



BARNSTABLE MUNICIPAL AIRPORT
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Quincy "Doc" Mosby, Airport Manager
Frank Sanchez, Asst. Airport Manager

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

BARNSTABLE MUNICIPAL AIRPORT COMMISSION
MINUTES OF THE REGULAR SESSION
TUESDAY, August 19, 2008

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 and Ronald Persuitte. The meeting was held at the Barnstable Municipal Airport in the Gourley Conference Room.

Yarmouth Representatives Present:

Robert Howard

Airport Staff Present:

Quincy Mosby, Airport Manager; Frank Sanchez, Asst. Airport Manager; and Suzanne Kennedy, Executive Assistant to the Airport Manager

Public Members:

Fayssal Hussein, Nitsch Engineering; David Chamberlain and Bill Richardson, Jacobs; Mark Nelson, Horsley Witten Group; Ray Porfilio and Jim Kubat, EarthTech; Denis Gazaille, Marine Lumber Company; Chris Tully, Intercontinental; and David Still II, Barnstable Patriot.

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. There was a quorum present.

Minutes of the previous meetings:

Commissioner O'Brien motioned to approve the minutes of the July 15, 2008 Airport Commission Meeting as written. This was seconded by Commissioner Griffin and approved unanimously.

Public Comment:

None

Commissioners Response to Public Comment:

None

Correspondence and Communications from Staff:

None

9:25 AM

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Reports from Sub-Committees:

Chairman Santos requested that the Sub-Committee Chairmen report only on the salient issues discussed at the meetings and to keep the reporting brief and to the point.

Finance Sub-Committee (Commissioners Megathlin, Dunning, Persuitte)

The Finance subcommittee met on Tuesday, August 5, 2008. Sub-Committee Chairman Megathlin reported the following items discussed:

- Monthly Financial Statements and revenues and expenditures; Jet Fuel sales, enplanements, free cash, earnings on investment, and reserve balances for FY 2008.
- Jet fuel sales, based on preliminary figures, have almost reached the FY 2008 goal of \$1.6 million
- Tracking Nantucket information and the impact on (passenger facility charges) PFC's
- Public Parking Studies and a Republic Parking representative in attendance at the September meeting
- CIP Budget due October 17, 2008. A draft CIP Budget will be reviewed at the September meeting
- Request of the impact of private and corporate aviation from Nantucket Airport

Real Estate & Contracts Sub-Committee: (Commissioners Dunning, Megathlin, Persuitte)

The Real Estate Sub-Committee met on Tuesday, July 1, 2008. Sub-Committee Chairman Dunning reported the following items discussed:

- Rectrix representative Richard Cawley requested a written statement from the Sub-Committee of what would be required to lease the requested additional ramp space. Commissioner Dunning noted that Manager Mosby had notified Rectrix of what would be required in correspondence to Rectrix on March 17, 2008. Commissioner Dunning stated that Airport Counsel will re-address this issue with Rectrix with forthcoming correspondence. Rectrix indicated it was proposing to lease only the smaller portion as shown in sketch previously given to Rectrix and its attorney.
- Volta Oil Lease – no update.
- AMA proposed assignment of lease was addressed and Denis Gazaille along with representative from International Real Estate Management, prospective leasees, met with the sub-committee. After discussion, it was determined that International Real Estate Management is a well-funded entity, plans no business or employee changes for AMA and will fulfill the Parcel A improvements. International Real Estate Management also agreed to a lease clause to require Barnstable Municipal Airport Commission Approval for a sale of controlling stock. This clause is completed and signed by Airport Counsel Gilmore and Lessee Counsel Michael Ford.
- Cape Cod Motor Cross representative Robert Anderson proposed use of property adjacent to the Barnstable Municipal Airport for ATV and dirt bikes. The Sub-Committee appreciated the proposal, but felt noise concerns would prevent this location.

Environmental Sub-Committee (Commissioners Griffin, O'Brien, Santos)

The Environmental subcommittee met on Wednesday, August 6, 2008. Sub-Committee Chairman Griffin reported the following items discussed:

- Early morning flights/Noise Report for June 2008/Noise Monitoring Report
- Ongoing Blackburn's Property Site Remediation almost complete.
- The Massachusetts DEP Consent Order Summary (effective date of June 25, 2008) Supplemental Environmental Project (converting emissions for three vehicles – one completed – two with parts on order).
- Meeting with the Cape Cod Commission on 9/3/08 regarding DRI changes.

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- Cape Wind Project. Manager Mosby impressed upon the FAA the importance of a thorough study on the radar impact, and not just the Part 177 obstruction issues at the D.C. meeting
- Windshield tour for Sub-Committee on DEP summary to be set.

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

The Planning & Development subcommittee met on Wednesday, July 2, 2008. Sub-Committee Chairman O'Brien reported the following items discussed:

- Development Agreement (DRI requirement) and review of the Master Plan/ALP.
- The Cape Cod Regional Policy Plan Review discussed.
- Town of Barnstable's Local Comprehensive Plan (LCP) - The Sub-Committee will take the lead to ensure that the Barnstable Municipal Airport's interests are represented in this plan.

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

The Terminal Building committee met Tuesday, August 12, 2008 and Tuesday, August 19, 2008. Sub-Committee Chairman Santos reported the following items discussed:

- Property Acquisition review. The Blackburn Property Site remediation is nearing completion for the November deadline. The MacGregor Property (pet grooming) will receive an approved offer letter next week. The commercial condo property only involves 214 square feet. Since they are not willing to negotiate, the design will be changed to eliminate this request.
- DRI Permit Modification. The DRI Permit needs to be modified as the terminal size and the Access Road layout have changed. Since the Town of Barnstable and Massachusetts Highway Department are concerned about the proposed signal for egress at the Sullivan Lot Access Road because of potential backing up the rotary traffic, the committee voted to abandon this egress, to maintain the limited egress on Hinckley Road for emergency vehicles and possibly explore another access road near the Dunkin' Donuts property on Route 132. This will be brought before the entire commission at this meeting.
- The Terminal Design is 10% complete; and is on track. The updated project schedule has been reviewed by the Subcommittee and presented tonight to the full commission. Ray Porfilio of EarthTech explained to the Commission that the 10% design included the ground floor aviation and the mezzanine with the management offices, conference area and TSA offices. This layout includes a secure and non-secured section along with baggage claim. This also included EarthTech updating the code requirements. Ray informed the Commission that the next step would be a 30% design which would be completed in October 2008 and part of the DRI submission. This design will include the exterior materials, mechanical, electrical and plumbing as well as cost estimating. This phase includes survey data collection, obtaining information with Horsley Witten Group and meeting with tenants and TSA for collaborative efforts. Chairman Santos stated that the sub-committee felt comfortable with approving the 10% design and recommending that the Commission formally approving moving forward with the 30% design phase.

Unfinished Business:

BMA 0708-01 – AMA Lease Assignments

ORDERED, that the Barnstable Municipal Airport Commission approve the assignment of lease for AMA Marine Lumber. The transactions contemplated in the Asset Purchase Agreement by and between U.S. Real Estate Investment Fund, LLC Denis Gazaille, the Gazaille Family Irrevocable Trust-2004, Marine Lumber Trust, Marine Lumber Company, Inc., does hereby grant, set over and assign to Marine Lumber Operator, Inc., all its rights, title and interest in and to that certain Lease Agreement dated February 21, 2006, by and between the Barnstable Municipal Airport Commission (as "Lessor") and Assignor (as "Lessee") covering said premises know as Parcel A on the East side of the airfield.

SPONSOR: Real Estate Subcommittee (**May be acted upon**)

9:25 AM3

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This agenda item was moved and read by Commissioner Dunning, and seconded by Commissioner Pursuitte. Commissioner Dunning reiterated his comments from the sub-committee report recommending that the Commission approve this assignment along with the agreed lease amendment requiring Commission approval of any majority buy-out which was present by Attorney Gilmore and executed for this meeting. There being no further discussion, the motion was approved with a roll call vote as follows:

Santos	Yes	Griffin	Yes
O'Brien	Yes	Dunning	Yes
Megathlin	Yes	Pursuitte	Yes

New Business:

BMA 0808-01 – Airport Improvement Project Construction Contracting Method

ORDERED, that the Barnstable Municipal Airport Commission approve the design and construction of the Airport Improvement Project, more specifically the airport terminal building and access road pursuant to the MGL Chapter 149, or the Construction Manager At Risk Method, MGL Chapter 149A.

SPONSOR: Terminal Building Subcommittee. (**May be acted upon**)

Chairman Santos stated that this item be stricken as it was no longer necessary. Attorney Gilmore expressed his concern that the since this was going forward that he had not seen documents from the Town of Barnstable procurement officer. Chairman Santos stated that it was just decided approximately an hour ago at the sub-committee meeting and the procurement officer would be notified the next day. Attorney Gilmore also expressed concern over the terminal project being separated from the remote parking lot and access road as to both projects being completed simultaneously. Ray Porfilio and Dave Chamberlain addressed Attorney Gilmore's concerns and reported that both projects will work seamlessly and not create any delays or disjointed service for customers with parking and access.

BMA 0808-02 – DRI Modification/Sullivan Lot

ORDERED, that the Barnstable Municipal Airport Commission approve modification of the Airport Improvement Project, Access Road Design, to include or not to include the Sullivan Lot as part of the Cape Cod Commission DRI modification. **SPONSOR:** Terminal Building Subcommittee. (**May be acted upon**)

Chairman Santos motioned this item and asked that Suzanne Kennedy read the amended motion as follows:

Motion to eliminate the Sullivan Access Road from the current Airport Improvement Project, maintain the limited access for fire/safety at Hinckley Road and keep open the possibility for future planning of an addition access road further West at Route 132 in the vicinity of Dunkin Donuts. Motion was seconded by Commissioner Megathlin.

Discussion was limited to Commissioner Megathlin asking if this motion needed to be forwarded to the Town of Barnstable and Cape Cod Commission. Chairman Santos stated that the Town of Barnstable had been part of the discussion and the Cape Cod Commission would be informed so there was no need for that to be part of the motion.

The motion was approved by roll call vote as follows:

Santos	Yes	Griffin	Yes
O'Brien	Yes	Dunning	Yes
Megathlin	Yes	Pursuitte	Yes

9:25 AM4

Reports of Special Committees

Noise Report:

Frank Sanchez presented the noise reports in the absence of Christina Lounsbury. There were a total of 33 complaints made by 15 noise complainants in July 2008. The quiet hour report for July 2008 was included with information presented to the Commissioners. Frank reported that Christina had performed early morning noise monitoring on Coolidge Road in West Yarmouth during July and the report was also included. Frank also stated that she had already completed monitoring for August as well.

Yarmouth Representative's Report:

Mr. Howard stated over the last five years he has spoken with all the noise complainants from the Town of Yarmouth and believes that most of the complaints are during IFR flights which are directed by the control tower and not the result of errant pilots.

Mr. Howard commented that local news has reported 92 foreclosures on Nantucket and that building permits are down and he is wondering if this will result in fewer morning flights.

Airport Manager's Report:

Manager Mosby reported the following:

- That he had emailed the Commission with a recent report regarding pertinent issues
- The Town of Barnstable Site Plan Review is currently considering the request of Stewart Bornstein to build a hotel which has a height concern for the airport. He stated that the FAA considered this an airport navigation hazard and this was related to the Town of Barnstable for consideration, but the town had the ultimate decision.
- The Annual Part 139 FAA Inspection was completed with no demerits. Frank Sanchez reviewed the many aspects of the inspection and was congratulated by the Commissioners and Mr. Howard along with accolades to the Operations and Maintenance staff for a superior job.

Announcements - Commissioner's Comments:

Commissioner Dunning wanted to further express his appreciation for the hard work of the airport staff, operations and maintenance departments for their work on the Part 139 FAA annual inspection. Commissioner Dunning also read a thank you letter from Victoria Reggie Kennedy for the Barnstable Municipal Airport's support during Senator Kennedy's medical incident as well as each time they utilize Barnstable Municipal Airport.

Mr. Howard also suggested that in light of Senator Edward Kennedy's ties with Barnstable Municipal Airport and distinguished political career that the Barnstable Municipal Airport Commission should consider naming the new terminal the Edward M. Kennedy Terminal.

Commissioner Megathlin thanked Chairman Santos for addressing the questions of the Charter Commission with forthcoming correspondence.

Manager Mosby mentioned that the Commission was provided draft copies of the Airport Layout Plan (ALP) and Commissioner Megathlin requested that the Commission reconsider including the additional 20-30 acres on the northeast side of the airport including land by C&I Steel for potential future general aviation growth. Chairman Santos responded that this would be added to the Planning and Development

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Sub-Committee Agenda. Bill Richardson from Jacobs reminded the Commission that the final draft of the ALP would still have room for additional changes.

Commissioner Griffin announced that Barnstable Municipal Airport would again have a display of World War II Air Birds from September 10th through September 12th. This exhibit with air tours is an excellent opportunity for the public and a worthwhile venue for the airport.

Chairman Santos called for a motion for the Airport Commission to go into Executive Session under provision six of Chapter 39, Section 23B of the Open Meeting Laws for the purpose of considering the discipline or dismissal of, or to hear complaints or charges brought against a public officer, employee, staff member or individual. The regular session of the Airport Commission meeting will reconvene after the executive session for the sole purpose of adjournment. The motion was made and seconded, and a roll call vote was taken to go into executive session at 7:30 pm.

Daniel Santos	Yes	John Griffin	Yes
Robert O'Brien	Yes	Michael Dunning	Yes
Donald Megathlin	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 9:50 p.m. The Roll was called:

Daniel Santos	Yes	John Griffin	Yes
Robert O'Brien	Yes	Michael Dunning	Yes
Donald Megathlin	Yes	Ronald Persuitte	Yes

The next meeting will be held on Tuesday, September 16, 2008.

Adjournment:

The Regular Session of the Barnstable Municipal Airport Commission reconvened at 9:50 p.m., immediately followed by a motion to adjourn the meeting by Commissioner O'Brien; it was seconded by Chairman Santos and approved unanimously. The meeting was adjourned at 9:50 p.m.

ROBERT L. O'BRIEN, CLERK

9:25 AM6

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