

Airport Management Advisory Committee

Minutes of Meeting –October 11, 2019 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: Charles Ehren, David Gruber, Steve Tuma, Pat Trunzo III, Kent Feuerring, Munir Saltoun, Gene Oshrin, and Arthur Malman and non-voting ex-officio members: Sylvia Overby and Jeff Bragman, two Councilpersons and Co-Board liaisons for the AMAC, and Len Bernard, the Town’s Chief Budget Officer.

Absent was James Brundige, Airport Director.

Attending by invitation was Jameson McWilliams, the assistant town attorney primarily responsible for planning board and airport matters

Among others attending for all or part of the meeting were Frank Sorrentino, a member of the East Hampton Aviation Association (“EHAA”), Sheryl Gold of Say No to KHTO, John Kirrane, a member of the Noyak Civic Council, John Cullen of the Northville Civic Council and local residents Michal Haverland and Michael Hansen and, by open telephone line, Alex Gertsen, Director of Airports and Ground Infrastructure the National Business Aviation Association (“NBAA”) and Teresa McCaskie of the Southold Town Helicopter Advisory Committee, as well as, in person or by open telephone line, residents of EH and neighboring towns who have been working toward helicopter noise reduction over their homes and other members of the public.

The agenda had been previously distributed to members and made available to the public prior to the meeting and additional copies were distributed to attendees.

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

NOVEMBER 15

DECEMBER 6

The draft minutes of the September 13, 2019 meeting, as previously distributed, were approved.

Arthur Malman noted that Jameson McWilliams had given him the cover pages of still pending airport litigations and part 16 proceedings. He noted the pendency of these proceedings would make it less likely, during their pendency, that the FAA would be willing to make substantive suggestions for meaningfully reducing airport noise at HTO.

Arthur Malman explained that, after years of study by the AMAC (and its predecessor committee, the BFAC), it was doubtful that there is any way to meaningfully limit aircraft noise at HTO and its surrounding communities without a limit on operations by helicopters and/or jets. The AMAC

had found that the helicopter and jet companies were willing to cooperate to try to reduce noise but were generally opposed to any limit on operations. While a system of auctioning off limited landing slots for specific hours of specific days to limit operations would be complicated, based on prior studies by the AMAC, it could be worked out.

He summarized his own personal views that, even with 2021 looming when the Town could possibly be able to close HTO entirely, nothing was likely to happen with respect to an agreement among the current helicopter and jet companies and the Town to restrict flights into HTO when there was a possibility that new non-signatories could enter the market and land at HTO without restriction. Therefore, any such agreement would hinge on the FAA making it a formal, mandatory procedure for all aircraft using HTO. Such action by the FAA would be difficult to obtain because it would set a precedent for other airports and was unlikely without significant congressional and industry pressure on the FAA.

While the FAA has courteously listened, and would be expected to continue to courteously listen to suggestions from the town on noise reduction, Arthur Malman felt meaningful discussions would not take place while the FAA could hide behind the excuse of pending litigation. He therefore thought that the participants in the several still pending litigations and part 16 proceedings should consider dropping them--- to save both time and money but, most importantly, to remove an excuse by the FAA for not becoming substantively involved with solving HTO's noise problem.

Arthur Malman pointed out that Alex Gertsen, Director of Airports and Ground Infrastructure at NBAA, who was on the call-in line, had repeatedly stated that the NBAA wanted to work with the Town to solve its HTO noise problems. Although Mr. Malman would ask other parties over the next few weeks to consider dropping these litigations and part 16 proceeding, to start with, since Alex Gertsen of NBAA was on the line, Arthur Malman asked him if NBAA would cooperate and start by considering dropping its actions. Alex Gertsen clarified that there was no pending lawsuit; NBAA has filed a Part 16 proceeding that is currently on appeal at FAA. Mr. Gertsen said that NBAA felt that the principles of its pending action – that an airport such as HTO cannot use airport funds to pay for litigation costs related to imposing restrictions on the airport users were important beyond HTO. As a result, NBAA would not drop its Part 16 appeal. Mr. Gertsen also said that he did not believe that the pending Part 16 complaint would impede discussions with the FAA regarding the future of the airport. Additionally, Mr. Gertsen believes that it is not necessarily accurate to say that we cannot have a solution without getting the FAA involved.

Meanwhile he reported that, he had learned through James Brundige, VOOM Helicopter Booking Service, a company similar to Blade, but operating until now only on the west coast was expanding to the east coast. Since VOOM was owned by Airbus, some people feel that it could justify charging fares lower than Blade if it could, over the long run help Airbus helicopter sales. If this is true and VOOM expands to HTO, it could result in even a faster growth in helicopter operations at HTO if helicopter sear prices are reduced.

Sylvia Overby reported that there were no new lease negotiations but that she was still in contact with the Town Attorney's office and other town departments which were still working out the parcel map and other issues related to the "For Lease" sign which should be available shortly

David Gruber reported that the Baker proposal for the Phase II Pavement report was quite general and, as a result, it was hard to determine if it would cover the areas that had been discussed with Baker by David Gruber and Len Bernard. While they had worked on draft letter to Baker to confirm the items expected in the report before the authorization to proceed would be given, it had apparently not yet gone out and David Gruber said he would follow up.

James Brundige was absent but had sent along his October report (attached as Exhibit A).

Pat Trunzo III and Jeff Bragman questioned the need for a Baker engineering study to figure out what taxiway and runway lights need replacement and whether we couldn't get there much cheaper by having a contractor do that work—this discussion was tabled until we could speak further with James Brundige

Arthur Malman explained that the AMAC (and its predecessor the BFAC) had found that the airport leases had not been standardized and so were difficult to administer leading to mistakes in charges to tenants, option renewals etc. For example, a CPI adjustment in one lease could be based on the CPI for the entire US, another for the CPI for the NY metro area and another for the CPI for long island—having differences on such mechanical procedures for CPI rent adjustment would make the job of the lease administrator more difficult and really served no rational purpose Pat Trunzo III explained that the committee had reviewed all of the airport leases and, two or three years ago, sent the town memos on the errors on its lease administration master sheet which was inconsistent with the terms of some of the leases summarized on it, and on suggested changes to the basic lease form, but had, despite repeated requests, not seen any form lease but had been told that "there was no lease form" which no attorney on the AMAC believed.

Jameson McWilliams explained that the AMAC was not involved in lease negotiations with tenants. David Gruber clarified that the AMAC, which had members involved in leasing as attorneys and real estate owners, was not seeking to get involved with individual lease negotiations but rather had suggestions on making the basic form of lease better and easier to be administered without errors. Jameson McWilliams said she wanted to check further but was inclined to make a couple of leases recently signed available to the AMAC. Pat Trunzo III stated that signed town leases were in fact already public documents but that the AMAC was looking for the form that the town starts with. [recent signed leases were subsequently sent to the AMAC by Jameson McWilliams].

Arthur Malman noted that Sylvia Overby had stated in a recent GGG candidates debate that 2/3 of HTO passengers were not EH residents and asked for the data supporting this since it seemed at least a little different from the survey done by HTO a couple of years ago. Sylvia Overby replied that this was part of a survey taken for the Part 161 and was not public at this time. A discussion ensued on whether this was appropriate and on the "on hold" status of the Part 161.

Arthur Malman asked for any new business for inclusion in future meetings.

Michael Haverland, explained that he was a local resident who had not attended AMAC meetings before, had been increasingly affected by jet noise and asked about the role of the committee and the availability of airport data. David Gruber pointed out that several years ago he had gotten full data sets on HTO operations but in recent years the AMAC had only gotten summary data without the ability to go behind it to check the full data sets which would let people know the types of aircraft operating and even particular aircraft that were violating voluntary curfews. Jameson McWilliams said she would look into making fuller data sets available but wanted to better understand what was in them and think through privacy concerns. Jeff Bragman was inclined to make the basic data available for research and better understanding of airport operations. A discussion ensued and it appeared that full data sets could likely be made available again. [James Brundige in subsequent emails explained the data sets which could be made available and those that he could not provide because he no longer had the manpower to work them up].

Teresa McCaskie questioned the safety equipment of certain helicopters over Long Island and Arthur Malman replied that this was outside the scope of the AMAC and an issue for her to raise with the FAA

John Kirrane and John Cullen, both out of area residents, described in detail the incessant helicopter noise that they and their neighbors were subjected to from low-flying helicopters even though they did not live near the airport.

The meeting adjourned at 11 AM.

Respectfully submitted,

Arthur Malman

Exhibit A

AMAC Meeting
Airport Director's Update
October 11, 2019

Taxiway D and 422-3 Repaving—Draft Resolution in Progress for TB Review and Approval

- *The proposed project consists of milling and overlaying Taxiway D and associated connections to Runway 10-28 and the apron. The pavement study performed under WA #4 has indicated that some areas of Taxiway D have exhibited subgrade failure. Full depth patches will be used in areas of subgrade failure. Patching will be performed prior to the final overlay of Taxiway D. Existing Taxiway lighting and signage will also be upgraded to LED fixtures. This project will include development of the bid and construction documents; meetings with the Town of East Hampton for review and coordination; and construction administration services. Project scope includes paving, grading, pavement markings, and phasing. Michael Baker International Engineers*
- Estimated cost: \$1,086,000
 - Design: \$ 67,000
 - Construction Administration 59,000
 - Construction Taxiway D 900,000
 - Construction 422-3 (Txwy H) 60,000

Ramp Lighting—Need Approval to Move Forward

- Estimated cost: \$144,000.
 - 8poles X \$4500 \$36,000
 - 1200 feet of conduit X \$47/ft \$56,400
 - Total: \$92,400 X 25% contingency \$115,500.
 - Engineering: \$24,000.

Inoperative Runway and Taxiway Lights—Waiting Proposal from Baker

- Baker is sending an engineer next week to audit all airport lighting—taxiways/runways/runway ends/PAPIs and REILs.
- They will provide a cost and scope of work to replace all broken and inoperative lights.
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Deer Fence Guardrail

- Under Consideration by Town Board

Airport Soil and Air Environmental Testing

- Two Environmental Companies have been contacted

- P.W. Grosser Consulting, Bohemia, NY
 - Madison Environmental Group, Boxford, MA
- Waiting for proposal from Madison Environmental

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EXHIBIT B

[ALSO, TO BE ATTACHED BY THE TOWN TO ITS FILE COPY OF THE MINUTES ARE MATERIALS PRESENTED TO THE MEETING]:

AT THIS MEETING: No new materials were presented