



# *New Bedford Regional Airport*

March 20, 2013 – 6:45 PM - **Minutes**

1569 Airport Rd, Terminal Bldg., NBRA Commission Conference Rm.

**\*\*View Agenda\*\***

## **Minutes of Airport Commission Meeting of March 20, 2013**

**Meeting Opened at 6:45pm**

**Meeting Adjourned at 8:00pm**

### **Members Present**

Michael Knabbe  
Peter Kortright  
William Gushue  
Paul Barton  
Luis Bartolomey

### **Members Absent**

Moira Tierney  
Jim Reid  
Ken Machado

### **Airport Admin Staff**

Thomas Vick, Airport Manager  
Joan Jones, Principal Clerk

### **Others Present**

Russ Olson	Lisa Roderiques	Dot Cunningham
Eric Jaikes	Robert Mallard	Natarsha Savaria
Don Veloso	Tammy Irwin	Dave Rich
Jake Hoban	Ted Brito	Edward Brito
Eileen Marland	Gary Pearl	

1. Call to order. Meeting was called to order by Vice Chair at 6:45
2. Pledge of Allegiance
3. Roll call was taken by the Chair. The following commissioners were absent: Commissioners Reid, Tierney and Machado.
4. The members of the Airport Commission have received minutes of the previous meeting held on February 21, 2013. Request acceptance of those minutes, as recorded. Motion to accept minutes made by Commissioner Knabbe and 2<sup>nd</sup> by Commissioner Gushue. Motion carried unanimously.

The Airport Solutions Group report was taken out of order and heard next

### **5. Manager report –**

1. Storms – There have been far too many storms and the east coast is on a weekly storm cycle occurring mostly at night. Manager is coming in based on predictions before storm onset so he can determine the need for overtime, etc. We had storms on March 7 and March 18 resulting in airport closures in the morning until we could remove snow drifts and/or ice or the ice melted enough to plow the airfield and reopen at least one runway and parallel taxiway. Two vehicles had also struck the new security fencing on New Plainville Rd., causing damage to the wooden fence and metal fence (we had not been contacted by drivers. Additionally yesterday a vehicle caused fence damage to the parking lot fence (we did get driver information for this repair). Manager thanked Colonial for calling this in to our attention. Commissioner Knabbe questioned manager regarding a light snow incident on March 19. Manager responded by saying he was here at 11:30 pm or so and when it had started it was sleet and freezing rain, which coated the pavement on the airfield. Night shift personnel was kept until 3 am (doing plowing on landside) and as the temperature was to go up to 35 or so by 4 am, which would have been enough to melt the snow on airfield. Manager had checked the runway and found it water saturated enough to see runway and taxiway markings, making it almost transparent. Manager continued to check runway at 3:45 (nothing) and 4:45 (rain snow mix) and at 5:00 it was

becoming a sheet of ice with nil breaking action. Manager saw no point in bringing in day shift at 5am to plow ice under frozen slush. At 6:30, after an airfield inspection and no change in conditions, manager noted some melting on landside so he committed plowing efforts to landside to clean that up first. Manager then had everyone ready to go and the airfield was open rather quickly (there was an arrival at 8:30 – he checked flight aware before doing any action on the airfield). The staff did the best they could based on the circumstances of frozen precipitation. Commissioner Knabbe noted that he and manager had a discussion about the amount of time he is spending all night at the airport more often than not in the winter and we must think about getting relief on that (he had put up to 35 hours in at one time without sleep) – this is excessive. However Commissioner Knabbe noted that this was a small snow incident and he was concerned that the airport was closed at such an early hour and it might have been handled differently if the staff had stayed later or came in earlier and perhaps the build up of ice would not have occurred. Commissioner Knabbe felt this was not a big weather incident and he didn't think it would have caused the delay in opening the airport. Manager replied that he looked at other airports in the area and they too were closed and the forecast was such that the temperatures were supposed to go up by 4 am and with the surface being transparent at that time it would be a non issue, unfortunately forecasts do change and temperatures remained below freezing. Manager made a decision at that time and under the same circumstances he does not believe he would have changed it at that point. He does understand Commissioner's Knabbe's concern but it is his intention to open the airport as soon as possible as long as it is done safely. At the point when it froze it became an unsafe operation and he had to take action to make sure we had safe operations when we reopened to reduce minimal risk. Commissioner Knabbe lastly noted that of the 3 recent snow events he found this last one to be the most problematic and he wanted to bring it to managers attention as he was concerned and he knew a couple of jets did not make it in when he thought that they should have been able to but we can talk about that again.

2. Tower closure update – This is real fluid situation because of the DC politics. Letters have been submitted to commissioners regarding what the city sent to the air traffic organization (FAA) as well as responses from members of congress and city council. The background on this is that we were never formally notified by the FAA that we were in fact on a proposed tower closing until we found a generic letter addressed to the City Of New Bedford, 133 William St, New Bedford, Mass. There was no department listed (not sent to the mayor, any commissioner or the airport manager. As a result we went ahead (after working with the mayors office) and submitted our response to the FAA's request on airport tower closure list as to why those towers should remain open (this is based not on local economic impacts/significance but on significance on the national airspace system). This has gone back and forth in the senate, house and it is a non partisan issue and amendments were trying to be attached to resolution for the budget, however this legislative process is closed. The house may entertain an amendment to allow towers to remain open, we also have an administrative process under way with our justification sent to the FAA, identifying what we believe is the national airspace system significance to keep our tower remain open. We should hear a response by 3/24-26 and the hope is the letter would be sent to an unidentified party within the City of New Bedford. There are a lot of unknowns – we are hoping for the best but must prepare for the worst case scenario – we do not even know if this would be a temporary or permanent situation (closure could be April 7 or by the end of their current fiscal year). This is a mess and people will get hurt in this process. Current tower staffing is having a hard time dealing with this and understandably so. The Standard Times interviewed manager and tower chief and manager noted that the number of tower personnel here aren't important but rather the role they play collectively. The one thing manager does know is that the FAA is starting to feel pressure both from democrats and republicans and he is hopeful that tower will remain open longer than April 7.

## **6. Reports:**

### **A. Chairman – nothing to report**

**B. Airport Solutions Group** – Written report included in package. Present this evening were Bob Mallard, Jake Hoban and Dave Rich to provide update on projects covered in reports previously submitted. Mr. Mallard covered items in the master plan and noted that the final presentation is estimated for April/May and he hopes to finish entire project sometime in June. Mr. Hoban provided update on the RSA project – the new line is connected in the north water main and accepted therefore Walsh is no longer on site until 4/29/13.

When the Walsh work resumes the ILS will have to be shut down again for a short time. Over run costs will be minimized as much as possible (FAA and MassDOT will pay their standard share). Chair asked what was left for Walsh to do when they come back and Mr. Hoban said they need to finish the south water main (connections on ends) and while that won't disrupt operations they will also be finishing the earthwork for the rest of the RSA causing a displaced threshold). Anticipated work time is 4/29 – 6/21 with possible runway closing for 2 or 3 days but they will look into other options if need be (manager wants to keep 5-23 open but we do not want to increase costs). Last to speak was Dave Rich, who spoke about the mitigation project. Mr. Rich reported that Manafort will start up again in April/May for punch list items and he is still negotiating cost/credits for their work and he plans to have one more meeting and take it from there. Mr. Rich also touched briefly on the Dartmouth Tree Clearing project and Procedure Survey. In conclusion, regarding the runway intersection will be closed for 81 hours in October (week after Columbus Day) and the bidding is scheduled for 3/25-4/24 (bid documents will include info for tower and non tower). Chair asked what was included in the bid going out and Mr. Rich provided all the details. Manager noted that the FAA will not publish procedure unless all the marking on the runway are done at the time when they do the flight check (it would then get pushed back to February if we miss the December date also there will be no instrument approaches or GPS as the runway would not be approved. Manager further noted that the reconstruction project has a very tight timeline for markings, etc. and we may need to get additional funding for overrun costs from city council. Mr. Mallard will get figures together before we meet with city council.

**C. Financial/Operations Reports** –Included in package. Manager briefly went over reports in particular page 6 of report

**D. Commissioner Reports**

1. **Leasing Committee** – Michael Knabbe. Leasing committee met twice this month to discuss the proposed corporate hangar and are currently in negotiations with the Carney family. We have asked for guidance from the FAA and the item is currently left open until we hear from the FAA
2. **Marketing Committee** – Moira Tierney- nothing to report
3. **Terminal Aesthetics** – Luis Bartolomey- nothing to report but a meeting will be forthcoming to discuss the whale. This is tentatively scheduled for 4/10 at 6:00. Lastly rocking chairs are on order and should be picked up soon.

**7. City Solicitor - Monthly Status Reports:** Atty. Jaikes reported that he is working on easements (runway and Comcast)

**8. Old Business:**

1. Fun Day update – Don Veloso addressed the commission and noted his responsibility is the waiver for the airshow (to deviate from the rules and regs). Information was provided for review concerning all aspects (including aerobatic RC) for fun day events. Mr. Veloso noted that Cape Air flights will not be disrupted and neither would emergency flights. Furthermore Mr. Veloso added that Mr. Berlin (FAA) is on board and sees no issues with application and is satisfied with it. Commission Knabbe reaffirmed what Mr. Veloso stated as he had also spoken with Mr. Berlin, who told him he didn't see any problems with paperwork and he didn't anticipate any problems with any portion of the FAA to do this. Chair asked who has to approve this – does it have to go through different approvals or is it just this agency? Commissioner Knabbe replied that it would be different levels but this is the first level (Mr. Berlin's department) then it goes to airports, etc. Commissioner Knabbe said it was indicated to him that with the way everything looks and the meeting he had with manager and organizers and paperwork and measurements that everything is right as rain to precede forward. Mr. Veloso said Mr. Berlin looked him in the eye (as a man) and said "you are all set". However he does not have anything in writing – plan does meet specifications but he has to approve pilot specifications. Chair asked if there was additional liability with an airshow vs. fun day. Mr. Veloso said they get their own insurance and it will be taken up at their next meeting and that the FAA isn't concerned with the liability the city is and they will find out what the liability requirements are and they will meet them or they won't. Commissioner Kortright offered to help in any way as a commissioner and was warmly accepted to do so.

Atty. Jaikes said we need an insurance policy that names the city as an additional insured and the same goes for the RC aircraft (he believes minimally it is million three but he has to speak to Shannon Shreve to be sure). If the RC aircraft has a group policy that names each individual on policy that will be acceptable but anyone operating a RC aircraft has to be covered under group policy umbrella. Mr. Veloso introduced Gary Pearl who provided a background of his group. Mr. Pearl noted the insurance policy covers each individual and group and any vendor to be named as insured (100% covered). Any pilot that flies would be a member of the AMA and would be automatically covered and licensed and each pilot is covered individually at 2.5 million and there is an additional amount that the AMA covers for the event itself. The airshow would be done very professionally and explained in detail and it was further noted that each item would demo for several minutes totaling about a half hour. Commissioner Knabbe noted that Mr. Berlin had stated that the AMA guidelines are accepted by the FAA and that once they are involved it is not an issue with the FAA as their rules are so stringent. Gary Barboza will be the air boss for their air space.

## **9. New Business:**

1. Atlantic Aviators proposal to place permanent memorial pavers at the location of the proposed playground. Natarsha Silveira addressed the commission to explain their planned fund raiser – selling memorial brick blocks at the 90' area adjacent to playground site (which would replace paved sidewalk) during fun day. Atty. Jaikes asked how they would be constructed - laid in sand or what because he is concerned that in the long range plan for the airport there is a possibility that the playground could be moved with future development and we are having pavers that someone pays to have then we have to allow for cost for moving them if the playground gets moved. What do they plan to do with the donors who paid for these blocks that may not stay there – there would need to be some contingency plan and the donors would need to know that ahead of time and Atlantic Aviators would have to deal with DPI/DPF for replacing existing sidewalk with pavers. Ms. Roderigues said work would be done all at one time when playground is installed. For clarification, Atty. Jaikes asked that if people buy the brick, the bricks would be put down the same time as playground and they will have some construction firm doing the work rather than Atlantic Aviators doing the work. Ms. Roderigues replied yes brick placement/timing and then Commissioner Knabbe interrupted by asking what if it were an apron around the playground and did not affect the city sidewalk (instead of sidewalk being replaced) and asked if that would be problematic. Atty. Jaikes replied that his concern is that it is constructed to make the city engineers happy and he wants to address this issue early and quick and figure it out before fun day. Atty. Jaikes said the playground might not be moved for 30 years (if ever) but if someone pays for a brick we need to know how to get it out. Ms. Roderigues and Commissioner Knabbe said they can put bricks in stone dust and Commissioner Knabbe noted that they realize they have to get some guidance. There hasn't been any advertising as yet because Atlantic Aviators want to be sure the commission is on board first. Atty. Jaikes noted that there also has to be some type of document executed by anyone buying the bricks that acknowledges it could be moved and or damaged or destroyed in new location. Ms. Roderigues said this would go in existing sidewalk along fence in spectator parking lot (walkway between chain link fence). Chair said it is an area where the public has access to, so if these things are not placed properly and someone falls on them – someone is responsible so we need a plan before us that to make sure they are in conformance with DPI standards. Ms. Roderigues and Commissioner Knabbe stated that they will be professionally installed by a company that manufactures and installs these bricks in municipalities. Chair said he just wants to make sure it is done right. Atty. Jaikes reiterated that his concerns are that DPI engineers are satisfied with material used and constructed and commission is satisfied where they would be located and there is an appropriate document for the purchasers then he is comfortable from a liability point of view. Also his main concern is then safety and not creating a permanent memorial that cannot be moved. Commissioner Knabbe said documentation can be addressed at the point of sale and if they get documentation that DPI is satisfied with installation then he does not see a problem. Chair asked Ms. Roderigues if she understands and is OK with that and she replied yes she was. Commissioner Bartolomey asked if this company has done work for other cities and asked for pictures or information on materials and Ms. Roderigues said yes they have done work done work for other entities within the city of New Bedford and that she would forward a packet to him via Joan. Motion made by Commissioner Kortright and 2<sup>nd</sup> by Commissioner Knabbe that Atlantic Aviators be required to meet all city department requirements (including law and DPI) to construction of pavers and

installation of pavers on a public area. Commissioner Gushue asked if we need a signed statement from brick buyers that the brick could be moved to which Atty. Jaikes replied yes- he just doesn't want any bricks damaged if they need to be moved and then someone comes to the city and wants reimbursement. Chair said the liability is to be part of the motion. Motion was made and 2<sup>nd</sup>, nothing on the question and all commissioners were in favor.

**10. Communications:** See attached

**11. Adjournment.** Motion to adjourn at 8:00 made by Commissioner Bartolomey and 2<sup>nd</sup> by Commissioner Gushue. **Next Airport Commission meeting to be held on April 17, 2013**

Respectfully submitted,

Joan Jones  
New Bedford Regional Airport