

ERIE REGIONAL AIRPORT AUTHORITY

MEETING

Wednesday, December 21, 2022

Minutes of a Meeting of the Erie Regional Airport Authority duly posted and advertised, held in the second floor conference room of the Intermodal Center, 208 East Bayfront Parkway, Erie, PA 16507.

Attendees: Andrea Zdaniewski Derek Martin Jack Bendig, Hangar 20
 Brian Slawin Michelle Magee Joe Ceresa, NCA
 Richard Wagner James Pacansky David Benson, Fundamental
 Aaron Susmarski Kim Scharrer Flight Training
 Daniel Giannelli Drew Feiock Joe Ceresa, NCA
 David Hallman, Jr. Ian Bogle Bill Patterson, NCA
 Marybeth Smialek Jennifer Gornall Brad Peganoff, Millcreek
 Joseph Peganoff
 Chief Tecumseh Brown Eagle,
 Erie Indians Moundbuilders

Board President Daniel Giannelli opened the meeting at 12:03 PM with the Pledge of Allegiance to the United States of America.

Approval of Agenda:

Mr. Giannelli asked for a motion to approve the agenda as presented. Aaron Susmarski made a motion to approve the agenda as presented and Marybeth Smialek seconded. Approved by Yeas: Marybeth Smialek, Aaron Susmarski, Richard Wagner, Daniel Giannelli, Andrea Zdaniewski, Brian Slawin, and David Hallman, Jr.

Approval of Minutes:

Mr. Giannelli asked for a motion to approve the minutes of last month's Board Meeting. Brian Slawin moved to approve, and David Hallman, Jr. seconded. Approved by Yeas: Marybeth Smialek, Aaron Susmarski, Richard Wagner, Daniel Giannelli, Andrea Zdaniewski, Brian Slawin, and David Hallman, Jr.

Public Comments

Jack Bendig of Hangar 20 first read a statement on behalf of Ed Tropper of Aviation Flyers as Mr. Tropper is under the weather today. Mr. Tropper's statement addressed the following: installing an awning over the front of the terminal to passengers can unload or load out of the rain, the aviators display, public events at the airport, hosting an air show, restaurant service for everyone not just travelers, validated parking for tenants/vendors doing business at the airport, an aviation museum, a bomb sniffing dog, and board members should visit North Coast Air, the flight school and be ambassadors for the airport.

Mr. Bendig stated former Executive Director George Doughty told his group what sign needed to be installed so they did. He has requested the money back for it from the airport because the sign was taken out. The airport needs to try to bring more people in.

Chief Tecumseh Brown Eagle of the Erie Indians Moundbuilders Tribal Nation spoke on the following: the airport needs to do better, he is going to Washington D.C. soon and there is a cloud over Erie because of transportation issues, following proper procedures, issues with employees picking Board Members, timely disclosure of information, more minority employees, outreach to minority communities, diversity, there is no transparency- he hasn't seen any meeting minutes to make sure they are accurate, and money is being used inappropriately. Chief Tecumseh Brown Eagle offered to help the airport get the cost per enplaned passenger down.

Brad Peganoff of Millcreek Township, address on file spoke on the following: he attended a Millcreek meeting and apologized to the Supervisors, point of order, where's the marketing study approved in Resolution 2021-26, where is the accountability/non-disclosure/Tim Zieziula/Wilkins Road, the \$1.4 million approved at the June 1st special board meeting, and the Knox and auditor contracts being considered today.

Committee Reports

Finance Committee- Finance Committee Chair Marybeth Smialek reported that the Committee met on December 20, 2022. The Committee reviewed the current Cash Forecast and AR Summary, the October Finance Report, Bills to be Paid, and Expense Reports. Ms. Smialek stated the Finance Committee recommends approval of the bills. Aaron Susmarski made the motion to approve; seconded by David Hallman, Jr. Approved by Yeas: Marybeth Smialek, Aaron Susmarski, Richard Wagner, Daniel Giannelli, Andrea Zdaniewski, Brian Slawin, and David Hallman, Jr.

Financial Report- James Pacansky reviewed the October report. The net deficit for October was \$14,792 due to a \$20,000 purchase of deicer that was budgeted for December. The year to date next surplus is \$34,979. We are unfavorable to budget \$3,832 year to date. Mr. Pacansky reported that we invested \$5,000,000 in Treasury Bills. They are staggered with maturity dates throughout 2023 so not all of it matures at the same time. This will earn the airport a significant amount of interest and will provide a nice funding source for our portion of next year's capital projects (over \$200,000). Also, the Authority is saving over \$60,000 on health care costs. Chief Tecumseh interrupted with- then why are parking fees raised?

Personnel Committee- Committee Chair Aaron Susmarski highlighted some of Mr. Martin's accomplishments over the past year including managing \$14 million in capital projects, securing \$ million for the airport through Congressman Kelly's office, operating in the positive coming out of the pandemic, fully funding the pension, clean 2021 audit, Part 139 compliance, and the airport's debt free status. Mr. Susmarski stated that the Personnel Committee recommends that the Authority exercises its contractual right under Paragraph 1 of the Derek Martin's Employment Agreement (2020-2025) to increase Mr. Martin's annual salary for the contract year August 16, 2022 through August 15, 2023 by 3.5% from the

preceding contract year's annual salary, resulting in a total annualized salary of \$160,082.21, with the increase being retroactive to August 16, 2022. Also, the Personnel Committee further recommends that the Authority exercises its contractual right under Paragraph 4(e) of the Executive Director's Employment Agreement (2020-2025) to provide an additional employer contribution of \$1,500.00 to Executive Director's 457 Plan for the contract year August 16, 2022 through August 15, 2023, resulting in a total employer contribution for the contract year of \$11,500. David Hallman, Jr. made a motion to approve the recommendation of the Personnel Committee and Marybeth Smialek seconded. Approved by Yeas: Marybeth Smialek, Aaron Susmarski, Richard Wagner, Daniel Giannelli, Andrea Zdaniewski, Brian Slawin, and David Hallman, Jr. Mr. Giannelli thanked the Personnel Committee members, Aaron Susmarski, Marybeth Smialek, Richard Wagner, and Andrea Zdaniewski for their efforts.

Ad Hoc Committee/Nominating Committee- Committee Chair Brian Slawin reported that the Nominating Committee held a meeting on November 9, 2022 and presents the following slate of officers for 2023 for the Board's consideration:
President- Daniel Giannelli
Vice President- Andrea Zdaniewski
President Pro-Tem- Aaron Susmarski
Treasurer- Marybeth Smialek
Secretary- David Hallman, Jr.

Mr. Giannelli added that nominations from the floor will be taken at the first meeting in January 2023 when the slate is voted on.

Unfinished Business

Dave Benson of Fundamental Flight Training reported the following information to the Board: Fundamental Flight Training has received its Part 141 Certification (flight school certification), they are working with the local colleges/universities, and they have 3 training aircraft and are in the process of acquiring another as well as a red bird full motion flight simulator. Mr. Benson stated that with the Board's approval, they plan to hold another event this summer similar to the very successful Ford Tri-Motor event this past year. Mr. Benson stated Fundamental Flight Training has been working with Civil Air Patrol (CAP). CAP has five new pilots and is trying to get a CAP plane stationed here.

Mr. Wagner mentioned a recent article he read an airline pilot training program and asked Mr. Benson if it would be possible to bring a program here where an airline has a training facility at the airport. Mr. Benson stated there have been conversations with Republic to have a feeder program.

Mr. Benson announced that Darryl Stull, North Coast Air mechanic was honored with a Master Mechanic award.

Mr. Giannelli commended Mr. Benson for his accomplishments. He recalled being told that it would take you at least three years to get Part 141 Certification from the FAA and you have done it about a year's time. Mr. Slawin added that the process is quite an undertaking, and he is also impressed by Fundamental Flight Training.



Resolutions:

Due to another commitment, Andrea Zdaniewski left the meeting at 12:45 pm (prior to Resolutions)

APPOINTMENT OF THE KNOX LAW FIRM AS SOLICITOR FOR FY2023

RESOLUTION 2022-36

Whereas, the Erie Regional Airport Authority (hereinafter the "Authority") has been satisfied with the legal work of the Knox Law Firm over the last year, and;

Whereas, the Authority in the FY2023 General Operations Budget has allocated **\$50,000** to establish a retainer with the Knox Law Firm, and;

Whereas, the Authority and the Knox Law Firm agree to set a yearly retainer with two set payments.

Now, It Is Hereby Resolved That the Authority appoints the Knox Law Firm the sole solicitor to provide the Authority and the Board legal services as requested in FY2023 and the Authority is to make two payments of \$25,000, one in July and the final payment in December 2023 to establish the \$50,000 2022 legal retainer. The Authority authorizes the Executive Director to implement this resolution, including the execution of the appointment letter.

Marybeth Smialek moved, and Brian Slawin seconded. Approved by Yeas: Marybeth Smialek, Aaron Susmarski, Richard Wagner, Daniel Giannelli, Brian Slawin, and David Hallman, Jr.

APPOINTMENT OF MCGILL, POWER, BELL & ASSOCIATES FOR THE 2022 AUDIT

RESOLUTION 2022-37

Whereas, the Erie Regional Airport Authority (hereinafter the "Authority") has been satisfied with the audit work and professional consulting services of McGill, Power, Bell & Associates (formerly Malin Bergquist, then BKD LLP CPAs & ADVISORS ("BKD LLP"), for the past twenty one (21) years, and;

Whereas, the fee for the audit of the 2022 financials and PFC is not to exceed \$43,200.00

Now, Therefore Be It Resolved That the Authority authorizes the Executive Director to execute and enter into a contract for concession audit services.

Aaron Susmarski moved, and David Hallman, Jr. seconded. Approved by Yeas: Aaron Susmarski, Richard Wagner, Daniel Giannelli, Brian Slawin, David Hallman, Jr., and Marybeth Smialek.

Mr. Martin explained that Resolution 2022-38 pertains to a grant offer that is for the State portion of the Airport Improvement Program federal grant that was already awarded and accepted.

RESOLUTION 2022-38

AUTHORIZE EXECUTIVE DIRECTOR TO ACCEPT AND EXECUTE STATE GRANT OFFER

WHEREAS, the Pennsylvania Department of Transportation, Bureau of Aviation (BOA) has approved a request for Capital Budget Grant Program funding in the amount of \$240,780 for the Taxiway A rehabilitation project.

IT IS HEREBY RESOLVED, by the Erie Regional Airport Authority Board of Directors, that the Executive Director is authorized to accept and execute State Grant Offer.

Marybeth Smialek moved, and Aaron Susmarski seconded. Approved by Yeas: Richard Wagner, Daniel Giannelli, Brian Slawin, David Hallman, Jr., Marybeth Smialek, and Aaron Susmarski.

Mr. Martin explained that Resolution 2022-39 is the grant offer for the State portion of the previously approved federal grant for the reimbursable agreement with the FAA.

RESOLUTION 2022-39

AUTHORIZE EXECUTIVE DIRECTOR TO ACCEPT AND EXECUTE STATE GRANT OFFER

WHEREAS, the Pennsylvania Department of Transportation, Bureau of Aviation (BOA) has approved a request for Capital Budget Grant Program funding in the amount of \$19,334 for the Reimbursable Agreement with the Federal Aviation Administration (FAA).

IT IS HEREBY RESOLVED, by the Erie Regional Airport Authority Board of Directors, that the Executive Director is authorized to accept and execute State Grant Offer.

David Hallman, Jr., moved, and Brian Slawin seconded. Approved by Yeas: Daniel Giannelli, Brian Slawin, David Hallman, Jr., Marybeth Smialek, Aaron Susmarski, and Richard Wagner.

Mr. Martin explained that the work in this resolution is for needed upgrades for situation awareness in the Customs Building.

RESOLUTION 2022-40

APPROVAL OF CHANGE ORDER NO. 3.1 GAF (CUSTOMS FACILITY UPGRADE)

IT IS HEREBY RESOLVED, by the Erie Regional Airport Authority Board of Directors, that the Executive Director is authorized to execute Change Order No. 3.1 with NEWCO Electric Co., Inc. for the GAF Project (Customs Facility Upgrade) for a not to exceed amount of \$2,928.41.

This Change Order is for work labor and equipment required to provide additional power to the exterior cameras allowing for continuous PTZ control and situational awareness monitor for staff to monitor the exterior cameras feeds while in the common area. The change was a directive from CBP staff resulting from a facility inspection and mandatory for acceptance of the project.

David Hallman, Jr. moved, and Marybeth Smialek seconded. Approved by Yeas: Brian Slawin, David Hallman, Jr., Marybeth Smialek, Aaron Susmarski, Richard Wagner, and Daniel Giannelli.

Mr. Martin explained that this resolution is the last change order for the Customs Building upgrade project. The work in this change order is security related.

RESOLUTION 2022-41

APPROVAL OF CHANGE ORDER NO. 4 GAF (CUSTOMS FACILITY UPGRADE)

IT IS HEREBY RESOLVED, by the Erie Regional Airport Authority Board of Directors, that the Executive Director is authorized to execute Change Order No. 4 with NEWCO Electric Co., Inc. for the GAF Project (Customs Facility Upgrade) for a not to exceed amount of \$11,660.00.

This Change Order is for work labor and equipment required to provide upgraded high security door locks at Room 107- Secure Storage 107 and Room 116- Electrical/Comm. The change was a directive from CBP staff resulting from a facility inspection and mandatory for acceptance of the project.

Aaron Susmarski moved, and David Hallman, Jr. seconded. Approved by Yeas: Brian Slawin, David Hallman, Jr., Marybeth Smialek, Aaron Susmarski, Richard Wagner, and Daniel Giannelli.

At the request of Brian Slawin, Mr. Martin explained how bids are let and awarded.

AUTHORIZE EXECUTIVE DIRECTOR TO ACCEPT AND EXECUTE FAA GRANT OFFER

RESOLUTION 2022-42

Whereas, the Snow Removal Equipment ("SRE") building project was previously approved by the Erie Regional Airport Authority ("ERAA") Board of Directors ("Board") as a capital project in ERAA's 2017, 2018, 2019 and 2020 and 2021 Capital Budgets; and

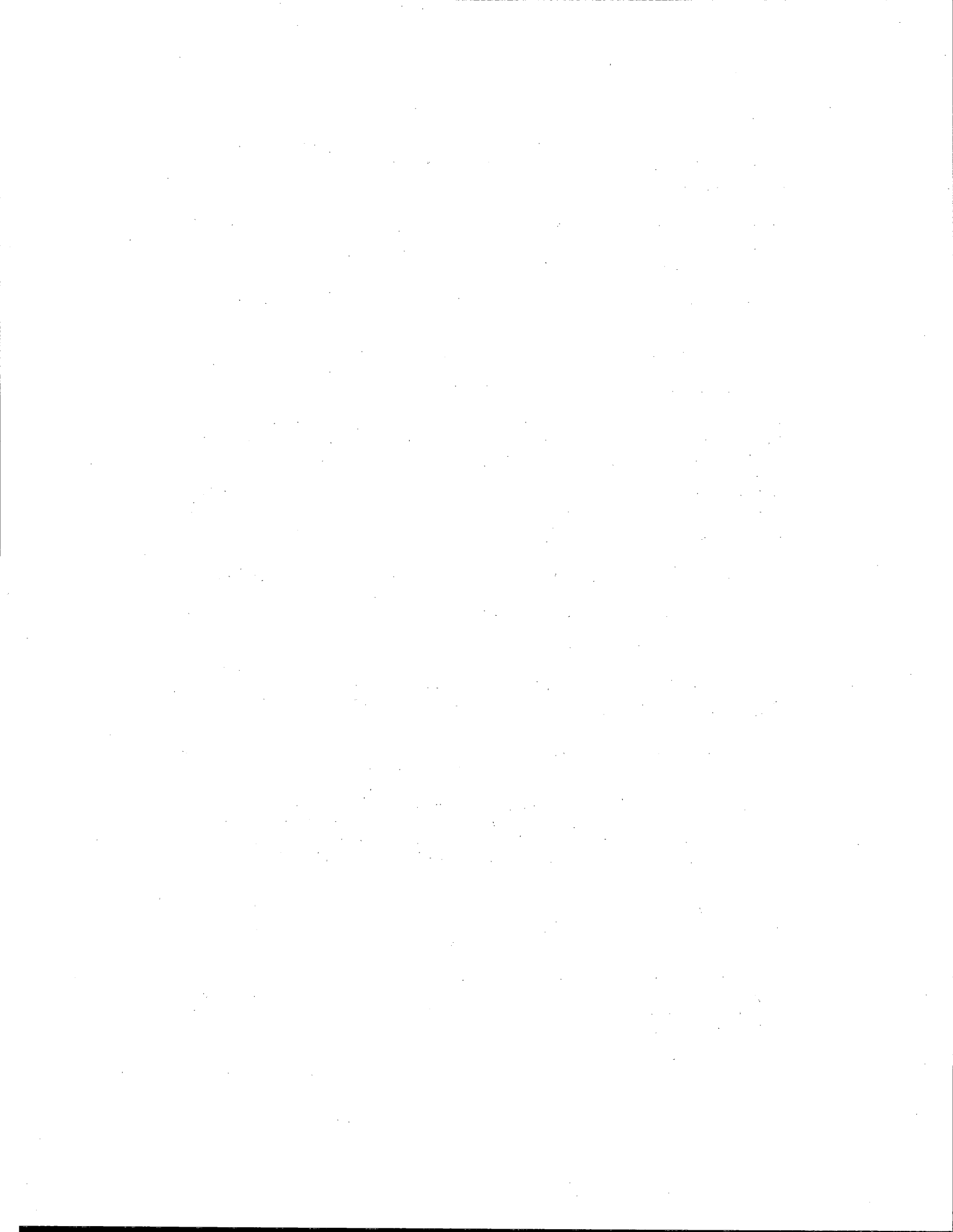
Whereas, those previous Board resolutions approving the Capital Budgets reference that ERAA will be receiving state and/or federal grants to fund the capital projects approved in those budgets; and

Whereas, the SRE building project was put out for public bid in 2020. The ERAA Board, in Resolution 2020-19, Resolution 2020-20, Resolution 2020-21 and Resolution 2020-22, awarded the bids to the lowest responsible and responsive bidders. In each of those resolutions, the Board expressly stated: "The award of this contract is contingent upon receiving grant approval by the Federal Aviation Administration for this Project;" and

Whereas, the ERAA did finally receive FAA Grant 72-21 for the SRE building project. Through a clerical error, the Administration failed to submit the formal resolution to the Board to accept Grant 72-21 and authorize the Executive Director to execute said grant; and

Whereas, while the Board indirectly authorized the Executive Director to accept grant funds for the SRE building project with the approval of the Capital Budgets and bid resolutions, the purpose of this Resolution is to formally accept the multiyear grant offer for \$3,620,577 from the Federal Aviation Administration ("FAA") under the Airport Improvement Program (AIP) Grant 3-42-0030-072-2020.

It Is Hereby Resolved That:



1. The Board hereby APPROVES and ACCEPTS Grant 3-42-0030-072-2020 (Grant 72-21) from the FAA in the amount of \$3,620,577.
2. The Board RATIFIES the Executive Director's execution of Grant 72-21 on behalf of the Authority.

Brian Slawin moved, and Marybeth Smialek seconded. Approved by Yeas: Brian Slawin, David Hallman, Jr., Marybeth Smialek, Aaron Susmarski, Richard Wagner, and Daniel Giannelli.

New Business

The 2023 Slate of Officers was presented by Nominating Committee Chair Brian Slawin during Committee Reports.

There were no liaisons present for **Liaison Comments**.

Board Member Comments

Mr. Wagner asked Mr. Pacansky if he shopped around when he looked at the T-bills. Mr. Pacansky explained that there was no reason to since these are government backed T-bills.

Ms. Smialek wished Michelle Magee a Happy Birthday!

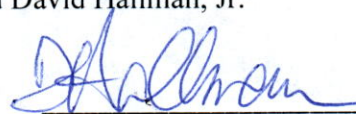
Executive Director's Report

Mr. Martin reported and/or addressed the following:

- M:7 will be preparing an annual report.
- Mr. Bendig indicated that the former Executive Director of the airport told him what to do regarding their sign. Mr. Martin stated that directors do not dictate such things, the FAA does.
- We follow a national Disadvantaged Business Enterprise (DBE) program. We establish a 3 year goal and any project we get federal funding for, we are required to include our DBE goal information in the all project proposals per the FAA guidelines. Currently approximately 16% of our employees are minority. We had a minority owned local business as the prime contractor on the terminal vestibule door replacement project.
- Mr. Martin stated that he has been called a liar at public meetings and accused of representing ERAA without authorization. This happened at a recent Millcreek Zoning Meeting I attended. I attended because the airport was notified by the township that a representative should attend the meeting. Per the bylaws, the Executive Director shall administer the affairs of the Authority.

Marybeth Smialek made a motion to adjourn, and David Hallman, Jr. seconded. Approved by Yeas: Marybeth Smialek, Aaron Susmarski, Richard Wagner, Daniel Giannelli, Andrea Zdaniewski, Brian Slawin, and David Hallman, Jr.

Adjournment: 1:03 PM



David Hallman, Jr., Secretary

