provision three of Chapter 39, Section 23B of the Open Meeting Laws which related to the discussion strategy in preparation for negotiations with non-union personnel: and to conduct collective bargaining sessions or contract negotiations with non-union personnel. It was duly noted that the meeting would reconvene into an open public meeting at the conclusion of the Executive Session specifically and only for the purpose of adjournment.

The motion was seconded, and a roll call vote was taken to go into Executive Session at 6:43 p.m.

Daniel Santos	yes	John Griffin	yes
Michael Dunning	yes	Ronald Persuitte	yes

Having no further issues to discuss, a motion was duly made and seconded to adjourn the Executive Session and reconvene into Regular Session at 7:18 p.m. The Roll was called:

Daniel Santos	yes	John Griffin	yes
Michael Dunning	yes	Ronald Persuitte	yes

The Regular Session of the Barnstable Municipal Airport Commission reconvened at 7:19 p.m.

Adjournment:

Upon Motion duly made and seconded, it was voted to adjourn the meeting at 7:19 p.m.

ROBERT L. O’BRIEN, CLERK