

# CHESTER COUNTY AREA AIRPORT AUTHORITY

## MINUTES

October 2, 2012

The regular monthly meeting of the Chester County Area Airport Authority was held on Tuesday, October 2, 2012 at 4:00 p.m.

The following Board members were present:

Fred Goebert  
Al Koenig  
Paul McMinn  
Donn Roberts  
Joe Sciandra  
Fred Thompson

The following Board member was not present:

Greg Cary

Also present:

Gary Hudson, Airport Manager  
Dave Jones, Delta Airport Consultants, Inc.  
Holly Setzler, Esquire, Landis & Setzler  
Rayne Yori, Countryside Consulting, Inc.  
Carol Poinier, Recording Secretary  
Doug Eadline, Airport Maintenance  
Mike Bem, Flying Machine Café  
Steve Fortin, CCA Flight School  
Carol Knight, CCA Flight School  
Terry Muto, Aim Development Corp.

### CALL TO ORDER

Mr. Koenig, Chairman of the Chester County Area Airport Authority Board, called the meeting to order at 4:00 p.m.

### APPROVAL OF THE MINUTES

The minutes of the Regular Meeting held on September 4, 2012 were brought before the Board for their review and comment and clerical corrections were noted.

Upon the Board's review, a motion was made by Mr. Thompson and seconded by Mr. Roberts to approve the minutes of the Regular Meeting held on September 4, 2012 as amended; **the Board approved the motion by a unanimous vote of 6 to 0.**

## **ACCOUNTANT'S REPORT**

### **As of September 30, 2012**

Ms. Rayne Yori of Countryside Consulting, Inc. discussed with the Board the Financial Statement Highlights along with the Statement of Financial Position as of September 30, 2012 and the Statement of Activities for the Nine Months Ended September 30, 2012, copies of which are on file at the office of the Chester County Area Airport Authority.

After review of the Financial Statements as presented, a motion was made by Mr. McMinn and seconded by Mr. Goebert to accept the Financial Statements as submitted for the period ending September 30, 2012, subject to audit; **the Board approved the motion by a unanimous vote of 6 to 0.**

Mr. Koenig advised his fellow-Board members to address any specific financial questions they may have to Ms. Yori via e-mail.

## **ENGINEER'S REPORT**

Mr. Jones of Delta Airport Consultants discussed with the Board the Projects Status Report dated October 1, 2012, prepared by Delta Airport Consultants, Inc., a copy of which is attached hereto and made a part hereof.

Additional discussion was noted as follows:

### **Twelve Year Capital Improvement Plan (TYP)**

Mr. Jones advised the Board he anticipates a planning meeting will be held within the next 30 days.

### **Bentley Hangar**

Mr. Jones advised the Board Delta has recently conducted several construction observation visits and reports are being prepared. He noted Delta attended a meeting with the developer, the contractor and the Authority on September 10, 2012 to review the required observations and discuss why they were not conducted and Delta has provided the Authority with the estimated costs of the observations that were not conducted.

### **FBO Lease**

Mr. Jones reminded the Board members to review the draft lease area layout and Schedule A and provide comments to Delta at their earliest convenience. Ms. Setzler recommended Delta submit the documents to the FBO for its comments. In response to Ms. Setzler's recommendation, Mr. Jones advised the Board he would send the updated documents to Mr. Hudson for transmittal to the FBO.

### **Construct South Apron, Phase IV, Construction (Supplemental Agreement)**

Mr. Jones advised the Board the Township and Conservation District are very satisfied with the result of the installation of base stone to stabilize the site rather than topsoil and seed. Mr. Jones further noted he anticipates receiving payment from PennDOT within the near future.

### **Construct South Apron, Phase V**

Mr. Jones advised the Board the project was advertised for bid on September 2, 2012, a pre-bid meeting was held on September 11, 2012 and bid opening was held this date, October 2, 2012. He noted three contractors have submitted a bid on the project and Delta will follow-up with PennDOT.

### **Develop Multi-Municipal Hazard Zoning Ordinances**

Mr. Jones advised the Board Delta is working with Mr. David Malman of Landis & Setzler is moving this matter forward on behalf of the Authority.

The Board expressed their appreciation to Mr. Jones for the work done by Delta on behalf of the Authority.

## **COUNSEL'S REPORT**

### **Meeting Date Change**

Ms. Setzler advised the Board the next scheduled meeting of the Authority is Tuesday, November 6, 2012. The Board discussed the timing of the meeting and its concurrence with Election Day and it was the consensus of the Board to reschedule the November 2012 meeting of the Board to the following Tuesday, November 13, 2012. Staff was authorized to take steps to advertise the change in meeting date.

### **Status of FBO / Pending Litigation**

Ms. Setzler distributed copies of the recent filing to dismiss made on behalf of the Authority in the matter before the United States District Court for the Eastern District of Pennsylvania, Chester County Aviation Holdings, Inc., vs. Chester County Aviation Authority and Albert A. Koenig.

### **Bentley Hangar**

Ms. Setzler and the Board discussed the failure of the contractor to adhere to inspection procedures in constructing the Bentley hangar and Mr. Jones advised the cost to perform the inspections as required could be as much as approximately \$10,000. Mr. Jones further noted that inspections are scheduled to protect the Authority at which time the building would revert to Authority ownership at the expiration of the lease term. Messrs. McMinn and Goebert recommended the Rules be reviewed to address redundancy and prevent the overburdening of inspection fees. Mr. Sciandra noted inspections are performed to protect the integrity of construction and imposing a penalty for ignoring the inspection process is required to maintain that integrity. Mr. Roberts noted that any amendment to the Rules must insure the amount of the penalty is sufficient to be a deterrent. The Board discussed the possibility of the Authority employing a local engineer to perform the inspection function and Mr. Sciandra discussed the role of an inspection performed on behalf of the Township as one being insuring public safety and that an inspection performed on behalf of the Authority would be to insure that the construction meets established specifications and recommended the penalty fee for the developer/contractor not adhering to the inspection policy to be the inspection fee plus 20%.

After further discussion, a motion was made by Mr. Koenig and seconded by Mr. Thompson to impose a one-time penalty fee in this matter in the amount of \$10,000 to address the avoidance of the inspection policy; Mr. Sciandra voted against the motion; **the Board approved the motion by a vote of 5 to 1.**

The Board discussed the process by which to advise Mr. Bentley of the imposition of the penalty and Ms. Setzler recommended the Airport Manager advise Mr. Bentley of the penalty.

The Board thanked Ms. Setzler for her work on behalf of the Airport Authority.

## **STANDING COMMITTEE REPORTS**

### **Liaison Committee**

No report was made at this time.

### **Personnel Committee**

No report was made at this time.

### **Finance Committee**

Mr. Koenig advised the Board the Finance Committee has met and discussed the budget to actual as the year has progressed in anticipation of developing the budget for fiscal year 2013.

### **Community Event Planning Committee**

Mr. Sciandra advised the Board he and Mr. Cary met with Mr. Bem to discuss the plans in place to commemorate the 50<sup>th</sup> anniversary of the Chester County G. O. Carlson Airport scheduled to be held on October 6, 2012.

Mr. Koenig advised the Board the County Commissioners have expressed their intention to present a citation to the Authority acknowledging the anniversary at the event and it was suggested the time slot for the Commissioners would be 10:00 a.m.

Mr. Bem distributed a Status Report as of 10/2/12, a copy of which is attached hereto, for the Board's review and Mr. Koenig commended Mr. Bem on a job well done.

## **OLD BUSINESS**

### **Hangar #2 Rear Stairs Repair (update)**

Mr. Hudson advised the Board three proposals have been received to address the repair of the rear stairs. The Board discussed the proposals and it was agreed that the proposals would be reviewed by Mr. Goebert, the structural engineer, and the manufacturing representative to insure the most appropriate proposal is identified.

In order to address the repair of the rear stairs in a timely manner, a motion was made by Mr. Thompson and seconded by Mr. Koenig authorizing the awarding of the contract to repair the rear stairs at the lowest bid price based on the recommendation of the sub-committee acknowledging the Authority will formally ratify the contract at the next scheduled meeting of the CCAA Board; **the Board approved the motion by a unanimous vote of 6 to 0.**

**T-Hangar Bumper Installation (update)**

Mr. Hudson advised the Board the bumpers are scheduled to be installed tomorrow, October 3, 2012.

**Test AWOS Site (update)**

Mr. Hudson advised the Board that Stanwyck Avionics is still in the process of obtaining the necessary parts to upgrade the system.

**Terminal HVAC Unit Replacements (update)**

Mr. Hudson advised the Board bids have been received and geothermal system technology is also being investigated.

**Valley Township Update**

No report was made at this time.

**Sadsbury Township Update**

No report was made at this time.

**NEW BUSINESS**

No new business was discussed at this time.

**Airport Hot Topics**

The recent issue of Airport Hot Topics sent by Mr. Hudson to the Board for their review prior to the meeting is attached hereto and made a part hereof.

**PUBLIC COMMENT**

Mr. McMinn recommended a Committee of the Board be established to review the Rules.

**NEXT SCHEDULED MEETING**

It is anticipated the next regular scheduled meeting of the Board will be on Tuesday, November 13, 2012 at 4:00 p.m.

**ADJOURNMENT**

A motion was made by Mr. McMinn and seconded by Mr. Thompson to adjourn the meeting; **the Board approved the motion by a vote of 6 to 0 and Mr. Koenig adjourned the meeting at 5:35 p.m.**

Respectfully submitted,

Carol Poinier

Recording Secretary

Attachments:

Projects Status Report dated October 1, 2012

Airport Manager's Report: Airport Hot Topics

Status Report prepared by Michael Bem dated 10/2/12