



New Bedford Regional Airport

July 17, 2013 – 6:00 PM - **Minutes**

NBRA Commission Conference Room, Terminal Building, New Bedford
Regional Airport, 1569 Airport Road, New Bedford, MA

****View Agenda****

Minutes of Airport Commission Meeting of JULY 17, 2013

Meeting Opened at 6:05pm

Meeting Adjourned at 7:00pm

Members Present

Paul Barton
Ken Machado
William Gushue
Jim Reid
Carlos DaCunha

Members Absent

Peter Kortright
Michael Knabbe
Luis Bartolomey
Moiria Tierney

Airport Admin Staff

Thomas Vick, Airport Manager
Joan Jones, Principal Clerk

Others Present

Jim Mikalas Eric Jaikes
Jake Hoban Dot Cunningham
Tammie Irwin Russ Olson
David Price (BSU) Miguel Gomes (BSU)
Karen Chassen (BSU)

1. Call to order. Meeting was called to order at 6:05
2. Pledge of Allegiance
3. Roll call was taken by the Chairman. The following commissioners were not present: Commissioner's Knabbe, Tierney, Bartolomey and Kortright
4. The members of the Airport Commission have received minutes of the previous meeting held on June 19, 2013. Request acceptance of those minutes, as recorded. Motion to accept minutes made by Commissioner Reid and 2nd by Commissioner DaCunha. Motion carried
5. **Election of officers.** Commissioner DaCunha nominated current chairman, Paul Barton, for another term. This motion was 2nd by Commissioner Gushue. Commissioner Gushue nominated Commissioner Carlos DaCunha for Vice Chair. This motion was 2nd by Commissioner Machado. Chairman Barton asked if there were any other nominations and seeing none, a motion was made by Commissioner Reid and 2nd by Commissioner Gushue. Motion carried unanimously. Motion for chairman – all were in favor with no opposition – motion carried unanimously. Motion for vice chair - all were in favor with no opposition – motion carried unanimously.
6. **Manager report –**
 1. **Bridgewater State University lease.** Manager reported that he received a letter from Bridgewater today (this item was discussed at a prior leasing committee meeting and full commission meeting) regarding terms and conditions and manager recommended approving these terms and conditions subject to questions from city solicitor. David Price was here to answer any questions and seeing none, Atty. Jaikes noted he would modify the terms of the existing lease for 5 years, produce a new lease and he further stated he is legally satisfied. Motion to move approval made by Commissioner Reid and 2nd by Commissioner Gushue. Motion

carried unanimously.

At this time chair took Airport Solutions out of order

2. Budget approval – City council approved our budget with a cut of \$ 25,000.00 for our 2 temporary employees, however manager believes our salary line will be able to absorb the costs for this coming fiscal year. The assistant airport manager (or director of operations) was approved but manager recommended not filling that position until after the new airport manager comes on board

3. Carney lease update – At this point we are waiting for signatures and plans from the Carney's. City Council approved this on 6/27/13

4. Electrical Update – We had an electrical short that affected Avis and Budget counters. Cullen Electric was called in and made repairs along with repairing our runway lights circuitry (5-23 lights were not working). Originally we thought outage might have been due to the construction project so their electricians came out but could not reset those lights but did correct a problem on taxiway Alpha. The airport will be reimbursed for the runway lighting repair

5. Land Offer – This land (28 acres off of Shawmut Ave) would be donated. Manager recommended accepting donation (subject to environmental background and city requirement) for possible wetland replication use. Motion made by Commissioner Reid and 2nd by Commissioner Machado to instruct Asst. City Solicitor to inquire about accepting donation of this land on behalf of the airport if he determines that there are no problems associated with it (including environmental issues). This motion carried unanimously.

7. **Reports:**

A. **Chairman**

1. Motion re: whale. Chair provided a recap/update regarding chairman voting rights as discussed at our last meeting and noted that this is the last time he will talk about the whale. He had asked Asst. City Solicitor to look into this issue and Asst. City Solicitor, Eric Jaikes provided the following explanation: Atty. Jaikes noted he provided us with incorrect information at our last meeting and apologized and then explained the Roberts Rules and conduct of commission – with a 9 member board we are required to have 5 people present for a quorum – the majority of the commission carries a vote (not a majority of quorum present) – you need 5 people present to conduct business and no business with only 5 people present can be conducted without at least without 5 affirmative votes (you always need 5 affirmative votes for anything to pass). Also it was indicated at last meeting that the chair only votes in the event of a tie – that was incorrect- the chair does in fact have a vote in all votes. The vote taken last month regarding the whale failed to carry because there was not a majority of the commission in favor (5 yes votes). To correct errors regarding information at the last meeting, Atty. Jaikes asked to have a motion (with chairs permission) that the whale be placed somewhere on the front of the building. Chair made motion to take the whale and place it in a suitable place on the front of the building that is protected from the weather. This motion was 2nd by Commissioner Reid. All in favor and motion carried unanimously.

B. Airport Solutions Group – Written report included in package. Jim Mikalis and Jake Hoban addressed the report previously submitted. Manager noted that we still haven't heard from the FAA regarding discretionary dollars and he believes we are in the next round (this comes from Washington not the region) and we should be hearing something in the next few weeks. Manager further noted that the commission will need to seriously consider deferring until next spring (if we don't by hear mid August/September) but in the same process, making sure that the ILS is brought back up fully operational ASAP for the users to have full access of airport. It was also noted that we are waiting for Manafort Bros to provide information (supporting documentation for additional costs) for a final change order. Mr. Hoban stated the once information is provided, ASG will be showing credits for airport expenses – both of which will be shown in one document and this will then be referred to legal (there isn't a known time line).

C. Financial/Operations Reports – Included in package. Manager went over the financial reports previously submitted. There was a brief discussion regarding enplanements and its requirements for funding

D. Commissioner Reports

- 1. Leasing Committee** – Michael Knabbe – not present this evening – no report
- 2. Marketing Committee** – Moira Tierney – not present this evening – no report
- 3. Terminal Aesthetics** – Luis Bartolomey – not present this evening – no report

8. City Solicitor - Monthly Status Reports:

1. Atty. Jaikes spoke about our past employee, Anthony Moniz, who was terminated by manager on 9/28/2011 for multiple disciplinary issues/problems. Mr. Moniz exercised his right to appeal his termination and at the civil service level (despite finding the fact of significant issues/problems) the civil service modified termination to a suspension of 1 year and 9 months. A motion by the city was filed for reconsideration of the civil service decision (however these motions are rarely granted). The original vote was 3-2 (2 wanted to terminate and 3 wanted to modify). Atty. Jaikes will be filing an appeal under 30A § 7 with the superior court arguing the civil service was incorrect, if motion for reconsideration is denied (which we anticipate). A motion to stay will also be filed for Mr. Moniz return to work. Whether he returns to the airport or another department it will be handled above the level of commission or airport manager. These motions will be in place before our next meeting. Manager noted diesel mechanic position is budgeted and filed currently

9. Old Business:

1. Playground update – Lisa Roderiques reported that the equipment has been ordered and should be delivered by the end of September and doing a supervised community build on September 28. Surfacing will then be installed and hopefully everything will be said and done by middle of October. \$156,000.00 has been raised and they have a pending grant for another \$6,000.00. DPI will be doing the site excavation and securing the site. Concrete sidewalk work will also be done and Ms. Roderiques is seeking donations for the concrete (she would like this to be part of the project). Equipment will need to be stored on site if possible (about 6 days) manager said it could be located at the Aircraft Repairs hangar building or in garage depending on needed space. Chair would like to use the garage if possible as it would be more convenient (size depending). Manager asked if the commission would allow us to pay for the concrete over there seeing as it is our sidewalk – this would also protect interim educational use and we would not have to worry about relocation somewhere down the road. Chair would entertain a motion to request of Patrick Sullivan to see if there is any community development money available for sidewalk repair and if so that would be allocated to this project. Manager will check amounts/cost with Dave Fredette. Motion as entertained by chair made by Commissioner Reid and 2nd by Commissioner DaCunha. Motion carried unanimously.

10. New Business:

1. Motion to accept Bridgewater State University lease terms – this item was addressed earlier this evening
2. Motion to accept offer of land subject to acceptable terms and requirements from City Solicitor and approval from City Council – this item was addressed earlier this evening
3. Motion to accept resignation (with regret) of airport manager effective Friday, August 16, 2013. Motion made by Commissioner Machado (with an appropriate letter to be sent to Mr. Vick and file). This motion was 2nd by Commissioner DaCunha. Chair stated that on behalf of the commission, he wanted to say thank you for all the hard work done and to let him know his work has not gone unnoticed – a lot has been accomplished in a short period of time, including moving the airport forward and developing a team here. Lastly, it was noted that Mr. Vick will be hard to replace. Motion carried unanimously.
4. Motion to began search for position of airport manager. Motion made by Commissioner Machado and 2nd by Commissioner DaCunha. Motion carried unanimously. Subcommittee will be established for screening applicants and to work with our personnel department (personnel will advertise position and set qualifications). Manager provided documentation to help with the initial search and has already spoken to potential candidates for assistant manager position some of which would be qualified for manager position. Manager will do everything in his power to make sure whoever comes on board would be successful. For

clarification purposes, Chair explained the process – we vote to begin search after resignation acceptance; subcommittee of commissioners will be formed to do the initial applicant screening; applicants will be scaled down to the top 5 or 6 and at that point the rest of the commission will become involved. Chair noted that at some point background checks will be made. Manager said that unsuccessful manager applicants could be considered for the assistant position. Chair appointed the following for subcommittee: Commissioner James Reid as chairman of subcommittee and Commissioners Machado and Gushue as subcommittee members. Angela Natho (personnel director) will set everything up (advertising, processing, etc). Subcommittee will get down applicants to 10, then Vice Chair and Chair will scale that number down to 5 and at that point the rest of the commission and the mayor will get involved. The subcommittee can also work with manager (as long as he is available but he cannot rate anyone or give his opinion of someone) Mr. Vick can help with procedures and qualifications (within context of ethics)

11. Communications: See attached

12. Tabled Business: none heard

13. Executive Session: none

14. Adjournment. Motion to adjourn made by Commissioner Machado and 2nd by Commissioner DaCunha at 7:00. **Next Airport Commission Meeting to be held on Wednesday, August 21 at 6:00**

Respectfully submitted,

Joan Jones
New Bedford Regional Airport