

## MINUTES

The monthly meeting of the Nashua Airport Authority was held at Daniel Webster College, in room 122 of the Eaton-Richmond Center, University Dr., at 6:30pm on Tuesday, November 21, 2006.

The meeting was called to order by Chairman Griffin Dalianis at 6:31pm.

### ROLL CALL

Present: Chairman Dalianis  
Vice Chairman Gill  
Secretary Fuller  
Treasurer Britton  
Director Rosenblum

PUBLIC INPUT – none at this time

MINUTES – October 2006

Treasurer Britton noted a correction on page 3 of the October 2006 minutes.

MOTION BY Vice Chairman Gill to accept the minutes as amended.

SECONDED BY Treasurer Britton

MOTION CARRIED.

NOTE OF RECORD: Secretary Fuller abstained from the vote.

### TREASURER'S REPORT

1. October 2006 financials

MOTION BY Treasurer Britton to accept the report pending the annual audit.

SECONDED BY Secretary Fuller

### ROLL CALL

Chairman Dalianis – yes  
Vice Chairman Gill – yes  
Secretary Fuller – yes  
Treasurer Britton – yes

MOTION CARRIED.

2. June 30, 2006 financials – audited

MOTION BY Treasurer Britton to accept the audited June 30, 2006 financials as presented.

SECONDED BY Vice Chairman Gill

### ROLL CALL

Chairman Dalianis – yes  
Vice Chairman Gill – yes  
Secretary Fuller – yes  
Treasurer Britton – yes

MOTION CARRIED.

3. Vachon & Clukay Auditor report FY-2006

Bob Vachon of Vachon & Clukay gave an overview of the audit of fiscal year 2006. The fiscal year was relatively uneventful and no issues were found during the audit.

Mr. Vachon reviewed the report page by page and answered questions from the Board as they were asked.

Mr. Vachon noted that the sum of all deposits are covered by insurance and not at risk as first thought. BankNorth TD has the investments in joint custody and therefore protected.

MOTION BY Treasurer Britton to accept the fiscal year 2006 annual audit report as prepared and amended by Vachon & Clukay.

SECONDED BY Director Rosenblum

ROLL CALL

- Chairman Dalianis – yes
- Vice Chairman Gill – yes
- Secretary Fuller – yes
- Treasurer Britton – yes
- Director Rosenblum - yes

MOTION CARRIED.

COMMUNICATIONS – read and assigned by Secretary Fuller

NAA-06-031	FAA/ Close-out of vehicle pedestrian deviation investigation	On File
NAA-06-032	Air Direct Airways / Request to lease future lots at Boire Field	On File
NAA-06-033	Attorney J. Zall / Agenda placement request	New Business

DOCUMENTATION SIGNED

Amended Lease Legal Description E-2138 (OIA)	G. Dalianis	10/27/06
Lease E-2221 / Notice of Lease E-2221 (R&R)	G. Dalianis	10/27/06
Lease E-1485 / Notice of Lease E-1485 (89 Assoc)	G. Dalianis	10/27/06
Amended Lease Legal Description E-1465 (GFW)	G. Dalianis	10/27/06

Treasurer Britton noted that he was pleased to see the vehicle/pedestrian deviation investigation did not warrant any legal enforcement.

Treasurer Britton asked Manager Rankin to clarify the letter (NAA-06-032) from Ron Emond of Air Direct Airways.

Manager Rankin replied that Mr. Emond had identified building lots on the airfield and wanted to be first to be considered when the lots become available.

Chairman Dalianis is opposed to anyone having the ability to “lock in” lots as had been done previously.

Manager Rankin will send a letter to Mr. Emond thanking him for his interest and informing him that all properties to be developed in the future will be determined by a RFP method. This will be the standard response to all future inquiries regarding construction.

## REPORTS

### Tower Report

Secretary Fuller noted that there had been a spike in jet operations. Manager Rankin replied that he felt more due diligence from the tower personnel had been applied. Manager Rankin also does a jet count daily and the totals are comparable to those being provided by the tower.

### Airport Manager

MOTION BY Secretary Fuller to purchase a 1989 International 10 wheel dump truck from Federal Surplus for \$17,000.

SECONDED BY Director Rosenblum

#### ROLL CALL

Chairman Dalianis – yes  
Vice Chairman Gill – yes  
Secretary Fuller – yes  
Treasurer Britton – yes  
Director Rosenblum - yes

MOTION CARRIED.

Chairman Dalianis stated that he felt Manager Rankin had done an excellent job getting the information out to the Directors and their quick response appreciated.

MOTION BY Treasurer Britton to award a contract to Continental Paving for the replacement of pavement between gate F (between buildings 93 and 99) and the ramp for \$30,900 as outlined in the November 9, 2006 bid.

SECONDED BY Vice Chairman Gill

#### ROLL CALL

Chairman Dalianis – yes  
Vice Chairman Gill – yes  
Secretary Fuller – yes  
Treasurer Britton – yes  
Director Rosenblum - yes

MOTION CARRIED.

Manager Rankin reported that there had been four (4) bids. Although Continental Paving was \$1000 higher than the lowest bidder they have experience on the airport.

Chairman Dalianis expressed his thanks to the Board for another quick response to Manager Rankin's e-mail inquiry.

Secretary Fuller thanked Treasurer Britton for starting the bid process.

Treasurer Britton would like to see some positive publicity surrounding the new equipment that will be delivered in early December. The new loader and sweeper as well as the federal surplus truck would possibly be a good opportunity for an article. Manager Rankin will contact the Telegraph.

## Airport Engineer

Manager Rankin reported on behalf of Gale Associates. On Monday, November 27, 2006 Gale Associates will be reviewing AIP 25 and AIP 26 to see if they can be combined and closed out.

The SWPP draft report should be available next week.

## COMMITTEES

1. Committee for Land Development and Future Growth of the Nashua Airport.

No report at this time.

2. Safety Committee

No report at this time.

Secretary Fuller suggested that perhaps a guest speaker would generate more attendance at the Safety Committee meetings. Another suggestion would be to attach a WINGS program so that pilots could attend and also receive their WINGS certificate at the same time. Manager Rankin is working on this matter.

OLD BUSINESS – none at this time

## NEW BUSINESS

Request that an amendment for E-1545 concerning the non-transference of the \$300,000 for ledge removal not be attached to the lease.

NOTE: Chairman Dalianis turned the meeting over to Vice Chairman Gill.

Attorney Jeffrey Zall spoke on behalf of T.L.M. Realty LLC.

Attorney Zall asked to be on the agenda to urge the Board to reconsider adding verbiage to the E1545. Mr. Zall further stated that to add verbiage would be both unfair and unreasonable whereas approval had been given at the June 2006 meeting. There was no limitation included in the original motion or in the motion made at the July 2006 meeting. Attorney Zall went on further to note that it probably is illegal to add such a limitation after the initial approval had been given.

Attorney Zall noted that based on the two approvals TLM had moved forward on their plans for the expansion. Mr. Zall noted that TLM currently has no immediate plans to sell the property but the future can hold unexpected events making a sale necessary.

Secretary Fuller explained his position on the matter of the added verbiage. Mr. Fuller wants to protect the Authority both now and in the future. If TLM should decide to “quick flip” this property the Authority is still left with funding the ledge removal while TLM would be recapturing the \$300,000 in the sale of the property towards a profit. Mr. Fuller wants the \$300,000 or any portion of this deferred amount satisfied if the property is sold.

Treasurer Britton inquired if Attorney Frasca had any recommendations. Manager Rankin replied that Attorney Frasca noted we had the right to add whatever we want to the lease. Manager Rankin was not satisfied with the recommendations from Attorney Frasca.

Attorney Zall stated that it had never been the intent to be rent free for the remaining 18 years of the lease. A schedule of payment would be set up when the ledge removal cost was final so that a portion of the rent would be applied towards the removal cost and a portion would be applied towards land lease.

Treasurer Britton inquired when the project would begin. Manager Rankin replied that tree clearing had begun.

Attorney Zall reiterated that it was too late to add any additional stipulations to the lease. The opportunity to do so was at the June 2006 meeting.

Director Rosenblum stated that he felt the Board needed to live up to the commitment as made at the June 2006 meeting.

Vice Chairman Gill concurred that a commitment had been made and any proposed sale would have to come before the Board for approval.

#### **STATEMENT OF RECORD:**

Secretary Fuller will reconsider his September 19, 2006 motion:

In good faith the Airport Authority will accept Attorney Zall's statement that the owner of E-1545 that the owner of the property will not sell within the next five years. If a sale does occur the Board would maintain the right to correct the situation with conditions concerning recovery of the ledge removal expense before the sale could be finalized.

MOTION BY Secretary Fuller to withdraw the motion of September 19, 2006 made by Secretary Fuller to commission Attorney Frasca to draft verbiage to be added to E-1545 concerning the non-transferable element of the \$300,000.

SECONDED BY Treasurer Britton

MOTION CARRIED.

NOTE: Chairman Dalianis resumed the chairmanship of the meeting.

#### **OTHER**

Treasurer Britton noted that the river bank at Thoreau Landing has severe river bank erosion and asked if the Airport Manager could help in gathering weather information for the past several years and work in conjunction with Aries Engineering.

Secretary Fuller noted that USGS has a web-site that would report on several areas on the Merrimack River and other bodies of water in the area. Secretary Fuller suggested this might be a good starting point for Aries Engineering.

Chairman Dalianis asked that a card be sent to Bill Krivsky and the Frank Waller family on behalf of the Nashua Airport Authority wishing them well.

## PUBLIC INPUT

Roland Noyes commented that the Airport Authority had come a long way in the past few years. The annual audit had at one time been plagued with problems but thanks to financial procedures put into place by Elizabeth Cepaitis the procedure is now accomplished smoothly. Secondly the Authority's ability to purchase equipment without having to go to the City of Nashua for financial support is a major achievement.

ADJOURNMENT – 8:08pm

MOTION BY Director Rosenblum to adjourn.

SECONDED BY Secretary Fuller

MOTION CARRIED.

Respectfully submitted,

Allan Fuller  
Secretary

CC: City Clerk

SEE ATTACHED ATTENDEES LIST