

BEVERLY AIRPORT COMMISSION
MINUTES OF MEETING
JANUARY 4, 2021

CITY OF BEVERLY
RECEIVED AND RECORDED
CITY CLERKS OFFICE

LOCATION: Airport Administration Building, 50 L. P. Henderson Road, Beverly, MA 01915

2021 MAR 17 A 11:41

PRESENT: Commissioners Paul Brean, Scott Dullea, Peter Gentile, Aaron Henry, Jeffry Schlichte, Paul Trefry

OTHERS PRESENT: Gloria Boullion

ABSENT: Matthew Mozur

PUBLIC: Mark Zuberek (Gloria please fill in any other members of the public present)

RECORDER: Christine Martin Barraford

A. CALL TO ORDER

Chairman Dullea called the virtual meeting to order at 6:01PM, which is being audio and video recorded, and read the following disclaimer:

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the Beverly Airport Commission will be conducted via remote participation to the greatest extent possible. Specific information and general guidelines for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting can be found on the City of Beverly's website, at <http://www.beverlyma.gov/events/category/city-meetings/#>.

No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means: For this meeting, members of the public who wish to watch and listen to the meeting may do so in the following manner; Google Meet Information: <https://meet.google.com/bqs-ydfa-jcp> or via phone at 1-601-869-6064, PIN 943 932 335#.

1. Pledge of Allegiance

2. Public Comment

Mr. Zuberek addressed the Commission with regard to his open meeting law complaint, on which the Attorney General has ruled in favor of the Commission and is closed. He appreciated that neighboring Danvers residents' participation is ensured by posted advice of meetings and subsequent minutes thereof to the website. Chairman Dullea thanked him for his comment and participation.

3. Election of Chair and Vice Chair for the Year 2021

Upon motion duly made by Henry and seconded by Brean, it was unanimously voted to elect Dullea as Chair and Trefry as Vice Chair for the year 2021. Brean-Y, Dullea-Y, Gentile-Y, Henry-Y, Schlichte-Y and Trefry-Y. Motion passed 6-0.

4. Acceptance of Minutes – January 16, May 11, May 28 and August 17, 2020

Upon motion duly made by Trefry and seconded by Henry, it was unanimously voted to accept the above sets of minutes. Brean-Y, Dullea-Y, Gentile-Y, Henry-Y, Schlichte-Y and Trefry-Y. Motion passed 6-0.

5. **Reading of the Financial Reports**

Boullion read the Financial Reports.

6. **Sage Environmental Update**

Jacob Butterworth and Jack Mannix of Sage Environmental updated the Commission on the work the company has been doing in conjunction with an incident resulting in petroleum in the soil in the vicinity of the fueling station on airport property. He reviewed his proposals of October 26, 2020 and December 20, 2020 to perform additional per- and polyfluoroalkyl substances (PFAS) and light non-aqueous phase liquid (LNAPL) assessment, analysis, and reporting for an additional cost of \$95,000.

He reviewed the progress of the work done. As part of assessment activities being conducted for the petroleum release, identified by the MassDEP as RTN 3-0033420, the City was requested by the MassDEP to sample existing monitoring wells for the presence of PFAS. As such, on April 11, 2019, SAGE completed a round of groundwater sampling from four (4) existing monitoring wells (SE-109(MW), SE-111(MW), SE-112(MW), and SE-114(MW)) for PFAS. Results of this testing identified the presence of PFAS, ranging between 7.6 ppt to 125.3 parts per trillion (ppt). At that time, no formal Reporting Concentrations for groundwater were promulgated by the MassDEP. However, SAGE provided the sampling results to the MassDEP on behalf of the City.

On December 27, 2019, the MassDEP finalized revisions to the Massachusetts Contingency Plan (310 CMR 40.0000) related to PFAS. These changes promulgated PFAS reportable concentrations for soil and groundwater. Groundwater sampling results from two (2) monitoring wells contained exceedances of the applicable 20 ppt GW-1 Reportable Concentration (RCGW-1), and as such, notification to MassDEP was provided. On January 30, 2020, MassDEP assigned Release Tracking Number (RTN) 3-0036118 to the PFAS release.

As a means of further evaluating the extent of PFAS in overburden groundwater, SAGE installed additional monitoring wells and collected two (2) rounds of groundwater sampling in March 2020 and June 2020. Upon reviewing these results, additional assessment is necessary to understand the extent of PFAS impacts in support of continued MCP compliance and the submittal of a Phase I Initial Site Investigation and Tier Classification due on January 30, 2021.

He further noted that this proposal continues to address overburden groundwater contamination and does not include costs for the assessment of the bedrock groundwater. Based on the data obtained during the proposed work, bedrock groundwater may need to be assessed.

Discussion ensued including a) the origin and exact source(s) of the contamination; b) results slightly above standards; c) recalcitrance of product and methods/continued effectiveness of remediation; d) analysis of exact scope of work and independent fee estimate; and d) advice of government agencies and special classification of airports; and e) revenue use policy dictated by the FAA.

Commission Action

Chairman Dullea thanked Messrs. Butterworth and Mannix and stated the matter will be taken up for advisement by the Commission.

7. **Commission Chairman's Report**

Chairman Dullea noted that amid COVID-19 he and Ms. Boullion have been "keeping things going" working on the master plan and meeting with tenants. He thanked David Meuse and his crew for rising to the occasion during the recent snow storm and keeping the runways clear.

8. **Airport Solution Group, LLC – Craig Shuster**

Mr. Shuster updated the Commission on the following items:

1. Wildlife Hazard Assessment/Wildlife Hazard Assessment Plan Project is complete. ASG in process of preparing the final invoice and FAA and MassDOT closeout documentation.
2. Airport Master Plan. The consultant team is currently finalizing the alternative analysis recommendations. Work was also initiated on Task 2, public engagement, primarily as it relates to the planning for future public participation which is anticipated in mid-January. However, given the current situation with COVID-19, it is anticipated that public participation will be achieved through “virtual” means.
3. Permitting for Perimeter Fence Project has been completed except for closing out previous open permits with the Beverly Conservation Commission. ASG submitted an additional cost (\$3,400) to perform this work to BVY and coordinated with MassDOT requesting if this cost could be covered under the current MassDOT contract for this project. MassDOT said it could be covered. At this time, ASG is waiting for MassDOT to send BVY an amendment to the MassDOT contract. ASG will follow up with an amendment to ASG’s current Task Order for this project.
4. Runway 9 Obstruction Removal – Eminent Domain ASG contracts have been approved by the City of Beverly and have been forwarded to MassDOT for approval on 11/25/2020. The project is completed so the next steps would be to prepare ASG’s final invoice and submit the FAA and MassDOT closeout documentation.
5. Noise Modeling. ASG recently submitted Task Order #12 for limited noise modelling work by its sub CMT. ASG also prepared a state grant application for funding participation by the MassDOT Aeronautics Division. 6. Environmental Assessment (EA) for Reconstruction of Runway 16-34 The project on BVY’s CIP for 2020 is to perform an EA for the future reconstruction of Runway 16-34 based on the information from the ongoing Airport Master Plan project. The next steps for this project is to submit the Project Readiness Form, which ASG has prepared and submitted BVY for signatures; and setup a pre-scoping meeting to discuss the various project elements needed to perform the EA. A meeting will be set up sometime in January 2021 after the holidays.

B. AIRPORT MANAGER’S REPORT

- 1) Traffic Count Airport Operation Info, August-November 2020
 August 2020 7,653
 August 2019 7,052
Increase 601
 September 2020 7,369
 September 2019 6,624
Increase 745
 October 2020 6,581
 October 2019 5,438
Increase 1,143
 November 2020 7,683
 November 2019 5,470
Increase 2,213

- 2) Landing Fee Revenue – July-November 2020
 Jul 2020 122LF \$10,450.60
 Jul 2019 154LF \$10,200.09
Increase \$ 250.51
 Aug 2020 144LF \$ 9,810.55
 Aug 2019 175LF \$13,579.55
Decrease (\$ 3,769.00)

 Sep 2020 128LF \$ 9,734.19
 Sep 2019 127LF \$11,264.92
Decrease (\$ 1,530.73)
 Oct 2020 122LF \$10,884.91
 Oct 2019 123LF \$12,169.89

Decrease (\$ 1,284.98)
Nov 2020 69LF \$ 5,464.22
Nov 2019 110LF \$ 9,636.15
Decrease (\$ 4,171.93)

1

3) Fuel Flowage Fee Revenue – July-November 2020.

Jul 2020 \$6,341.50
Jul 2019 \$7,219.30
Decrease (\$ 877.80)
Aug 2020 \$6,339.40
Aug 2019 \$7,428.70
Decrease (\$1,089.30)
Sep 2020 \$6,264.00
Sep 2019 \$5,966.60
Increase \$ 297.40
Oct 2020 \$6,304.20
Oct 2019 \$8,495.50
Decrease (\$2,191.30)
Nov 2020 \$5,489.80
Nov 2019 \$6,457.50
Decrease (\$ 967.70)

4) **Sage Environmental:** SAGE Environmental Update and Status Report with dates and summary.

A. We have transferred \$100,000.00 from our Fund Balance at a Public Hearing, which, was is at its highest amount; \$643,779.00 to cover the costs associated with PFAS in May: This is a summary of the testing we are now required to conduct and report to DEP. Information is in update and we will make all necessary information available as the testing and monitoring of PFAS (Per- and polyfluoroalkyl substances), that was found after DEP's request to test, after they found an article that AFFF, Aqueous film-forming foam, was used at the Airport during a training exercise in 2009. The City has used Sage Environmental for years, though, the Airport is not required to use this vendor. This vendor is not experienced with Airports, particularly the classifications of airports.

B. There are important distinctions from a Part 139 regulated Airport and General Aviation (GA) Airport; and we, as a GA airport are not required to store or, use AFFF for fire-fighting capabilities. Commercial service airports, and other airports with scheduled, or unscheduled service (triggers the requirement for use of AFFF). Therefore, the use of this foam may have been from only one occurrence, during the training event day mentioned in the article here:

<http://www.beverlyfire.com/archivednews/june2009news.html>.

C. There is a revenue-use policy mandated by FAA on how Airports can spend money, see the attached memo for reference.

D. After the Public Hearing the Beverly City Councilors had asked that we (the Airport) make available the findings of the work from the \$100,000.00 transfer. Note, we did not have a Scope of work for that amount, though, the transfer allowed us to pay for the expenses incurred from Sage Environmental.

E. Sage Environmental conducted the testing at the sites located in the MEMO dated April 27, 2020.

F. In June, we spent approximately \$60,000.00 on Sage invoices for the testing. On June 30th, I received this email from Jacob Butterworth:

*"Hello Gloria and Mike,
We have reviewed the lab results for the groundwater and currently, we are evaluating them. From an illustrative perspective, I have attached a plan depicting the current groundwater concentrations. Ultimately, the additional testing has not identified severely elevated levels. However, the data suggests separate release may have occurred near the fueling station/downgradient to that and in a northerly area of the airport possibly toward the training center (any records which may explain this?). The well placed near/within the reported training area (SE-*

307(MW)) had detections in the groundwater, but the summation of the six (6) compounds regulated by DEP do not exceed the standard. In any event, we are still evaluating the data and will likely do the surface water sampling in the near future. We will keep you posted.”

Jacob H. Butterworth, MS, LSP

G. In July, all involved in the project held a meeting to discuss the email/findings. Jacob Butterworth proposed an additional eight monitoring wells placed on and off the Airport. When I questioned the location and requested verification of need for the additional wells, Jacob stated, “well, we are under budget,” and that Sage needed more conclusive data. I requested a Scope of Work and memo of Sage’s work and summary of findings. **(This memo was never produced).**

H. On October 26th, Jacob Butterworth sent a Scope of Work proposing placing a minimum of 15-18 additional monitoring well sites, including the west side of the Airport and fueling station, survey of all airport buildings including all hangars, as well as a new **\$95,000,000.00 Scope of Work**. This is only the beginning phase of what Sage has proposed. When I asked Sage to provide explanations for an extremely vague Scope of Work, and questioned the amount and services is not what we originally scoped for, Sage could not adequately provide a response. I asked again that Sage Environmental provide a summary of their work and findings on December 7th. We held a meeting to discuss Sage’s basis, unclear spending and rationale for the Scope of work. In summary, Jacob Butterworth stated that the Scope of work was not required and that we, the Airport could do some projects in the future if required. I asked Sage to provide a revised Scope of Work. They have not done so, and instead sent an email stating they reduced the cost to \$90,000.00. Again, I asked for a memo to be presented to the Commission, to be sent by 12/21/20. This summary and memo has still yet to be produced, from the original request in July, 2020.

5) Airport Master Plan: The chapters presented to the Commission are on the Airport’s website. The FAA, MassDOT, ASG, Aviation, Scott Dullea and I have held various meetings to discuss the Alternatives Chapter, and Preferred Alternatives. Due to the restrictions from COVID, we postponed all public meeting dates up until we could successfully hold the first Airport Master Plan’s “all virtual public meeting.” The Community presentation and meeting will be held on January 21st, at 6:00pm. The presentation will include the Master Planning Process, the Inventory and Forecast, Facility Requirements and Alternatives and Next Steps.

1. Scott Dullea and I have worked tremendously on promoting the Master Plan to the City. We held meetings with the Mayor and other City departments to discuss this important project.

6) Wildlife Hazard Management Plan has been approved by the FAA, and all review has been finalized.

7) Airport Grants Received:

1. I requested funding from the State, not previously approved for Noise Monitoring.

This project is receiving \$18,000.00

2. Fencing Project: \$115,800.00

3. Snow Blower attachment: \$150,000.00

4. Aviation Easement Runway 09: \$78,000,00.00

5. Security Camera Upgrades: \$8,629.00

8) Attorney General Open Meeting Law Complaint from Mark Zuberek: Attorney General has declined to review Zuberek’s complaint, though, reviewed and found no violations of the Commission, dated December 18th and sent via email.

9) Airport Audit: December 2020, Independent Audit from Powers and Sullivan, LLC., on our three-year expenditures for Federal Aviation Administration grants.

10) DBE Goals: We published our Disadvantaged Business Enterprise policy on our website, and advertised in the Salem News. I have not received any public comments back during the public comment period.

11) Conservation Commission/Airport Fence Permitting: ASG, GZA and I have held numerous meetings with Danvers, Wenham and Beverly were held to discuss the removal and replacement of fencing, for the 2020 project.

Site visits occurred with all Conservation Commissions and the Project received Orders of Conditions from each municipality.

12) **COVID Update:** We have opened the building for badging purposes for new customers, tenants, pilots and other airport businesses. Only few public meetings take place in the Administration building until further notice, with social distancing required. As Beverly is our Sponsor, we are closely following all guidelines and requirements by the Mayor, CDC and State. The City requires a sign-in sheet for visitors, as well as a self-certification form. Most meetings with the exception of site visits have been virtual, or limited, one-on one, following CDC, FAA and municipal guidelines. We have increased our cleaning expenses, supplies, signs and require all members of the public entering the building to wear masks, as will all of BVY's employees. All of our information is available on our website.

13) Winter Operations: We have hired new seasonal employees, trained and operated through the night of December 17th, as the first major storm for the Airport. We have an excellent team, with safety as the top priority. This year overtime and snow removal is trending higher than last year's spending due to the amount of snowfall/snow events.

14) Airport Construction Projects:

1. The National Weather Service constructed a road that leads to the ASOS site from Taxiway Alpha September. There was no effect on Airport operations.
2. North Atlantic Air, Inc. will construct an overflow parking apron in September and October, previously approved by the Airport Commission. There was no effect of Airport operations.
3. North Atlantic Air, Inc. and Aero Specialties LLC constructed a resurfacing project of a portion of the East Ramp. The amended Addendum is included in the New Business, which, will need to be approved by the City Council.

15) Noise Complaints: have increased with an increase of people working from home. We are seeing this nationwide- from other airports with similar complaints. I have a noise report form online, and reports have been coming in from all areas in the north shore, many of the complaints are not due to our own aircraft based at BVY. I am now receiving less noise complaints since cold weather has set in, though our operations are increasing.

16) Non-Aeronautical Land Use Development RFP: Scott Dullea and I discussed this extensive RFP with the Mayor of Beverly and have agreed to move forward with the process. The RFP was resubmitted for City Review.

C. NEW BUSINESS

1. Open Meeting Law Complaint – Mark Zuberek

Bouillon reported that the Attorney General has declined to review Zuberek's complaint, though, reviewed and found no violations of the Commission as contained in letter of December 18 and emailed to Ms. Bouillon.

2. North Atlantic LLC Sublease Addendum – Aero Specialties

Bouillon stated sublessee occupies the area to the right of hangar 47. The sublease addendum allows for the resurfacing project of a portion of the East ramp in two phases: preparation of site and asphalt finish coat. By extending the five-year period of the lease, the sublessee will have seven remaining years to amortize its cost share of the project.

Upon motion duly made by Schlichte and seconded by Henry, it was unanimously voted to approve the above sublease addendum. Brean-Y, Dullea-Y, Gentile-Y, Henry-Y, Schlichte-Y and Trefry-Y. Motion passed 6-0.

3. **Assignment of Lease to Hangar 12, Godfrey Forest Products LLC to Multiwing Ventures, LLC**

Mr. Godfrey stated that the reason for the assignment of the lease is that he will have limited need for the hangar for storage purposes in the future.

Upon motion duly made by Trefry and seconded by Henry, it was unanimously voted to approve the above sublease addendum. Brean-Y, Dullea-Y, Gentile-Y, Henry-Y, Schlichte-Y and Trefry-Y.

Motion passed 6-0.

4. **BVY Employee Recognition Program**

Boullion stated that reviews and customer comments reflect that our 240+ employees with various businesses are making a difference. She is proposing a virtual recognition program to tell their stories. David Meuse will be recognized at the next meeting.

Upon motion duly made by Henry and seconded by Trefry, it was unanimously voted to approve the above sublease addendum. Brean-Y, Dullea-Y, Gentile-Y, Henry-Y, Schlichte-Y and Trefry-Y.

Motion passed 6-0.

5. **RFP Non-Aeronautical Development**

Boullion reported that she and Chairman Dullea had discussed this extensive RFP with the Major of Beverly and have agreed to move forward with the process. The RFP was resubmitted for city review. Negotiations are underway with the FAA to discuss alternatives to be presented to the Commission for full discussion on January 20th at 6:00PM. An "all virtual public meeting" will be held on January 21 from 6:00-8:00pm. The Project Advisory Committee will meet prior to that meeting from 10:00-12:00PM. That committee will publish a full summary of the list of alternatives discussed to attendees.

D. COMMISSION COMMENTS

Discussion ensued with regard to additional testing advised by Sage Environmental a) state and FAA in specific review of this case; b) as a GA airport we are not required to store AFFF for fire fighting purposes; c) presence of chemical may be from training event day; d) revenue use policy mandated by FAA on how airports spend money; e) fund transfer of \$100K for completion of work requested by City; f) consider borrowing of funds or use of FAA sponsored grants; and g) scope of work and independent review of fee.

E. ADJOURNMENT

Upon motion duly made by Brean and seconded by Trefry, it was unanimously voted to adjourn. Brean-Y, Dullea-Y, Gentile-Y, Henry-Y, Schlichte-Y and Trefry-Y The meeting was adjourned at 7:49.