



BARNSTABLE MUNICIPAL AIRPORT
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BARNSTABLE MUNICIPAL AIRPORT COMMISSION
MINUTES OF THE REGULAR SESSION
TUESDAY, APRIL 21, 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, 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, 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; Dave Chamberlain and Craig Schuster, Jacobs Engineering; Leah Curtis, Town of Barnstable Council Liaison; Rich Cawley and James Castiglia, Rectrix; James Kubat, AECOM; and Patrick Dacey, Barnstable Enterprise

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.

Minutes of the previous meetings:

Chairman Santos moved to approve the minutes of the March 17, 2009 Airport Commission Meeting. This was seconded and approved by majority vote. Commissioners Griffin and Megathlin abstained from the vote.

Public Comment:

Rich Cawley, President and CEO of Rectrix, requested that the Commission check the math from the subcommittee meeting pertaining to the DRI for the fuel storage capacity at the airport. He handed out a sheet outlining his perception of the current capacity amounts, future expansion amounts, and availability of fuel. He stated that Rectrix was only requesting 20,000 gallons, well below the available threshold, and that when the Airport constructs their new 40,000 gallon fuel farm, that the existing 20,000 gallon tank would be removed, allowing for an increase in the future availability. He asked that the full commission understand that there is plenty of excess before they vote on the agenda item this evening.

He also proposed that a vote not be taken and that the Air Cape Cod Hangar be reconsidered. Rectrix was willing to have architectural and engineering plans performed; it was just that they would like to have an indication one way or the other whether the full commission will vote to allow them to tear down the existing hangar and construct the new "green" hangar. He stated that Rectrix has purchased

New World Jet out of Islip, New York and would prefer to relocate them to Hyannis and hire employees in this area. He requested to sit down with the Commission and identify what the Commission wants from Rectrix in regards to blueprints. They do not want to spend \$500,000 just to have the Commission vote it down.

Commissioners Response to Public Comment:

None

Reports from Subcommittees

Finance Subcommittee (Commissioners Megathlin, Dunning, Persuitle)

The Finance subcommittee met on Tuesday, April 7, 2009. The following items were discussed:

- The monthly financial statements, revenues and expenditures, and possible declining revenues were reviewed
- The Reserve Funds and the Bond Note amount were reviewed
- Enplanements were reviewed and have declined since 2008
- The FAA PFC meeting will be rescheduled
- CFCs should bring an extra \$70,000/year in revenue for FY 2010
- The ATCT OTA was evaluated and the siting process should proceed
- The lack of Stimulus Package funding was discussed
- The MacGregor Land Acquisition costs and the local share of funding was discussed
- The CIP will be revised at the May 2009 meeting

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

The Real Estate subcommittee met on Tuesday, April 7, 2009. The following items were discussed:

- The Rectrix proposed ramp extension and request for a completion timeline of the required stipulations
- The Hyannis Air Service Lease extension proposal and newly proposed substantial improvements to the building
- The OTA between the Airport and the FAA was discussed in detail at the Finance subcommittee meeting
- The Air Cape Cod Leasehold proposed new aircraft hangar contained insufficient information to move forward and thus disapproval is recommended at this time due to specific language within the current lease
- The Air Cape Cod Leasehold proposed new 20,000 gallon Jet A fuel storage tank was recommended for disapproval
- Intercontinental Marine Lumber Lease Modification was taken under advisement to allow for proper review of the request
- Café at the Airport Lease Extension request will be reviewed for a possible tenant-at-will lease
- Daffodilly's Gift Shoppe request for lease modification was taken under advisement and additional information was requested from the owner

Commissioner Megathlin reiterated the reason the Rectrix proposal was turned down was due to a condition of the lease, and a future proposal would be considered.

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

The Environmental subcommittee did not meet during April 2009.

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

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

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

The Terminal Building committee met on Tuesday, April 21, 2009. The following items were discussed:

- Manager Breault is working with the consultants to get back on budget with the project
- The taking of the MacGregor Property was completed on April 16, 2009, the tenants have 120 days to relocate prior to the demolition process
- The DRI Modification has been considered a major modification by the Cape Cod Commission subcommittee which will require more public involvement and hearings as part of that process to get the changes (size of the building, elimination of the traffic light at Hinckley Road, and a change in the direction of the Access Road) approved.

- The Suffolk Construction Contract is still in the process of negotiation and should be completed by next month.

James Kubat, AECOM, reviewed the changes in the terminal schemes due to reducing the overall construction budget. The changes were narrowed down to two schemes, A-1 and C-1 for the Terminal Building meeting. Manager Breault stated that the construction cost budget was between \$17.5 and \$20.8 million when staff first discovered the problem that the project was over budget by about \$4 to \$6 million over the construction budget. The Barnstable Municipal Airport was tasked by the Town Council with an overall total project cost of \$20 million, thus the terminal construction costs should have been around \$14 million in order to proceed. The consultants have been working diligently to reduce the costs while preserving the terminal design as closely as possible within the newly projected 32,000 square foot area.

Mr. Kubat described the changes to both schemes, and the items that were eliminated, but could be added in as add alternates if an adjusted budget allowed. Chairman Santos described the roof differences between the two schemes, and the raised roof /curved roof elevations of the C-1 scheme that were strongly supported by the Commission to maintain as an additional bid item.

Manager Breault commented that this design scheme presupposes that the Commission may go back to the Town Council soon to update the current information on the project costs and request a change of the total project costs in the Town Council Resolve from \$20 million to \$21.3 million. The figures that were in the Resolve were a \$15 million MAC grant, a \$3.3 million Town of Barnstable bond, and \$3.217 million maximum amount allowed from the Airport Reserves for the project. These figures add up to \$21.5 million total. The Finance Director had indicated that it was thought at the time that about \$1.5 million of the MAC grant would be used for other projects. Currently the only project that would need funding is the Apron for \$200,000, which would come out of the \$21.5 million, bringing it down to \$21.3 million available. Chairman Santos stated that the Commission is only looking to correct the calculation error, not increase the budget figures.

There was discussion about the elimination of the baggage carousel and associated costs. Commissioner Pursuitte requested the AECOM list of possible items that may be added back in the project.

Unfinished Business:

BMA 0209-01 - Construction Manager at Risk Contract Approval

MOTION to take 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 under advisement until the May 2009 or June 2009 Barnstable Municipal Airport Commission Meeting. **SPONSOR:** Finance Subcommittee (**May be acted upon**)

Chairman Santos requested that this agenda item be tabled until the May 2009 Airport Commission meeting as the negotiations are still underway.

New Business:

BMA 0409-01 – Approval of the Horsley & Witten Group, Inc. Proposal to complete the Strategic Plan, subject to Finalizing the Agreement between the Consultant and the Owner

MOTION to approve the March 27, 2009 proposal from Horsley Witten Group, Inc. to assist the Barnstable Municipal Airport with the development of an overall strategic plan to guide future planning and development on Airport property, and that is designed to fulfill requirements placed on the Airport by the Barnstable Town Council and the Cape Cod Commission; and to approve the final contract between the Barnstable Municipal Airport Commission (BMAC) and Horsley Witten Group, Inc., and to authorize the Chairman to sign the contract on behalf of the BMAC for professional services in the amount of \$90,925 subject to review and approval by Airport Legal Counsel. **SPONSOR:** Finance Subcommittee (**May be acted upon**)

This agenda item was moved and read by Commissioner Megathlin, and seconded. He reported on recent projects and felt that some of the outlined tasks were redundant. He stated that he would like to see the cost reduced to \$80,000 and commented that the eight public meetings suggested in the contract were not necessary. He also stated that this was necessary for planning purposes and the agenda item should be approved so that it could commence. Manager Breault stated that this Development agreement would mesh with the Town of Barnstable Master Plan when completed.

Chairman Santos noted that the Airport will only be billed for the meetings that actually occur.

Commissioner Megathlin moved to amend the amount in the motion from \$90,925 to \$80,925. This was seconded, and unanimously approved by verbal vote. The amended motion was then seconded and unanimously approved by verbal vote.

BMA0409-02 – Approval of the Jacobs Consultancy proposal to prepare a Financial Review subject to finalizing the Agreement between the Consultant and the Owner

MOTION to approve the April 8, 2009 proposal from Jacobs Consultancy to assist the Barnstable Municipal Airport Commission with a financial analysis/review of the Barnstable Municipal Airport; and to approve the final contract between the Barnstable Municipal Airport Commission (BMAC) and Jacobs Consultancy, and to authorize the Chairman to sign the contract on behalf of the BMAC for professional services amount not to exceed \$54,500 subject to review and approval by Airport Legal Counsel. **SPONSOR:** Finance Subcommittee (**May be acted upon**)

This agenda item was moved and read by Commissioner Pursuitte, and seconded. Commissioner Megathlin outlined the need for this financial review to proceed with the Terminal Project. This agenda item was unanimously approved by verbal vote.

BMA0409-03 – Denial of Rectrix’s Proposal for a New Hangar to be built on the Air Cape Cod Leasehold

MOTION to deny the Rectrix Proposal for a New Hangar to be built on the Air Cape Cod Leasehold as submitted. The 2-page hand drawn sketches that the staff received from Rectrix at the March 3, 2009 Real Estate Subcommittee meeting contained insufficient information with which to make any evaluation. **SPONSOR:** Real Estate Subcommittee (**May be acted upon**)

This agenda item was moved and read by Commissioner Dunning, and seconded. Commissioner Griffin requested to be briefed on the specifics of the denial. Commissioner Dunning stated that the Air Cape Cod Lease has a provision in it that states that any proposal to construct a new structure shall be deemed approved if not specifically denied within 60 days, and it is near the end of the 60 days. The information received from Rectrix is not sufficient to make any decisions on the proposal, and the denial does not constitute a lack of interest in the project, but it must be denied tonight so that it is not deemed approved without proper information. This does not preclude a future proposal. The applicant has previously been given a copy of the Airport Guidelines for Construction and management would like to follow those guidelines. Initially a meeting should be held with the applicant and management staff to discuss any necessary submissions for future proposals, and then proceed from there.

This agenda item was unanimously approved for denial by verbal vote.

BMA0409-04 – Denial of Rectrix’s Proposal for a New 20,000 Gallon Jet Fuel Tank to be build on the Air Cape Cod Leasehold

MOTION: to deny the Rectrix Proposal for a new 20,000 gallon Jet Fuel tank to be built on the Air Cape Cod Leasehold as the Barnstable Municipal Airport Commission is not prepared to release any of its excess Hazardous Material/Wastes capacity to anyone, as the Airport is retaining and reserving excess capacity to itself. **SPONSOR:** Real Estate Subcommittee (**May be acted upon**)

This agenda item was moved and read by Commissioner Pursuitte, and seconded. Commissioner Griffin reviewed the current Air Cape Cod Fuel Tank information consisting of two 10,000 gallon tanks, one Jet A and one Low-lead. Manager Breault commented on the handout from Rectrix, and stated that the allocated capacity amount is 154,253 gallons, but that the Airport is basing its figures on the Horsley Witten Group 2005 inventory of all hazardous waste materials on the airport of 90,853 gallons; limiting the excess capacity to essentially 60,000 gallons. The Rectrix handout stated only the fuel capacities, not all hazardous waste materials capacities. The intent of the Airport is to put in an additional 40,000 gallon Jet Fuel tank, leaving only 20,000 gallons of excess capacity; which it would be prudent to reserve for the Airport for the future. Mr. Cawley asked if the Shell Station was included in the 2005 inventory. Assistant Manager Sanchez stated everything is in the DRI, including the mitigation for the Shell Station.

Commissioner Dunning stated that there is only a finite capacity for fuel on the Airport; that the Commission fought hard, and had to mitigate other things in order to get that capacity. Jet Fuel is the Airport’s greatest source of

income and the Commission needs to preserve the Airport's future needs before considering any one else's needs, particularly when the applicant already has 20,000 gallons worth of capacity.

Mr. Cawley commented that he was willing to sit down and discuss other options such as abandoning the low-lead fuel or going through the fence with loaded fuel trucks, in which case the Airport would not receive the flowage fees.

This agenda item was unanimously approved for denial by verbal vote.

BMA 0409-05 – Appointment of two Airport Commissioners to the Designer Selection Board to select the BMAC On-Call Engineering Services Contract

MOTION to approve the appointment of Daniel W. Santos, P.E. and John T. Griffin, Jr. to be the designated Airport Commission members of the Designer Selection Board for the purpose of selecting an Engineering /Design firm for the Barnstable Municipal Airport On-Call Engineering Services Contract. **SPONSOR:** Airport Commission (**May be acted upon**)

This agenda item was moved and read by Commissioner Griffin, and seconded. Manager Breault commented that under MGL, Ch 7 whenever a RFQ is conducted, the Airport is required to have a qualifications based determination for the best candidate. An appointed Designer Selection Board of nine people will meet to review all of the proposals for the Engineering Services Contract for the Airport. The deadline for the RFQ submission is May 5, 2009. This agenda item was unanimously approved by verbal vote.

Noise Report:

There were a total of 22 complaints made by 3 noise complainants in March 2009, 21 were from the Town of Yarmouth. Twenty of the noise complaints came from one complainant. The total quiet hour flights for March 2009 were 77 operations, reduced by 67 from March 2008. Departures and Arrivals prior to 5:30 am were 8, reduced by 18 from March 2008. Island Airlines had two during this time frame, Cape Air had four, and Nantucket Shuttle had two. Noise monitoring will be resuming in May. Chairman Santos requested that the 402 aircraft and the Caravan be specifically monitored for comparison readings.

Yarmouth Representative's Report:

Robert Howard asked if the Island Air Caravan was being used to carry the newspaper for the early morning flight. Ms. Lounsbury confirmed that the Island Air Chief Pilot has stated this, and stated that she would monitor the Caravan noise also; that she had been at each noise complaint location twice so far and this would start the third round of monitoring. Mr. Howard stated that none of the noise monitoring had disclosed anything out of the ordinary, so was it necessary to continue in these areas, so could she just focus on the Caravan. Chairman Santos thought it would be smart to continue the current monitoring to regularly address the noise complaints to reveal any trends. Mr. Howard asked Ms. Lounsbury for a breakdown of the trends for the past three years so that he may present it to the Yarmouth Selectmen and show that the decibels are within appropriate levels. Ms. Lounsbury stated that educating people on the facts and providing information on what the airport had done has greatly improved peoples knowledge, but that she cannot change someone's perception. If it bothers them, it bothers them, and any facts given to them will not change their opinion. Just like someone living by a barking dog or a loud train. Ms. Lounsbury will provide Mr. Howard with the requested report.

Airport Manager's Report:

Manager Breault reported the following:

- He had sent an exhaustive weekly update to the Commissioners.
- He had done a Community TV program taping in which Ms. Lounsbury did a drop-in segment on Noise Abatement. He will try to do this again in the near future for an update on the progress of the Airport issues.
- Assistant Manager and the Maintenance and Operations crews are organizing for the Annual FAA Inspection with training and field preparation.
- He has been working with the FAA in Washington on the revised OTA and will meet with the FAA next month.
- The Airport passed the TSA Comprehensive Inspection, and he thanked Mr. Sanchez and Ms. Lounsbury

- He asked the Cape Cod Regional Transit Authority if they could transfer a surplus bus to the Airport for the purpose of transporting people to/from the remote parking lots during construction because another bus has not been approved under the Service Priority Package Program.
- He is trying to get a surplus snow plow that came from the Air Force originally and is sitting at the Highway Department not being used. The Fire Chief is willing to transfer the truck to us, and we just need to appropriate the funds to put on a 20 foot snow plow.

Announcements - Commissioner's Comments:

Commissioner Griffin called former Commissioner, Art Kimber who sent his greetings. He has been dealing with some health issues but the outlook is positive. Commissioner Griffin just completed a March driving tour of the East Coast of the United States and stopped into a lot of airports and was troubled by some of the current attitudes concerning the use of corporate aircraft and private jets. He reserved his comments for another time, but he believes that there is a huge misunderstanding as to the value of this kind of travel.

The next meeting will be held on Tuesday, May 19, 2009.

Adjournment:

Upon Motion duly made and seconded, it was voted to adjourn the meeting at 7:20 p.m.

DANIEL W. SANTOS, P.E., CHAIRMAN