

Skyhaven Airport Advisory Council

Skyhaven Airport

MINUTES OF MEETING NO. 54

DATE OF MEETING: *Friday November 18, 2011*

LOCATION: *Skyhaven Airport, Hangar 5, Aeroworks, LLC*

ATTENDEES:

Peter Bruckner	Fenton Groen	Dick Jackson	Mike McMahon
Kenn Ortmann	Bill Richard	Bill Bartlett	Stephen Bourque
Jean Bruckner	Dean	Kelby Ferwerda	Mark Gardner
Jeep Girouard	Bill Hopper	Pat Jackson	Walter Lewis
Bambi Miller	Nohea Nichols	Eric Obssuth	Kenneth Ricker
Billy Roberts			

- SAAC Members in **bold**

7:11pm – Meeting called to order by Chair Peter Bruckner

Kenn Ortmann made a motion to accept the minutes of the October 11, 2011 meeting. The motion was seconded by Fenton Groen. Unanimous.

Standard Topics

Finance Report

Bill Hopper presented the Finance Report and began by pointing out the increased fuel sales which can be largely attributed to the flight school. Kenn Ortmann inquired as to whether the profit margin for the fuel sales has remained at around a \$1 a gallon, to which Mr. Hopper responded that they have been consistently around 25%.

Subcommittee Reports

Peter Bruckner recognized Dan Barufaldi whom he said deserves commendation for his work with the marketing materials. Mr. Bruckner said he is hoping to reconvene the economic subcommittee.

Old Business

Item Description

39.1 Property Tax

MTG #39 – Bill Hopper presented a survey conducted by PDA staff of t-hangar rates from local airports. The proposed hangar rate increase will be brought before the PDA Board of Directors at the April 22, 2010 meeting for approval. Peter Bruckner presented a hangar assessment sheet he devised as a tool to gauge the market value of the t-hangars. Also, Mr. Bruckner requested that the PDA defer the decision to vote on a hangar increase for one month. Mark Gardner and Bill Hopper indicated that this request would be brought before the PDA Board. Bill Hopper closed by saying that he would like the t-hangar rate increase, if approved, to be implemented by July 1 to coincide with the fiscal year. Also, the rental rate increase would mean an annual increase of over \$7,500 in revenue toward Skyhaven.

MTG #40 – A draft of the Letter of Agreement was handed out and questions by SAAC Members were addressed. Kenn Ortmann inquired about Para. G which is concerned with tenants making minor repairs to the hangar and doors. Richard Wasson expressed concern that the overhead door at Hangar 5 could have some safety issues. Stephen Bourque reported that all of the safety and operational issues with the overhead door at Hangar 5 have been dealt with appropriately. Mark Gardner pointed out that the draft Letter of Agreement has already gone before the PDA Board and has been approved, the only new item for discussion is Para. Q, which deals with the City of Rochester's attempt to tax the hangar lessees. Mark Gardner reported that the Rochester City Assessor has approached the PDA with a request for all of the t-hangar tenants for the purposes of taxation. The State AG will have to weigh in to determine if the hangars are taxable. Peter Bruckner indicated that he will have a discussion with the Rochester Mayor and explain how this action will have a chilling effect on tenancy at the airport.

There was some discussion regarding t-hangar rates. Kenn Ortmann suggested that it would appear that any SAAC votes regarding t-hangar rates might be a conflict of interest. Mark Gardner agreed with Mr. Ortmann and indicated that if it came before the PDA Board, that he would inform the PDA Board that two SAAC members are tenants at the airport and the decision to vote or not is theirs to make. Kenn Ortmann made a motion that the rental rate increase as proposed be approved by SAAC, it was seconded by Charles Kinney. Unanimous.

While pointing out that he is a Skyhaven tenant, Kenn Ortmann made a motion that the SAAC recommend approval to the PDA Board with a request that in the letter of agreement, or as an addendum, that there is clarification regarding tenant responsibility with respect to hangar maintenance. It was seconded by Richard Wasson. Unanimous.

MTG #41 – Art Nickless began by discussing the new hangar agreement. He pointed out that the new agreement is nearly identical to NHDOT's agreement, to which there seemed to be little opposition. He discussed the paragraph relating to the maintenance of the hangars and pointed out that there needs to be an underlying responsibility of the tenant when it comes to the maintenance of the hangars. Regarding insurance, Mr. Nickless pointed out that the PDA is not looking for tenants to insure the PDA, but rather indemnify the PDA in the event that the tenant does something negligent. Peter Bruckner pointed out that in the past, despite the agreements in place, NHDOT took care of the maintenance of the hangars.

Kenn Ortmann made a motion to open the meeting to the public for comment. Anthony McManus opened the discussion by pointing out some of the responsibilities of the SAAC, mainly where it deals directly with the community at Skyhaven. Peter Bruckner proposed that an annual or semi annual informational meeting be held for the tenants at Skyhaven, the first of which is to be held this Friday night. Eric Obssuth offered the use of the maintenance hangar for this purpose.

Tenants Steve Morgan, Bob Rhodes and Doug Ferguson commented on the Letter of Agreement and asked questions which were answered.

Bill Beauvais commented that the meeting minutes should be approved and posted in a timelier manner.

There was some discussion about the tax clause included in the new Letter of Agreement.

Jim Dubois asked if the tie-down agreements will be reworded as have the hangar agreements, to which Mark Gardner indicated that they would with respect to the hold harmless agreement.

Art Nickless thanked everyone for being civil and asking reasonable questions and pointed out that PDA has full-time staff dedicated to running the airport and encouraged people to reach out to them with questions and/or issues.

MTG #42 – No Discussion. Kenn Ortmann requested that this item remain on the agenda until the issue of property tax with respect to the T-hangars is resolved.

MTG #43 – There was some discussion about a letter that has been submitted from the AG's office that would suggest that the hangars are not taxable. It was questionable as to whether or not the letter had been sent to the Rochester Tax Solicitor. Kenn Ortmann indicated that he would check into it.

MTG #44 – There was some discussion about the city's ability to tax the tenants of Skyhaven, including Aeroworks, LLC.

MTG #45 – No Discussion.

MTG #46 – Kenn Ortmann reported that in a casual conversation with the Rochester City Tax Assessor recently, he is moving along with the process and a letter from the Tax Assessor stating such will be forthcoming. There was some discussion about who will be responsible for paying the hangar property tax. There was some discussion about the burden of additional tax cost on Aeroworks, LLC.

MTG #47 – There was some discussion about the possible impending property tax on the T-hangars, but no new news. Kenn Ortmann requested of Mark Gardner that he send Mr. Weyler any and all correspondence on the issue.

MTG #48 – Mark Gardner reported that it appears that the city will be going forward with taxing the individual hangar units and the PDA Board of Directors will discuss how to respond at the next PDA Board meeting. Peter Bruckner requested e-mail notification as to the Board's decision.

MTG #49 – Mark Gardner reported that the PDA Board of Directors has been apprised of the situation, but no definitive action plan has been developed yet. Mr. Gardner also reported that it is a matter that will be taken up at the next PDA Board of Directors meeting.

MTG # 50 – Peter Bruckner opened the discussion by requesting that the subject heading be changed from, "T-Hangar Rental Rates and Draft Letter of Agreement (property tax)" to, "Property Tax" to avoid future confusion. Mark Gardner reported that the City of Rochester is determined to go forward with the taxing of the T-hangars. T-hangar tenants will be receiving a tax bill due to the city. When asked about a price range, Mr. Gardner reported that it is his understanding that the tax bills range from approximately \$250 to \$900 per year. Dick Jackson commented that he believes the PDA should be making efforts to protect the airport against these charges and that he hears that tenants are thinking about relocating to other airports. Mr. Gardner responded by saying that there are two conflicting statutes and the issue is not over with yet. There was some discussion about the possible repercussions of a tenant refusing to pay their tax bill.

MTG # 51 - The meeting focus shifted to the recent property tax bills that were sent by the City of Rochester. Mark Gardner explained that the decision to tax the hangars and send out tax bills was solely the decision of the City of Rochester. He also explained that PDA was strongly opposed to the taxation of the hangars and that it was hoped that the matter could be resolved in favor of the Airport in the near future. Mr. Gardner distributed copies of a letter from the NH Attorney General dated July 1, 2010 addressed to Rochester's City Assessor. The letter sets forth the statutory basis as to why the AG's office believes the hangar units at Skyhaven are not subject to municipal taxation. Tenant Paul Fleming requested the help of PDA in scheduling an abatement hearing. Mr. Gardner indicated he would look into that possibility. Tenant John Ricciotti solicited advice from PDA, to which Mark Gardner responded by saying that he could not recommend that they not pay their tax bills. Tenant Jack Meyers suggested returning the unpaid tax bill to the city with a copy of the letter from the AG. Peter Bruckner suggested that it would be prudent not to rush

to make a payment on taxes well in advance of the July 1, 2011 due date on account of the possibility that there would be a resolution of the matter before that time.

MTG # 52 – Peter Bruckner pointed out the City of Rochester Tax Assessor's opinion regarding HB2 has been posted on the Skyhavennh.com website and information will be updated on the website as it comes available. Mark Gardner pointed out that even with the recent change to the law, the hangars were not taxable before and after HB2. Bambi Miller pointed out that there is a wide variance between Skyhaven hangar tenants as to whether or not they have elected to pay their taxes at this time. William Bartlett pointed out that the PDA has not taken a position as to whether the tenants should or should not pay their taxes.

MTG # 53 – Mark Gardner indicated that there was no new news and most likely the city solicitor would be sending out the November invoices.

MTG #54 – Kenn Ortmann indicated that the second tax bills from the City of Rochester will be going out on November 21 with a due date of December 21. Once the second tax bill is received, the tenants can begin the abatement process. Fenton Groen asked what would be the recourse if tenants elected not to pay. Ken Ortmann replied that the City would look to PDA to take action. Mark Gardner added that PDA continues to believe the tax is illegal, and unless the PDA Board instructs otherwise, PDA has no plans to act on any request of the City to enforce the tax.

14.1 CIP

MTG #14 Will continue to be eligible for \$150K Entitlement which can be saved and possibly banked (depending upon the passed legislation) if priority changes. It has been reported that Congress has allocated over 3.2 billion dollars nationally with 75% to be spent through June 2008. SAOC will continue to monitor this. Peter Bruckner made a motion that SAOC make a note that AMPU Analysis and Obstruction Removal are high priority issues. Motion was seconded by Bill Richard. Unanimous.

MTG #15 No change.

MTG #16 No change.

MTG #17 No change – next scoping – late July or August.

MTG #18 Next scoping in August.

MTG #19 The Bureau's changes to the CIP were discussed.

MTG #20 No report

MTG #21 Plan to concentrate on CIP, Master Plan and Project List at next month's meeting.

MTG #22 No report.

MTG #23 Airport Manager Bill Hopper indicated there have been no changes to the CIP and Pease is discussing utilization of funds for SRE, possibly a one-ton truck with a sander.

MTG #24 Not Discussed.

MTG #25 Bill Hopper indicated adjustments will be made because what is on the CIP this year was less than what was anticipated. We will be carrying a portion of the CIP money which can be carried for four years. Kenn Ortmann requested the topic of trucks and sand be added as an agenda item for the March SAOC meeting.

MTG #26 Bill Hopper explained that a hard look will be given to the FAA-funded CIP. This is needed when considering that the snow removal equipment came in significantly under budget and that the SAOC has expressed a disinterest in the perimeter fence project. Bill will be getting with Carol of Aeronautics to address a CIP schedule that best reflects the airport's needs. Items that will be considered are resurfacing the runway and additional aircraft parking ramps.

MTG #27 – Richard Wasson inquired as to what SRE equipment purchase was, which was explained.

MTG #28 – Bill Hopper indicated that there will be a meeting with NHDOT in August and prior to that meeting, submission plans will be made available for SAOC review. Peter Bruckner inquired about, and it was explained that the state may not be budgeting for matching funds.

MTG #29 – Bill Hopper indicated that a draft list will be presented to the SAOC at the July meeting.

MTG # 30 – Bill Hopper reported that PDA had a meeting with DOT and FAA to go over the CIP and presented a draft CIP. There was some discussion about the rotary plow in use and its possible replacement in 2010. Kenn Ortmann inquired as to how the decision came about to rebuild the runway at 75' width as opposed to 100' width, to which Bill Hopper responded that it was largely a financial decision in that FAA will only fund 75'. There was some discussion regarding obstruction removal.

Kenn Ortmann requested that the cost of the design only for the rehabilitation be examined as it seems high. Peter Bruckner indicated that it would be helpful to have copies of the ALP in these discussions and Sandra Keans indicated that it would be more helpful if the ALP could be presented before the

August meeting to cut down on discussion time. Dick Jackson reported that in the past, SAOC members were present at discussions with FAA regarding the Master Plan and SAAC representation at these meetings would be beneficial. Kenn Ortmann inquired as to the State's transportation improvement plan and how it might relate to Skyhaven Airport. Bill Hopper reported that the transportation improvement plan relates only to surface transportation and not airports.

MTG #31 – Bill Hopper presented a draft CIP and pointed out that a CIP scoping meeting will immediately follow this SAAC meeting and that it would be appropriate to seek SAAC endorsement at the September SAAC meeting.

MTG #32 – The draft Skyhaven CIP schedule through FY19 was presented and discussed. The Purchase of a rotary plow in FY10 was discussed. Stephen Bourque reported that the existing rotary plow unit is being sent out to H. P. Fairfield for an estimate on rehabilitation. There was some discussion as to when FAA funds are actually appropriated. Tony McManus explained that there are deadlines for capital purchases and if it is decided that a new rotary plow is not needed, then it can be removed or postponed from FY10. Carol Niewola recommended that the rotary plow remain in FY10 as a place holder as DOT has until April 1 to submit a grant application. Depending on the estimate from H. P. Fairfield, a decision can be made as to when to replace the existing unit. Dick Jackson commented that certain items such as transient parking are more important than a rotary plow, to which Bill Hopper responded that the FAA will look at safety items like resurfacing the runway that need to be addressed before they will pay for a parking ramp. There was some discussion as to the shelf life of construction designs. Bill Bartlett expressed the point that the SAAC is an advisory council and a vote taken goes to Pease as a consideration. Kenn Ortmann made a motion that the SAAC recommend to the PDA the adoption of the draft CIP through FY19 with the understanding that the SAAC intends to modify its recommendations. Peter Bruckner amended the motion in consideration of FY10 and the possibility of extending the life of the existing rotary plow unit. It was seconded by Bill Richard. Unanimous. The vote to accept the amendment was also unanimous.

MTG # 33 – The existing rotary plow was discussed. Stephen Bourque reported that H.P. Fairfield responded with a quote of \$3500.00 to rehabilitate the existing unit. Kenn Ortmann indicated that some thought should be put into the decision to repair such items when weighed against the cost of a new item in terms of the required match. Bill Hopper reported that repairs to the existing unit will be made and snow removal operations will be handled in house this year which will give the PDA more control over the operation. Mr. Hopper had inquired with Carol Niewola as to when an application for a new rotary plow would have to be in by and she responded that April 1 is the deadline, which gives the PDA a season to grade the existing unit. There was some discussion about snow removal techniques and tactics.

MTG #34 – Regarding the priorities spreadsheet devised by Peter Bruckner, Mr. Bruckner reported that there were slightly over 50 responses, mostly from EAA members and Skyhaven Flying Club. Mr. Bruckner presented graphs depicting the breakdown of the scores from survey respondents. The results of the responses were discussed. Bill Hopper indicated that a request will be mailed out to all airport tenants requesting that they go to the website and respond to the survey. Anthony McManus volunteered to forward the results of the survey to the PDA Board and asked that the information be sent to folks working on the Master Plan. Peter Bruckner indicated that it has been sent to Barry Hammer of JEK. Peter Bruckner also requested that all members of SAAC fill out the survey if they have not done so already. There was some discussion about the T-hangar wait list. Bill Hopper informed the SAAC that Hangar 2-2 has become available and the next individual on the wait list has been contacted and is interested in taking the hangar. The interested party is currently serving the country over seas.

MTG #35 - Peter Bruckner presented the results from his survey of priorities of airport users and the results were discussed. Kenn Ortmann and Richard Wasson thanked Mr. Bruckner for his efforts on the spreadsheet. Mr. Bruckner indicated that the results of the survey will be published on the Skyhaventnh.com website. There was some discussion about adding access control devices to the existing terminal building to facilitate 24 hour restroom use. Stephen Bourque indicated that he would price out options to make 24 hour rest room usage available to tenants. There was some discussion about the tie-down ramp and its current configuration. There was some discussion about derelict aircraft that are tied down and the possibility of relocating them.

MTG #36 – Peter Bruckner indicated that the survey will remain on the website for people to comment. Mr. Bruckner inquired about the solicitation of quotes for adding access control to a door on the terminal building in order to provide 24 hour bathrooms. Stephen Bourque reported that All Points Systems provided a quote of \$2048.00 to add access control to a door. Mr. Bourque went on to add that there would be no ensuring that individuals secure doors on their way out of the building. Additionally, a camera system was quoted at around \$2700.00. Alternatively, a portable toilet could be provided for \$112.00 per month, however with a bus stop in front of the building, it would quickly become a public bathroom. There was some discussion about the camera system. There was some discussion

about the most appropriate door to make accessible. Bill Richard asked about locking the pedestrian gate on the north side of the building. There was some discussion about transient pilots being able to exit the airfield. Jim Dubois reported that he had come in one night to do a lighting check to find an individual sitting on the fuel farm, smoking a cigarette while his kids were climbing on airplanes. Anthony McManus indicated that he would bring the estimates before the PDA Board for a vote.

MTG #37 – Steve Berardo indicated that the results of the survey could be included in the Airport Master Plan.

MTG #38 – Bill Hopper pointed to page ten to of the Skyhaven Airport master Plan Update Executive Summary where the CIP is laid out and called out the projects that concern themselves with acquiring property (See New Business). Stephen Bourque reported that the airport has taken delivery of the one ton, dump body snow removal truck with a sander box. There was some discussion about the logo on the sides of the truck.

MTG #39 – No Discussion

MTG #40 – No discussion. This item will drop off the minutes until a future date.

MTG # 53 – Steve Berardo of Jacobs began the discussion regarding the CIP by referencing a July meeting with DOT. Mr. Berardo pointed out that In that meeting, the runway reconstruction was discussed, as well as the 200' extension. Mr. Berardo pointed out that DOT did state that without justification, FAA would not build an extension, nor install an ILS. DOT indicated that a 200' extension could not be justified just based on the remote possibility that an ILS may be installed at DAW, particularly since there are other design issues that would have to be addressed to qualify for an ILS. The discussion centered around the proposed runway width of 75' and Brandon Guida inquired as to what documentation FAA might need to justify keeping the runway at 100'. Steve Berardo explained that given the airport design category, FAA would only likely fund a 75' wide runway. Typically if a sponsor wants to exceed FAA design standards, FAA will pay for a facility to meet their standard, and the sponsor must pay the difference in cost. Peter Bruckner requested that 100' vs. 75' be an agenda item for the next meeting. Daniel Barufaldi made a motion to study the cost difference between the two runway widths. It was seconded by Ken Weyler. Unanimous. Ken Weyler made a motion that SAAC support the retention of a 100' runway if possible. It was seconded by Brandon Guida. Unanimous. The discussion concluded with Mr. Guida inquiring of Mr. Berardo's professional opinion of 100' vs. 75' paved runway, to which Mr. Berardo responded by saying that it is worth looking at and if you can justify it, 100' would be a better runway. Mr. Berardo recommended that before studying the issue of the runway width further, a call should be made to Carol Niewola at DOT to discuss their position.

MTG #54 – Bill Hopper offered that the CIP discussion at the last SAAC meeting was focused on a 100' vs. 75' runway reconstruction. Mr. Hopper added that for Skyhaven's airport category, a 100' wide runway would be a tough sell to the FAA which would leave PDA responsible for over \$600,000 worth of additional paving. Also, a 200' extension to the runway at this time would likely not be justified due to the current annual number of operations at the airport by the design category aircraft, which is a Beechcraft King Air. Mr. Hopper said that adding a 200' extension at a later date would most likely not require a complete runway shutdown, leaving the airport operational.

New Business

Item	Description
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54.1	<u>FBO Update</u>
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	<p>Eric Obssuth of Aeroworks, LLC opened by saying thank you to the PDA staff for helping put the recent agreement together for Aeroworks, LLC to provide expanded FBO services at Skyhaven. Mr. Obssuth went on to say that their focus will be enhancing the customer experience at Skyhaven. This will include aesthetic improvements to the Terminal Building, the addition of a pilot supply shop, and liaisons with local businesses such as rental car facilities and local hotels. There was some discussion about the use of the PDA owned one-ton truck to plow landside. Bill Hopper said he would look into that possibility.</p>
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Fenton Groen made a motion that the SAAC endorse the agreement between the PDA and Aeroworks, LLC. It was seconded by Kenn Ortmann. Unanimous.

Miscellaneous

MTG #54 – Peter Bruckner pointed out a comment from the Skyhavennh.com website where a transient pilot requested access to the Terminal Building after hours. Fenton Groen pointed out that the landside parking lot was very dark. There was some discussion about having a computer available for pilots to use for flight planning.

Public Comment

MTG #54 – Billy Roberts inquired about the possibility of enhanced signage landside and Peter Bruckner indicated that it will be an agenda item for the next meeting.

END OF MEETING: Adjourned approximately 8:15 pm

NEXT MEETING: December 13, 2011 8:30 am

FUTURE MEETINGS: To be determined

All Meetings take place in the Skyhaven Airport terminal building starting at 8:30 a.m. unless otherwise noted.

Respectfully submitted, Stephen Bourque for Chair Peter Bruckner