



TAUNTON MUNICIPAL AIRPORT  
COMMISSION

MINUTES OF MEETING

June 24, 2015

Commissioners: Fred Terra, Chairman  
Bob Adams, Vice-Chairman  
William Manganiello  
Jim Madigan  
Burton Schriber (absent)  
Charles Malo  
Jan Boboruzian

Airport Manager: Dan Raposa  
Treasurer: Joe Lawlor  
Recording Secretary: Gwendolyn Borden  
Airport Ground Services: Ted Porada

Others in Attendance: Jim Miklas: Airport Solutions Group  
Airport Tenants/Users: Jerry Field, Charlie Pickett, Dick Rodier, Steve Perry, Doug Cooper,  
Joe Souza, Damon Solomon, Dick Griffith, Maryan Nowak, Charlie  
Moniz, Ellen Dubois, Thomas Boboruzian

Meeting called to order at 7:00 p.m. by Commission Chairman Fred Terra

**Airport Engineers Projects Update** – Jim Miklas reported on the status of the airport project ASG is working on. (See attached report specifics). After Jim’s report, Fred thanked Jim and ASG for doing a great job on getting the obstruction poles in the area of South Precinct and Caswell Streets surveyed and into the FAA system, which will be of great benefit for pilots on their approach into the airport at night.

**Minutes May 27, 2015 - Jan: motions to accept as presented. Jim: seconds the motion. Discussion: none. All in favor: unanimous. So voted.**

**Minutes of Executive Session May 27, 2015 – Jim: motions to accept the minutes as submitted. Jan: seconds the motion.** On discussion, Charlie stated that he didn’t see in the document of executive sessions discussion, the statement made by Bill with regard to Charlie being denied due process because he hadn’t been given benefit of reading (inaudible, 3 people talking at once). Fred and Dan told Charlie that the statement is in the document of what was talked about in executive session and allowed Charlie to review the document and will come back to this when Charlie finds what he is looking for in the 15 page document.

**Treasurers' Report for May 2015** – Joe reported on airport finances noting **INCOME of \$21,693.27** and **EXPENSES of \$44,625.81** for a **Negative Cash Flow of - \$22,932.54**. The **General Ledger 25 Account** has a balance of \$92,376.58 and the **Grants Ledger 22 Account** of \$218.05. Joe explained that there is a net gain in the 25 General Ledger account for FY 2015 of \$23,246.49 which is a sufficient amount for maintenance and projects. **Jim: motions to accept the report subject to audit and authorize the processing of the bills for payment. Jan: seconds the motion. Discussion: none. All in favor: unanimous. So voted.**

Joe submitted **the Operating Report for FY 2015** that breaks down the income and expenses for the year. Joe also submitted a FY 2015 **Aircraft Fueling Report** showing fuel sales, fuel cost, linemen and ground manager costs, credit card transaction costs and fuel equipment maintenance cost. The annual net profit for fuel sales is \$6,360.76.

**Airport Managers Report** – Dan reported on the following:

1. **Fuel Survey** – The past few months we have been in the middle to higher price range of other airports. Right now we are back where we usually are, in the lower range. The price of fuel has stabilized and our current prices for fuel are \$5.14/gallon for cash sales, and \$5.30 gallon for credit card, checks and house accounts.
2. **Airside Inspections** – We're keeping up with light repairs. We've had a few whacks to them with the summertime flying, but as fast as they go down we try to repair them as fast as we can. We've had no complaints and feel that the airport is well lit. The **Rotating Beacon** was a problem for us. We had to get the motor re-built and performed some maintenance up top and put in a new bulb and ballast and also needed to put in a lightning arrestor. The beacon is up and running and seems to be running better and quicker. The **Fuel Farm** has been running okay. **Tie-downs** are available and **Rope** and it is available for tie downs if anyone is in need of rope.
3. On June 23 Dan met with Sara Laghlan of MassDOT Aeronautics. She came out and inspected the **runway and taxiway for line marking inspection**. When they do line markings now, they like to outline them in black. She only took notes, so I don't know what the result of the inspection is at this time.
4. Dan met with TMLP with a regard to a **complaint on low hanging lines** on the west access road from a truck driver. The TMLP foreman came out and made note of the conditions and Dan doesn't know what the remedy will be but the TMLP will look into it.
5. Dan is trying to track down the status of our **deer eradication program**. We signed a contract a few months ago. Our program is on their agenda and we should be hearing from them soon on what the plan will entail.

6. We have another pilot on the airport who has expressed interest in building a hangar in the rear of Tailwind hangars. Bob has drawn up an area scenario for him and the man is very enthusiastic about making it work.

### Old Business

1. **Report of May 27, 2015 Executive Session** – Fred asks Charlie if he has found the statement he was looking for in the document? Charlie said he was almost done. After continuing the meeting through the extended fuel hours Fred again asked Charlie if he was all set. Charlie responded, reasonably. Fred stated that there is a motion on the floor and again asked for that motion to be restated. **Jim: motions to accept the Executive Session minutes. Jan: seconds the motion.** On discussion, Bill still stands firm that he doesn't believe that the Executive Session was proper simply because Commissioner Malo was denied his process rights, and when he made the statement that he had an opportunity to obtain council, I don't think he fully understood the impact of that statement and as such he was denied the ability to present rebuttal evidence or present his own case. With that being the case I believe the commission violated his due process rights for that I cannot endorse those minutes. Charlie stated that when he said that he understood he had the right to obtain counsel, that was based on what was in the letter to him of what would take place in executive session. Had he had the advantage of having the complaint of Mr. Gibson, I would have obtained legal counsel. Fred said, all we are doing is accepting the minutes of what went on in executive session. If you find a violation, you have to file the proper papers. **All in favor: Jim, Jan, Bob. Opposed: Bill, Charlie. Motion passes. So voted.**
2. **Update on Alternate Name for Development Adjacent to Westcoat Drive** – Bill reported that he has spoken with several department heads regarding the naming of the driveway to the new homes going in adjacent to the airport. The departments are opposed to changing the name of the driveway to anything but Westcoat Drive because they say the name was chosen in compliance with the new future Enhance 911. Because the low numbers have been reserved for the east access road, the numbers for the proposed will start at #101 on the cul-de-sac end and go up. The two existing homes on the lane/driveway numbered Middleboro Avenue will be changed to Westcoat Drive. There was essentially a refusal to have an inter-departmental meeting to discuss this issue. Fred stated that he will talk with the City Engineer and the Fire Chief Bradshaw to see if he can get a better response.

### New Business

1. **Vote to Accept ALP of Masterplan** – Fred noted that the ALP is the same plan that was discussed at the last meeting we had at city hall. Jim Miklas noted that it has not changed at all since that meeting. **Jan: motions to accept the ALP of the Masterplan. Jim: seconds the motion. On discussion: none. All in favor: unanimous. So voted.**

2. **Review Fuel Sales Discount Program** – Fred explained that we review the program every 6 months to see if the program is working and if we want to continue. Dan reported that the current program in place is:

Cash at point of sale: 3% discount

Quantity Discount: 100 – 500 gallons, 3% discount on invoice.

500 – 1,000 gallons, 5% discount on invoice.

1,000 – 1,500 gallons, 7% discount on invoice.

Over 1,500 gallons a month, 10% discount on invoice.

All Quantity Discounts are based upon the invoice being paid in full by the 15<sup>th</sup> of the following month.

Dan stated that the program has been working well for years, people like it and have been taking advantage of it. **Bill: motions to continue the fuel discount program. Charlie: seconds the motion. On discussion: none. All in favor: unanimous. So voted.**

Bill asks if we're going to have the **extended fuel hours** and understands that the airport lost money providing this service but feels we lost due to poor planning and marketing on our part. Bill recommends that we try to extend the fuel hours until it starts to get dark at 7:30 or 8:00. Pilots are flying later and if they can't get fuel here, they'll go elsewhere. Once we do this on a consistent basis, word will get out. **Bill: motions to extend the fuel hours to 8:00 p.m. Thursday through Saturday and the review the extended hours on a monthly basis.**

**Charlie: seconds the motion.** On discussion, Jan feels we need to get the word out and asks how we do this without costing us money for advertising. Several suggestions were made with regards to creating a web page for the airport, putting a sign on the fuel pumps. Joe Souza said as soon as you change your fueling hours and inform the FAA of such, AirNav will pick it up and publish it. Dan will check on the availability of the linemen for the extended hours. **All in favor: unanimous. So voted.**

Doug Cooper informed the commission that he designed the Taunton Pilots Association website and invited the commission to take a look at it. The site has received a lot of interest and if the commission would like, he could post the information about the extended fuel hours. If you want to design a word pressed website for the airport, it cost \$99.00 a year and noted that the site does not have to accept feedback, you can have comments go to an email address.

Steve Proffetty stated that when he is looking to buy fuel he looks for places that have self-fuel service and asks if we are any closer to getting self-fueling here? Taunton is spending money to have linemen when self-fueling would eliminate the need for linemen and the airport will be saving money in the process.

3. **TAA Cookout** – Dick Griffith reported that the event was an overwhelming success. We went over our ticket allotment and had about 120 people. Everything went great, the day was perfect and we didn't expect the turnout that we had. We gave away over \$300.00 in prizes. We're looking forward to our annual pig roast in the fall. The date and time for that will be coming soon.

**4. Bill stated that in light of his prior comments he makes a motion to rescind the revocation of Commissioner Malos' bar from traversing the access roads to the hangars.**

I think the penalty issued as a permanent revocation is excessive and unduly burdensome and does not reflect properly what had transpired when you consider that a person under an OUI end up driving again and that's a far more serious.....(didn't finish his statement)

**Fred:** the penalty is not a permanent one and the notice Dan sent to Charlie doesn't say that it is.

**Bill:** if it doesn't give a time frame then it is permanent.

**Dan:** the penalty he issued was based on the fact that Charlie took his auto down to a part of the airport and according to what he's telling me he got out of the car and someone he doesn't know got in his car, some other people videotaped it, the car was driven in an unsafe manner and that prompted some people to submit a written complaint to us and then the car was given back to Charlie and he drove the car up here near the terminal building. I have no recourse other than the fact remains that someone, if I knew who drove Charlie's car, I would certainly take proper action against that person which would basically be the same action he's taken on Charlie. In the meantime I have no alternative that Charlie owns the fact that his car is under his control, he refuses to give me the name of the person who was driving and says he doesn't know the person name. It's become absurd and I have to look out for the safety of this airport and I don't know of anything more today that would make it safer for him to drive than it did back in April when the occasion happened. I'm looking out for the safety of the planes that are on the field. People called and complained. I didn't see it, but I'm going by what I've been told by people and no one has come forth with a name of who did it. So we have a violation that I think we all agree should not have happened and we have nobody to blame and we all walk away....that's where I'm at and that's why I can't let it go until I get more information on who exactly did it.

**Bill:** my point with this entire thing is that the penalty as issued is indefinite because there is no end date, you can't do that. We are potentially setting ourselves up for litigation.

**Dan:** who is going to be responsible when the penalty is eliminated and this happens again, is it going to be someone else or me, because I'm the airport manager and it says that I enforce the rules as I deem necessary to keep the airport safe.

**Bill:** I'm not talking about that.

**Dan:** well I am because that's where I'm coming from.

**Bill:** I'm discussing the penalty that was rendered. We need to deal with each case individually on its own merits. What we need to do is come up with a finite time for the penalty because I can see nothing more than bad things coming down the road from this and frankly we don't need it.

**Dan:** well I'm not backing down because we might need it.

**Bill:** I think the message has been heard loud and clearly that we are not going to tolerate it, but the fact we don't have an end date for the penalty is very precarious here.

**Fred:** if we had a name.....

**Bill:** that's the problem.

**Fred:** I agree with you Bill, that is the problem.

**Bill:** but despite that, you have to have an end date or the penalty is indefinite and what you're dealing with is you're clearly violating the due process because what you're doing is using an indefinite penalty to coerce information from a person. Charlie should identify the person, I don't dispute that, but what I'm talking about is the impropriety of the penalty, it's excessive.

It's indefinite, and by your own words you have said it's indefinite until we get more information. If he never gives it, it's permanent.

**Dan:** if it's a safety issue there is nothing that says it's not going to happen again under the same or similar circumstances. How can you justify allowing that to go on out there by the same person?

**Bill:** explain repeat offenders OUI under the Massachusetts Criminal System, and this isn't criminal.

**Dan:** this is under the airport rules and regulations, and on page 49 it states "the airport manager shall take the action necessary, and that's what I did. I know Charlie is your friend and you don't like what I do, but that's the way it goes.

**Bill:** that's not the issue.

**Fred:** Charlie did you want to say something.

**Charlie:** first of all no one took my car, I allowed the person to drive it with the understanding it was going to be on the access road. I am not a safety threat to the airport and no one is ever going to drive one of my vehicles on this airport again, end of story.

**Jan:** I have to agree with Bill on this, we need a timeline for the penalty. Charlie knows it was wrong. What would allow you Dan to lift the penalty after a certain amount of time?

**Dan:** I think that finding the person responsible and have a believable situation and go from there.

**Jan:** I believe it needs to be a set period of time whatever it is.

**Dan:** Something worse could happen besides him or anyone else doing the same kind of thing and who's responsibility is it going to be? It's going to be mine, the airport manager allowed the guy who he knew had a problem and he allowed it.

**Bill:** this is flawed logic, you're anticipating another situation, and I don't deny it couldn't happen. But you have to deal with each situation independently on its own merits and by trying to hold a person hostage indefinitely you're setting a bad pace and word has gotten out there that this commission will act and I think the chance of repeat incident is lesser than when this one happened.

**Fred:** Bill this is the most grievous act we've had on this airport.

**Charlie:** I've written a letter to Dan noting it's his 50<sup>th</sup> year on the airport, when in fact that was in error. It's his 60<sup>th</sup> year here. He also stated that he would like to meet the person who could ever come forward and say that they have ever seen me driving unsafe on this airport in 60 years. Every one of us knows some people on the airport by their first names. We don't always know their last names and I have given Dan the guys' first name but I can't give you something I don't know, I would give you the last name if I knew it.

**Fred:** we have a motion by Bill to rescind the revocation of the ban of traversing the access roads to Commissioner Malo. **Charlie:** second. **All in favor: Bill and Charlie.**

**Opposed: Jan, Bob and Jim. Motion: does not pass. So voted.**

**Bill:** motions that the commission set a reasonable time limit on the penalty.

**Fred:** I still think it's up to the airport manager.

**Bill:** you're going to have an airport manager discipline a commissioner who is his boss?

**Fred:** it doesn't make a difference if he's the manager or the president of the United States, he's doing his job. Being a commissioner, you should conduct yourself in a standard above everyone else and I object to that Bill. Because he's a commissioner he should get special preference?

**Bill:** no, I'm not saying that. The commission as a whole should have levied the penalty.

**Fred:** no, it's up to the manager.

**Bill:** where does it say that?

**Dan:** page 49.

**Charlie:** Bill is an attorney, you can ask his opinion, under page 49 paragraph 4 makes inference to what the manager can do, and it clearly says "general public" and when I say the airport commission is not general public, I'm not splitting hairs because it further expounds in paragraph 4 to say "the general public can use Westcoat Drive and the parking area but cannot go through the vehicle access gates". By definition right there you're defining who the general public is. The airport commission is not general public and the airport manager does not have the authority to invoke that penalty.

**Fred:** we have a motion on the floor, is there a second? **Charlie: seconds the motion. All in favor: Charlie, Bill, Jan, Jim. Opposed: Bob. Motion: passes. So voted.** Fred instructed Dan to think about it and set a time limit and inform the commission.

**Charlie:** when the time limit is set, he would like to have an emergency executive session.

**Fred:** there is no reason to have an executive session.

**Charlie:** so you're denying my request for an executive session.

**Fred:** yes, because we've left it up to the manager and he will report back to us what the time limit will be.

5. **Election of Officers – Jim: motions to keep position as they are. Jan: seconds. All in favor: Jim, Jan, Bob, Bill. Opposed: none. Charlie: abstains from voting.** Dan said that Charlie needs to state why he is abstaining. Bill says that Charlie doesn't need to divulge why he is abstaining, you have a quorum vote. **Motion: passes. So voted. Fred asks if Joe is staying on as Treasurer. Joe responded that he will.**

## Public Input

**Joe Sousa:** I don't know what happened here but the fact is you commissioners on the record just said you know he wasn't driving the car. So you're sentencing him for a crime he didn't commit and the fact is you don't know who did and if he chooses to take this to court, you're losing. And he has the right to remain silent.

**Charles Moniz:** I live on South Precinct Street and would like to talk about the new project going on at the airport (Project Take Off). They've cut all the trees, which are on airport property but it is basically his back yard and now there is no buffer between his back yard and the airport. He has also talked with Mrs. Mason who is also an airport abutter and he is here on behalf of Mrs. Mason. Because of the amount of trees taken down there is no more buffer area and you can see right into the airport. He and Dan have looked at the area and Charlie would like to have some trees replanted on Mrs. Mason's property replace the ones destroyed. Fred informed him that the commission has nothing to do with this project and it's a private matter between the developer and Mrs. Mason. Dan said that the developer (Ken Gibson) has hired a contractor (Jim Swisher) to clear the land. Dan has talked with Ken Gibson and Jim Swisher. Jim went and talked with

Mrs. Mason and called Dan back and told him that he is in accord with Mrs. Mason and has cleaned up some of the trees and that she did not have a problem with the trees that were there and that's where it stands today. Bob asked Mr. Moniz if his property was affected by the clearing. Mr. Moniz said that the trees were on Mrs. Masons' property but that was the buffer/screen between the airport and his and Mrs. Masons' property. Mr. Moniz was not aware that Jim Swisher had spoken with Mrs. Mason and asked if Jim Swisher was going to remove all the trees that got damaged. Dan answered that Jim Swisher is going to clean up the area and make the place acceptable to Mrs. Mason. Mr. Moniz asked if a row of pine trees could be planted to restore a buffer/screen because we're going to be looking at an 8' chain link fence and a building once it's constructed. Dan stated that planting trees hadn't been brought up as part of what would be done. Mr. Moniz asked who owns the property. Dan responded that Mr. Gibson is leasing the property from the airport to develop the property. I believe he's clear-cutting the land and we will be putting a fence on the property line and I believe it will be better than what was there before. Mr. Moniz stated that once the building goes up the abutters will be looking at the building and the fence and would like to see some trees planted to restore their privacy.

**Juanita Gallagher** addressed the commission and expressed her knowledge on the Open Meeting Law. She also asked why the key pads to the gates are turned off at certain times. She was here to visit someone and couldn't get in. She waited 2 hours and called the numbers available with no answer. Dan is going to check the phones and see if the call came through to either office or cell phone.

**Steve Proffetty** has the same issue with the gates. I've been very fortunate the last year or so, flying around to different airports on the east coast and have never landed at an airport he couldn't get out of. You can't get out of this airport unless you have an ID, you call the number and nobody answers. The other night I locked my keys in the hangar with my ID on it. Now I'm stuck on the airport. It doesn't make any sense. Fred asked the date Steve called the airport contact number. Steve said he'd check his phone and asks if the commission is trying to attract business why would someone fly in when they can't get self-service fuel, they land here and they can't get out of the gate. You talk about negative comments, someone is going to post this information on a web site. Fred said that anyone can walk out of the pedestrian gate. Steve said that if he's meeting someone at his hangar they can't get in. Fred told him that guests are supposed to be escorted in, so the guest would have to call Steve and Steve would have to go let them in. Steve asks why Taunton is the only airport like this. Both Fred and Dan told Steve that is not true. Dan said the past few weeks he's been involved in different meetings and a testimonial and talking with different people and been at different airports. Our airport is basically the same, you can't get on the AOA without the proper identification.

**Doug Cooper** asks Dan if someone has a video of a vehicle operating too close to aircraft on the taxiway or runway, are you going to take the same action. Dan explained that what we have done in recent times is that our airport vehicles are announcing when they are going out to the AOA so that the pilots are aware that we are doing our maintenance. Doug stated that Dan seems very concerned about safety regarding Commissioner Malo and concerned about safety of pilots and the airplanes and I know Dan has received complaints, so why doesn't Dan take the

same action as has been done with Charlie Malo. Dan said he doesn't recall receiving any specific complaints except for people making all kinds of accusations.

**Bill Manganiello** asked if our system a code to be put in that would allow exit only because we don't have the sensors in the ground. Dan responded that the system is piggy-backed, the out is piggy-backed to the in.

**Steve Proffetty:** what is the reason that we don't have the loop in the pavement.

**Dan:** there are loops in the pavement and some are working fine, others are not and need to be redone.

**Steve:** if it's a problem with putting the loop in.....

**Dan interjected:** the problem is that we want to have it the way it is because we have more security this way than any other way of doing it. That's how it was sold to us and installed. This is the best way to have security. Everything that anybody has said, you're trying to relax the security a little bit, let people in and out more easily so it's more convenient for you. With all due respect Steve, you have a card, your wife is going to get a card, you get in and out and you're all set. You're part of the system.

**Steve:** it's just an added nuisance.

**Dan:** just an added nuisance, so relax the security? ? ?

**Steve:** like I said, when you lock your keys in your car.....

**Dan:** If you want it to be my fault....call me up, that's fine I'll come down.

**Steve:** but you don't answer the phone.

**Dan:** I'm looking at my phone, I haven't received a call since June 22.

**Steve:** what about this lady here that said she called.

**Dan:** she said she called June 4<sup>th</sup>. I got a call on that date at 1:18 p.m.

**Steve:** I would put the loops in for free if that's what the problem is.

**Dan:** the problem is we'd be lowering security. I've checked my phone. I have no calls on June 11. I check my phone, I return my calls.

**Bob:** Steve, when you called Dan it just kept ringing and didn't go to an answering machine? If there is something wrong with the answering machine we can look into that.

**Dan:** they're calling the cell phone.

At this time several people are speaking at once (Jim, Bob, and an aircraft taking off....inaudible)

**Charlie Moniz:** so as far as his situation with the trees, what was the outcome of the discussion? Is he just supposed to talk with the developer? This has nothing to do with Mrs. Mason other than the trees that were destroyed are on her property, those trees created a privacy barrier and he'd like to have his privacy restored.

**Bob:** you'd have to talk with Ken Gibson the developer. That is a private project, it's not an airport sponsored project. I'll get you Ken and Jims' phone numbers.

**Dan:** the fence that will be installed will match the specifications of what is now in place around the airport.

Jan: motion to adjourn 8:36 p.m. Jim: seconds. All in favor: unanimous. So voted

Next meeting June 29, 2015 at 7:00 p.m. in the Leonard F. Rose SRE Building.

**Individuals with disabilities, who require assistance or special arrangements to attend, please contact the Airport Manager at 508-821-2973. We request that you provide a 48 hour notice so that the proper arrangements may be made.**



