

Airport Management Advisory Committee

**Minutes of Meeting –December 7, 2018 at Town Hall**

Arthur Malman, Chairman of Town of East Hampton’s Airport Management Advisory Committee (“AMAC”), called the meeting to order at 9 AM.

The following members of the AMAC were present: voting members: David Gruber, Pat Trunzo III, Steve Tuma, Charles Ehren, Gene Oshrin, Kent Feuerring, and Arthur Malman and non-voting ex-officio members: Sylvia Overby and Jeff Bragman, Councilpersons and Co-Board liaisons for the AMAC, and James Brundige, Airport Director.

Absent were voting member, Munir Saltoun, and non-voting member and Len Bernard, the Town’s Chief Budget Officer.

Among others attending for all or part of the meeting were Patricia Currie of Say No to KHTO, Teresa McCaskie of the Southold Town Helicopter Advisory Committee, Rick Prinz of the SH Airport Advisory Committee, Michael Hansen of the Wainscott Citizens Advisory Committee and residents of EH and neighboring towns who have been working toward helicopter noise reduction over their homes and other members of the public, certain of whom had environmental and safety concerns about airport operations.

The agenda had been previously distributed to members and copies were distributed to attendees.

The next meetings were SCHEDULED for the following at Town Hall, at 9 AM:

**Friday, January 11**

**[February- TBD]**

**Friday, March 15**

**Friday, April 5**

**Friday, May 17**

The draft minutes of the October 19, 2018 meeting, as previously distributed, were approved.

Arthur Malman noted that the airport had an electric car charging station but that it had not been widely known that it was open to members of the public who could access it with a credit card. He also explained that it was somewhat hard to find since it was on the north side of the terminal behind an area Hertz often used to clean cars. He also noted that the Town had just gotten a grant for more charging stations and Kim Shaw was in charge of rolling out the new stations, and the current one at the airport would be replaced with a better model early in 2019.

James Brundige explained that the current airport charging station was out of service because, as had been found with the parking meters, it relied on Wi-Fi which was only intermittent at the terminal area and would need to be hard wired into the terminal. Arthur Malman suggested that rather than wiring it into the current hard to access location, it be re-sited to a more accessible location when the new model arrives in early 2019. James Brundige agreed and did not think the wiring to a better location would be expensive.

Kent Feuerring noted that pictures of Just Plane Fun Day had now been hung in the terminal and he hoped that members of the public would attend the EHAA's Xmas party this evening at the airport—both intending to bring more non-flying local residents into contact with the airport so that they can appreciate their affect on the community.

Jeff Bragman updated the meeting about the completion of water mains in Wainscott which should be ready for hook ups to start in early 2019. He explained that the DEC was now focusing its work on the Wainscott sand pit and that owners had engaged their own environmental testing company. Arthur Malman asked about whether the abnormally high reading of 719 at one Wainscott private well test site might give clues about the source of the present problems; Jeff Bragman said he would look into it.

James Brundige reported that the contract for the fence had been awarded and work would begin in early spring with the work taking only several weeks since most parts were prefabricated. He noted that the runway ends would have a straight 4-foot sections. Arthur Malman suggested that rather than proceeding with the 4 foot straight sections that all experts said would not stop deer, perhaps those portions could be included in a change order to incorporate either outward tilting or curving 4 foot sections that local experts agreed were more effective than just straight sections. Kent Feuerring was against this approach since it could delay the whole project which, even with 4 foot sections for now would at least keep out most people, if not deer.

The suggestion was made that deer were now not as big a problem as a few years ago anyway. Arthur Malman reminded the meeting that when then newly elected councilman Lys visited the airport several months ago, the first thing he saw was several deer on the runway that had to be chased away.

After discussion it was agreed that the fence project would proceed as is and meanwhile James Brundige would work with the purchasing department to publish, after the first of the year, an RFP for proposals for replacements of the 3 four-foot straight sections (totaling 1300 feet) along the approaches, recognizing that little or none of the "temporary" 4 foot straight sections might be salvageable. The RFP would be open ended as to design: tilted, curved or any other configuration that the town board may ultimately choose. Pat Trunzo III raised a question about the curved sections and Arthur Malman indicated that, although Marders had not visited the airport, the company had sent along their regular promotional pictures of their standard curved fencing with which they said they had excellent experience with locally. Moreover Zach Cohen, head of the nature preserve committee had been generally supportive of these types of curved or tilted fences as being more effective than the straight 4-foot fence which deer routinely jumped over with little effort.

Sylvia Overby indicated that when the RFP respondents submitted their proposals they would be vetted by the airport engineers. Arthur Malman said he did not think the engineers input on design would be meaningful since they had no specialized knowledge of local deer fencing on the east end. Rather the town should rely upon the recommendations of its own nature preserve committee and the Cornell deer experts who had been working on deer fencing alternatives with the AMAC over the last few years. Moreover it was recognized that any configuration of 4 foot fencing may ultimately not solve the deer intrusion problem and, depending on actual post installation results (which could be evaluated for several months after the final tilted or curved 4 foot fence had been installed), may eventually have to be supplemented with bridge grating or cattle crossings inside the perimeter.

Meanwhile Arthur Malman reported that he had spoken with Highway Superintendent Steve Lynch about the estimated cost of moving Daniels Hole road about 130 feet away from the main runway approach (so that an 8 ft fence could be installed) and perhaps doing it more efficiently than the long curve envisioned on the ALP. Steve Lynch's guestimate was about \$600,000 -substantially less than \$1 million many people had thought would be the case. James Brundige reported that the Baker estimate for displacing the east end of the main runway by 130 feet, adding an equal length on the west (including a turn-around) and repositioning the runway lights would be higher so that, if the choice were eventually between the two, the road adjustment would be the more cost effective.

Arthur Malman asked if the Town had made a presentation to the FAA in their recently announced hearings on the southern helicopter route. Jeff Bragman explained that the Town had made a decision not to attend.

Teresa McCaskie, of the Southold Town Helicopter Advisory Committee, who had attended two FAA sessions, along with an aide to Congressman Lee Zeldin, stated that they were not hearings but rather more like workshops. Moreover, she felt that these FAA "workshops" were primarily based on the existing North Shore Route and the Atlantic route, to her knowledge or at least in her presence, certainly wasn't voluntarily brought up by the FAA. She said that questions were only answered by the FAA once prompted by the inquirers regarding their specific topic of concern. She expressed disappointment that these sessions were poorly publicized locally, lacked organization or direction and essentially not public hearings, as envisioned in the bill signed by the President of the United States. She felt that the FAA took it upon themselves to do this type of meeting as a "divide and conquer" technique. FAA people seemed to pay little attention to the concerns of those attending and were unfamiliar with, and seemingly uninterested in the data anti-noise groups had collected. She was particularly critical of the FAA personnel not concerned about many helicopters not using anti-inflammatory fuel tanks; James Brundige noted that the FAA group present did not have jurisdiction over tank compliance. While perhaps not using these words, it sounded as though she felt that these sessions were just perfunctory exercises with no real changes expected from the FAA. Nonetheless she felt that had EH town board members attended the workshops they would have possibly had an opportunity to speak to the FAA directly.

Jeff Bragman explained that Town board members had previously met with the FAA and not found its personnel forthcoming on any effect means of noise mitigation by reducing helicopter flights into HTO.

In general, he said that the Town was re-evaluating its approach to the Part 161. David Gruber and Pat Trunzo III repeated their strong belief that the FAA would grant no meaningful relief in the Part 161 proceeding, which the FAA would drag on for years and through repeated requests for additional data. Rather he felt that that all of the Town's efforts should be focused on judicial review of the unreasonableness of the FAA decision making. Even with this approach on seeking judicial review it was pointed out that a court could defer to the FAA and litigation could take years.

Rick Prinz pointed out that the Town should also be proceeding on the other alternative under Part 161 of seeking an agreement by substantially all helicopter companies regularly using HTO which could be confirmed by the FAA and binding on all users. David Gruber explained that Arthur Malman, on behalf of the East Hampton Group for Good Government, a few years ago had organized a lunch meeting in NYC with representatives of substantially all the major helicopter carriers and jet sharing companies using HTO, in an effort to get some agreement without any meaningful responses. Kathee Burke-Gonzalez had also subsequently met with several helicopter companies in an effort to find a meaningful compromise with no meaningful responses. Arthur Malman pointed out that, while the helicopter companies and the ERHC were willing to discuss voluntary routes and other matters, they were adamantly opposed to limiting flights (though limited helicopter landing slots or otherwise) which, in reality was the only way to limit helicopter noise at HTO.

A question was raised about public access to the document between the town and helicopter companies about routes and Sylvia Overby explained that the document was on the public website for the airport. It was stressed again that these routes were voluntary only and neither the town nor the control tower had authority to dictate how they were used. Teresa McCaskie distributed a map showing helicopter overflights to and from HTO for a period of 4 or 5 days which clearly showed that the preponderance of flights were using the northern route.

Some members of the public complained that many pilots were turning off their transponders to avoid being tracked on the flights to and from HTO. Jim Brundige explained that whenever someone called his office to make this claim he had been able to produce the tracking data for airport records; it was likely that the caller was using a tracking system that did not pick up the aircraft or had a time delay which caused his or her device to not report the track until 10-15 minutes after the aircraft had passed.

Several explanations were given why pilots would not turn off transponders including: (1) breach of FAA regulations, (2) reducing the pilot's ability to spot other aircraft and avoid a crash, (3) many aircraft had integrated navigation systems (into which the transponder was integrated) that would have to be turned off in their entirety so no pilot could turn off just a transponder. Kent Feuerring reported that the new ADS-B systems, that all aircraft would be required to have by the end of 2020, would make tracking even easier. Teresa McCaskie read a report stating that the retrofitting of planes was going at a slow rate that made it unrealistic that the new system would be in wide use by the target

date. Kent Feuerring pointed out that the system switch-over would likely accelerate now that the price for ADS-B systems for a small plane such as his was being reduced from about \$5,000 to about half that as these systems were becoming more available.

James Brundige and Kent Feuerring were asked to prepare a short report on the public's concerns about pilots turning off transponders so that members of the public could better understand why this was not a realistic explanation of their own inability to see a particular aircraft on their private tracking devices in real time.

Members asked for the date in December for the presentation to the Town Board of the Robinson report on the safety of tower operations bringing helicopters into the fixed wing flight paths. Jeff Bragman explained that the Board had been surprised to learn that there would be no report since Robinson was not willing to issue one.

It was suggested that the town board or private groups should follow-up on the request by Sheryl Gold of Say No To KHTO and others for such a report with a third-party expert since safety was more important to all stakeholders than any other issue. Sylvia Overby was hesitant about bringing in a third party since it could expose the town to liability if an accident were to happen. Arthur Malman pointed out that the town already had the exposure based on the Bruce Miller presentation on safety concerns with current operations and the Town should not wait for an accident to get to the bottom of any critical safety issues—or to ascertain that there are none.

After a discussion it was strongly recommended that the Town promptly authorize Ron Price, who was already an approved Baker subcontractor, familiar with HTO operations having researched and authored studies for HTO under the Baker umbrella and experienced in airport operations, to review the safety aspects of current tower procedures and report to the Town and the public.

On the second phase of the Baker pavement report it was agreed that James Brundige would send to David Gruber the outline of the proposed work before Baker would proceed, to confirm that their work authorization covered the data needed.

David Gruber said he would get back to the committee on operational expenses for a few types of aircraft using HTO to see if this could be a factor in setting landing fees.

On leasing:

--Steve Tuma said, despite calls to the town it had been months since there were substantive responses on his lease negotiations. Sylvia Overby said she would follow up. Jeff Bragman indicated that there were other airport issues that could affect the conclusion.

--There was no news on tenants in default, not paying rent and still in possession despite months or years.

---Sylvia Overby reported some very preliminary discussion with one possibly interested potential new tenant. Arthur Malman pointed out that for months (actually years), as the Town is losing

hundreds of thousands of dollars a year by making no intelligent effort to lease vacant airport land for non-aeronautical purposes, the AMAC has been asking the Town (1) to hire an experienced commercial real estate broker who could actively market the properties, (2) to post "for rent" signs at the corner of Industrial and Daniels Hole roads, inside the airport terminal and other airport locations, (3) to place ads in the Star and other newspapers (not in the legal notice section but the real estate section) of commercial/industrial land for lease. Instead the town had done nothing and, as a result, new leasing of airport land for non-aeronautical purposes was moribund under the current board and liaisons and a source for sorely needed new jobs for residents is being ignored.

---There was no substantive answer to Gene Oshrin's repeated question about the tenant who for over two years was to have paved part of Industrial Road leading up to its property but has done nothing despite continuous dust being kicked up on to planes.

---David Gruber asked what happened to the AMAC's repeated recommendations for a form airport lease. Jeff Bragman indicated pending part 161 noise and airport closure issues could affect this. David Gruber and others felt this made little sense since lawyers could easily draft standard clauses to cover rent adjustments if operations were curtailed or the airport closed; further delay would just lead to more mistakes by the town in airport leases of the type that were disclosed in the AMAC/BFAC lease review and recommendations, now years old, for standardization of an airport lease form.

The meeting adjourned at 11 AM.

Respectfully submitted,

Arthur Malman

**Exhibit A**

**AMAC Meeting**  
**Airport Director's Update**  
**December 7, 2018**

**Close Runway 4-22 as a Runway—Install Signage per FAA**

- Bids open October 25<sup>th</sup>
- Bid awarded to Baseline King. They have done other work on the airport—excellent contractor. Their most recent job was installation of the LED PAPIs and REILs.
- Once again, we are into the winter months now—painting and concrete work on hold. Project should be completed by the end of March well before the busy season.

**Perimeter Fence**

- Job was awarded to L.E.B. Electric from Copiague, NY.
- Construction pushed back to spring 2019—Contractors advised 60 to 90 days to purchase material, can't do the work when ground is frozen.
- This is phase I of securing the airport. Phase II will deal with protecting the ends of Runways 28 16 and 34. Two plans have been proposed and will be considered by AMAC and the Baker engineers.
- Re: displacing threshold, I sent emails to most of the operators with medium to large jets and asked if that would affect their operation. Most responded that it would prevent them from using HTO. And were very alarmed that this was being considered. Maybe Steve can elaborate. Mostly, it turns on their specific Ops Specs and Insurance.
- Cost of adding 130 feet with a turnaround key at the end of 28—still waiting on Baker to provide that data.
- Linear feet for approach end of Runway 28 for deer mitigation: 500 feet (250feet either side of centerline). It's unclear what the requirement would be for the approach ends of 16 and 34—we may be reclassifying those runways as A-I or A-II vs B-II which would remove them from any Part 77 requirements. We are in the process of analyzing what type of aircraft utilize those runways and at what frequency. Baker has a proposal to reclassify the runways which I have yet to present to Jeff and Sylvia.

**Crack Sealing—Runway and Taxiway Striping**

- Engineering drawings needed to be revised to reflect the fact that the Taxiway A-D Extension project has not been approved.

- Baker also took a look at the North Apron closest to the Terminal and on the east ramp and determined it is too far gone to repair with crack sealing. It needs to be milled and repaved.
- This project will go out to bid after the first of the year.

### **Fuel Farm**

- Fuel Farm tanks pitched wrong—I'll explain
- Town Attorney and Airport Liaisons briefed
- McLean has proposed a fix—being reviewed by Attorney and Town engineering consultant.

### **Landing Fees**

- The committee asked that I report back with operating costs for a couple of specific aircraft using HTO to see if we could restructure landing fees, at least in part, based on this data.
- There is no way I would have that information or be able to get it—it is proprietary information. It depends on too many factors: Did the operator purchase the aircraft or lease it? Is it new or used? How many hours per year does the operator fly the aircraft? How much does he pay his pilots? Does he own his own hangar or lease? What does he pay for insurance? How elaborate is the interior and what did it cost to install? Corporate aircraft owners are not going to share that information with me. There may be something published that provides general or average operating costs, like the publication Steve mentioned. That publication, I'm told, is very expensive and I do not have access to it.

### **Advertising**

- Outfront Media has asked if one of our advertisers, Edmiston Yachts, can install a display case in the Terminal rotunda. See attached photo. It would net the airport \$19,500 in revenue.
- Size: 3feet wide x 6 feet long x 3 feet high. The photo is larger than the one being proposed for HTO but looks the same.
- The Fire Marshall is ok with it.
- The Town Board needs to approve it per the contract with Outfront.

**FOR DISCUSSION**

**Capital Projects Proposed for 2019**

• LED PAPIs for Runway 10 to replace old system	\$ 86,000
• Noise Mitigation Construction for Airport Office	70,000
• Improved Ramp Lighting for PESH and Osha Requirements	175,000
• Additional Security Cameras to fix blind spots	24,000
• Two additional Vector Cameras to fix missing landing fees	50,000
• Generator for Terminal and Fuel Farm	<u>87,000</u>
Total:	\$492,000