

**ERIE REGIONAL AIRPORT AUTHORITY  
MEETING  
Wednesday, September 22, 2021**

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.

<b>Attendees:</b>	Andrea Zdaniewski	Ed Tropper, Aviation Flyers
	Marybeth Smialek	Jack Bendig, Hangar 20
	Brad Peganoff	Sarah Schnarrs, North Coast Air
	Patrick Cappabianca	Michael Keys, City Council
	Gregory Hayes	Joe Ceresa, North Coast Air
	Aaron Susmarski	Fred Veith, Hangar 20
	Daniel Giannelli	Val Myers, Erie Times News
	Derek Martin	Sheilah Bruno
	Michelle Magee	Ernie Bruno
	James Pacansky	Joe Peganoff
	Jennifer Gornall, Knox	Bill Patterson, North Coast Air
	Tim Zieziula, Knox	Grayson Patterson, North Coast Air
		Annette Mossburg
		Debbie Binney

**Participated via Zoom:** Richard Wagner      Sean Thompson, Mead & Hunt

Board President Andrea Zdaniewski opened the meeting at 12:07 PM with the Pledge of Allegiance to the United States of America.

*Ms. Zdaniewski announced that the Board held an Executive Session from 11:30 am to 12:05 pm prior to today's public meeting to received privileged legal advice.*

*Ms. Gornall announced that the Board held an Executive Session on September 9, 2021 for personnel and legal matters and to receive privileged legal advice.*

**Approval of Agenda:**

Andrea Zdaniewski made a motion to re-arrange the agenda with Unfinished Business being moved to before Public Comments. The Board will then go back into an Executive Session. Daniel Giannelli seconded. Approved by Yeas: Marybeth Smialek, Aaron Susmarski, Richard Wagner, Daniel Giannelli, Gregory Hayes, Andrea Zdaniewski, Patrick Cappabianca, and Brad Peganoff.

**Approval of Minutes:**

Ms. Zdaniewski asked for a motion to approve the minutes of the last Board Meeting as presented. Aaron Susmarski moved to approve, and Marybeth Smialek seconded.

Approved by Yeas: Marybeth Smialek, Aaron Susmarski, Richard Wagner, Daniel Giannelli, Gregory Hayes, Andrea Zdaniewski, Patrick Cappabianca, and Brad Peganoff.

## **Unfinished Business**

Mr. Martin introduced Tim Sebolt of USI Insurance. Mr. Sebolt explained that the airport facility including the airfield. The airport passed the last liability inspection. Mr. Cappabianca stated that he would like to see these reports. Chief Bogle will forward to the Board.

Mr. Martin introduced Sean Thompson of our engineering firm Mead & Hunt and explained that he toured the airfield last week while overseeing the apron project. We asked Mr. Thompson to look at the four areas on the airfield that Mr. Bendig shared last month during Public Comments.

Mr. Thompson reported on pavement resurfacing options for ERI. Mr. Thompson explained that he examined the west hangar area taxilane pavements in person and also through the PennDOT BOA Pavement Management System. The pavement seems to be experiencing some alligator cracking and raveling which could indicate pavement failure that could result in Foreign Object Debris (FOD). Mr. Thompson explained three options to address the situation:

1. Pavement resurfacing which is partial milling of existing asphalt pavement and asphalt repaving. It will give a smooth pavement but doesn't address the underlying pavement failures and will probably crack in time. Two quotes for this work were for \$8,263.65 and \$13,600.
2. Pavement rehabilitation to include grinding the existing asphalt into the existing gravel base course to create a new aggregate base then new asphalt is placed in accordance with FAA standards including a 10 year design life. The cost would be around \$41,000 and would be FAA AIP eligible but this type of project ranks extremely low on the national priority rating so funding may be limited.
3. Pavement reconstruction includes removal of the existing pavement and excavating to limited frost protection levels (42" in Erie). Then excavation engineered materials would be placed including non-frost susceptible sands and gravels and new asphalt. The approximate cost is \$107,000. This project is also FAA AIP eligible but with low national priority ranking.

Mr. Thompson noted that this is for the entrance not the entire western hangar taxilane system.

A hangar tenant suggested last month that the contractor give us extra asphalt to make repairs to the areas needed. Mr. Thompson explained that the FAA will not pay for airfield fixes with AIP funded materials/equipment/etc. For example, if a 25 ton truck is full of asphalt and the airport project uses 15 tons, the contractor will return the 10 unused tons. The airport does not pay for the waste.

Mr. Cappabianca commented that the city always stopped paving November 1<sup>st</sup> due to temperature and weather. Do we do the same here? Mr. Thompson explained that the surface temperature needs to be 40 degrees or higher. Even after that there are heating options to continue work. Ms. Zdaniewski asked what happens if someone wants to buy the extra asphalt. Mr. Thompson said that individuals would negotiate directly with the

contractor. This would be materials only. There is still the issue of labor and equipment. That also would have to be worked out with the contractor.

Regarding Airfield Fees, Ms. Gornall explained that we can change or eliminate fees pertaining to a class or category without compromising our grant assurances. In this case, it would be to eliminate the \$5 landing fee at the FBO for single engine pistons on a temporary basis to see how it impacts general aviation activity. Gregory Hayes made the motion to temporarily cease charging the \$5 landing fee to single engine pistons for the time period September 27, 2021 to October 22, 2021 and Patrick Cappabianca seconded. Approved by Yeas: Patrick Cappabianca, Brad Peganoff, Marybeth Smialek, Aaron Susmarski, Richard Wagner, Daniel Giannelli, Gregory Hayes, and Andrea Zdaniewski. (This is Resolution 2021-20.)

### **Public Comments**

Bill Patterson- North Coast Air- Mr. Patterson stated that there has been a lot of negative comments and false statements made about North Coast Air and its employees. It seems to happen after just about every board meeting, so it is time to put an end to it. Mr. Patterson addressed the Board. He stated that he and Grayson Patterson own and operate North Coast Air as well as many other businesses. North Coast Air has won several awards and takes pride in running safe operations at ERI. Mr. Patterson stated that there seems to be a few bad apples around. Topics of complaint include the Executive Director, airfield conditions, the FBO, maintenance rules, Customs, and the baggage claim area/wall. The center of all the negative comments seems to be North Coast Flight School, a sub tenant of North Coast Air that is run by Board Member Greg Hayes. Mr. Patterson doesn't know how this is not a conflict of interest. Mr. Hayes and now Board Member Brad Peganoff who works for Mr. Hayes (again a conflict of interest) continue to make false statements about North Coast Air and the airport. Mr. Peganoff added that Mr. Patterson's comments are slander and left the room briefly. Mr. Patterson stated that North Coast Air has gone out of its way to work with Mr. Hayes despite the bad mouthing. Mr. Patterson referenced Mr. Hayes involvement and promotion of the Corry Airport and wonders why the Board allows this. Mr. Patterson said North Coast Air has put up with his behavior to support general aviation and because evicting their sub-lessee who is also a board member (Greg Hayes) with another board member on his payroll (Brad Peganoff) is difficult. Mr. Patterson provided information on what North Coast Air charges per square foot compared to what some other airport tenants are charged. He listed how generous North Coast Air has been to Mr. Hayes and the flight school in not charging for utilities and paying for maintenance. As a tenant of North Coast Air, Mr. Hayes consistently complains about prices, publicly disparages the quality of North Coast's service, generates very little revenue, poses a liability risk, is the leader for complaints against the airport, has been late on payments consistently for years, and refuses to provide the necessary insurance when asked. With all this, why as a landlord would North Coast Air continue to lease space to Mr. Hayes? Mr. Peganoff again accused Mr. Patterson of slander and stated he does not work for Greg Hayes and that Greg Hayes doesn't even take a paycheck from the school. Mr. Peganoff said maybe someone should call the health department on Patterson's Burger Kings because they are

disgusting. Mr. Patterson said the latest bad mouthing from Mr. Hayes is the tipping point to take needed action.

Jack Bendig- Hangar 20- Mr. Bendig stated that mechanics at this airport continue to be an issue.

Debbie Binney- Wilkins Road resident- Ms. Binney wants the contract removed from the property off of Wilkins Road and the property taken off the market. She stated that Derek Martin sold this property without FAA or Board approval. Ms. Zdaniewski added that all parties are aware of the FAA's position on this matter.

Annette Mossburg- Wilkins Road resident- Ms. Mossburg stated she would like a copy of the contract the Airport signed with the land developer. She too has concerns about the property being sold without FAA approval. She feels developing that property for residential is a safety hazard. She added that Mr. Martin has refused to meet with residents on this matter.

Sheilah Bruno- retired CFO of the Erie Regional Airport Authority. Ms. Bruno felt compelled to attend today's meeting after seeing an article with misinformation regarding Hangar 20 in the newspaper. She felt the need to publicly clear the air. Ms. Bruno shared the history of issues regarding the responsibilities of snow removal and pavement maintenance of the leasehold. She reminded Mr. Bendig that he was well informed of what the lease included prior to signing the lease.

Ms. Binney tried to speak again, but Solicitor Jennifer Gornall explained that she could not return to the podium to speak again.

*The Board went back into Executive Session from 1:00 pm to 1:52 pm to discuss personnel matter and receive privileged legal advice.*

### **Committee Reports:**

**Finance Committee-** In the absence of Finance Committee Chair David Hallman Jr., Committee Member Daniel Giannelli reported that the Finance Committee met on September 21, 2021. The Committee reviewed the Cash Forecast and AR Summary, Finance Report, Capital Fund Transactions, Bills to be Paid, and the Business Expense Reports with no concerns. Mr. Giannelli added that summer enplanements were pretty good, but we still need business travel to resume. The Finance Committee recommends paying the bills as presented. Marybeth Smialek made a motion to approve, and Patrick Cappabianca seconded. Approved by Yeas: Marybeth Smialek, Aaron Susmarski, Richard Wagner, Daniel Giannelli, Gregory Hayes, Andrea Zdaniewski, Patrick Cappabianca, and Brad Peganoff.

**Finance Report** James Pacansky reported the net surplus for the month of August as \$40,168 bringing our year to date the net surplus to \$115,432. Compared to budget year to date we are \$45,697 favorable- revenue is unfavorable to budget \$262,732 and expenses are favorable to budget \$308,429.

## **Resolutions**

### **Resolution 2021-14 Approval to Execute LPA00684, TSA Lease**

Mr. Martin explained that is approves a lease agreement for the space TSA leases in the airport terminal.

Patrick Cappabianca moved, and Aaron Susmarski seconded. Approved by Yeas: Marybeth Smialek, Aaron Susmarski, Richard Wagner, Daniel Giannelli, Gregory Hayes, Andrea Zdaniewski, Patrick Cappabianca, and Brad Peganoff.

### **Resolution 2021-15 Approval to Execute LPA00645, Customs & Border Protection Lease**

Mr. Martin explained that is approves a lease agreement for the space Customs leases at the airport in their building.

Aaron Susmarski moved, and Gregory Hayes seconded. Approved by Yeas: Aaron Susmarski, Richard Wagner, Daniel Giannelli, Gregory Hayes, Andrea Zdaniewski, Patrick Cappabianca, Brad Peganoff, and Marybeth Smialek.

### **Resolution 2021-16 Approval to Purchase Parking Access and Revenue Control Systems (PARCS)**

Mr. Martin explained that our parking lot equipment is very old and obsolete. With the assistance of Mr. Pacansky, we went out for public bid and the information in the resolution is the result of that bid. Mr. Pacansky added that this will be paid for out of general operating funds.

Daniel Giannelli moved, and Marybeth Smialek seconded. Approved by Yeas: Richard Wagner, Daniel Giannelli, Gregory Hayes, Andrea Zdaniewski, Patrick Cappabianca, Brad Peganoff, Marybeth Smialek, and Aaron Susmarski.

### **Resolution 2021-17 Approval of One Year Extension to Air Transport Operator's Use and Lease Agreement- United Airlines, Inc.**

Mr. Martin explained that this will extend our current agreement with United Airlines for an addition year. Then we will negotiate a three year extension with a two year option.

Marybeth Smialek moved, and Daniel Giannelli seconded. Approved by Yeas: Daniel Giannelli, Gregory Hayes, Andrea Zdaniewski, Patrick Cappabianca, Brad Peganoff, Marybeth Smialek, Aaron Susmarski, and Richard Wagner.

### **Resolution 2021-18 Approval of One Year Extension to Air Transport Operator's Use and Lease Agreement- American Airlines, Inc.**

Mr. Martin explained that this is the same as the United extension.

Patrick Cappabianca moved, and Gregory Hayes seconded. Approved by Yeas: Gregory Hayes, Andrea Zdaniewski, Patrick Cappabianca, Brad Peganoff, Marybeth Smialek, Aaron Susmarski, Richard Wagner, and Daniel Giannelli.

### **Resolution 2021-19 Approval to Accept Amended Terms to Parking Concessionaire Agreement**

Mr. Martin explained that this changes the terms of the current agreement by guaranteeing \$25,000 per month with an escalating clause based on lot activity.

Daniel Giannelli moved, and Patrick Cappabianca seconded. Approved by Yeas: Andrea Zdaniewski, Patrick Cappabianca, Brad Peganoff, Marybeth Smialek, Aaron Susmarski, Richard Wagner, Daniel Giannelli, and Gregory Hayes.

The **New Business** item regarding Board Committees does not need to be addressed at this time.

### **Liaison Comments**

The County and City liaisons were not present for comment.

### **Board Member Comments**

Mr. Peganoff said he wants a copy of the public sign in sheet send to him following the meeting. Mr. Peganoff stated he plans to pursue legal action against Mr. Patterson for slander. He wants it on record that Greg Hayes does not take a paycheck from North Coast Flight School. Mr. Peganoff feels the airport's insurance carrier should cover Mr. Peganoff's legal fees pertaining to the action he plans to take against Mr. Patterson since he was slandered during the course of serving this board. Mr. Martin will check with our insurance carrier to see if this would be covered.

*After Meeting Action: Mr. Martin did inquire with our insurance carrier and our insurance does not cover legal fees for a board member to sue someone. The coverage is for claims brought against the Authority/Board Members.*

### **Executive Director's Report**

- Mr. Martin presented James Pacansky with his Accredited Airport Executive (A.A.E.) designation plaque.
- So that the tenants present and for the benefit of all, Mr. Martin asked Chief Bogle to re-explain the tenant complaint/issue reporting procedure that has been in place for years. Chief Bogle explained the online form and how to submit. You can also contact Airport Administration.
- Mr. Martin reported that the terminal is undergoing an electrical upgrade. The upgraded system will support our new jet bridge.
- Mr. Martin reported that Jennie Granger, Deputy Secretary for Multimodal Transportation PA Department of Transportation had a conversation with County Executive Kathy Dahlkemper regarding possible assistance from the state for air service development data. A meeting was held, the state is providing a \$35,000 grant to assist in our business case development for air carrier service.

Patrick Cappabianca made a motion to adjourn, and Andrea Zdaniewski seconded. Approved by Yeas: Marybeth Smialek, Aaron Susmarski, Richard Wagner, Daniel Gianelli, Gregory Hayes, Andrea Zdaniewski, Patrick Cappabianca, and Brad Peganoff.

**Adjournment: 2:18 PM**

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Marybeth Smialek, Secretary