

**ERIE REGIONAL AIRPORT AUTHORITY
MEETING
Wednesday, June 28, 2023**

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:	Daniel Giannelli	Derek Martin	Jack Bendig, Hangar 20
	Andrea Zdaniewski	Michelle Magee	Ed Tropper
	Peter Burton	Jennifer Gornall	Terry Scutella, County Council
	Richard Wagner	James Pacansky	Bryan Magee
	Brian Slawin	Ian Bogle	Cody Foust
	Dorothy Smith-Frazier		Brad Peganoff, Millcreek
	David Hallman, Jr.		Tecumseh Brown Eagle, Erie
	Aaron Susmarski		Indians
	Eric Rogers		Samuel Bryce Oddono, Fundamentals Flight
			G. Patterson, NCA
			B. Patterson, NCA

Board President Daniel Giannelli opened the meeting at 12:04 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. Peter Burton moved, and Dorothy Smith-Frazier seconded. Approved by Yeas: Andrea Zdaniewski, Aaron Susmarski, Richard Wagner, Daniel Giannelli, Peter Burton, Eric Rogers, Brian Slawin, David Hallman, Jr., and Dorothy Smith-Frazier.

Approval of Minutes:

Mr. Giannelli asked for a motion to approve the minutes of last month's Board Meeting. Aaron Susmarski moved to approve, and David Hallman, Jr. seconded. Approved by Yeas: Andrea Zdaniewski, Aaron Susmarski, Richard Wagner, Daniel Giannelli, Peter Burton, Eric Rogers, Brian Slawin, David Hallman, Jr., and Dorothy Smith-Frazier.

Mr. Giannelli announced that the Board held an Executive Session prior to today's public meeting for the purpose of receiving privileged legal advice pertaining to Part 13.

Mr. Giannelli read the following statement for the record:

I would like to open today's public comments with a statement regarding the FAA's responses to the two Section 13 complaints it has been investigating over the past ten months.

For starters, it is important to understand that the FAA's almost year-long review was not initiated by the FAA's own suspicions of wrong-doing at the Airport.

Rather, the FAA's recent reviews were solely initiated through allegations made by two local residents. Once a Section 13 complaint is received, the FAA is obligated by law to investigate that complaint.

First, there were a total of 8 complaints filed by a filer who was clearly a member of the Erie community but who demanded to remain anonymous.

The second set involved 6 complaints filed by Mr. Jack Bendig.

There is no need to discuss the specifics of the complaints because the FAA has completely dismissed all six of Mr. Bendig's complaints and, relative to the anonymous complaints, the FAA has completely dismissed and/or found that the issues raised in the complaint to now be resolved. One issue is still being reviewed by a different arm of the FAA.

Typically, I would be happy to let the FAA's findings, or the lack thereof, just speak for themselves, but to do so would ignore the malicious intent behind and the outrageously expensive consequences of the filings.

It is hard to come to any other conclusion other than these allegations and those that made them were intended to be malicious against this board, our executive director, the entire staff at the Airport Authority, Airport tenants, and the residents of Erie for that matter, all for the sole purpose to further selfish motives and ambitions and not for the greater good of the Erie International Airport.

Since this board decided to hire Mr. Martin who, after an extensive vetting and interview process, this Board found was the most qualified individual to run our Airport, there have been ongoing vindictive attacks against this board, Mr. Martin and this Authority.

As a result, the airport authority has wasted hundreds of hours and tens of thousands of dollars responding to these mandated FAA reviews, to the many Right to Know Law requests filed by the same individuals and the efforts devoted to debunking other unfounded allegations.

If these recent allegations were legitimately in the best interest of the community, then the FAA's Compliance Dismissal Letters should be enough to stop similar fruitless allegations to be lodged against the Authority. However, when decisions to act are made to further personal interest instead of the interest of the community and the Airport, it is likely the attacks will continue. So, while I don't expect these attacks to stop, I do hope that the public starts to see the real agenda behind these attacks and those who continue to spearhead them – agendas which are personal and self-motivated - all of which have gotten in the way of our important business for far too long.

As we have seen recently, it is hard enough running a regional community airport, with industry-wide elimination of the regional jets and a pilot shortage, pandemic consequences, and the lack of a dedicated community revenue source. The last thing the Erie International Airport needs is to endure more self-inflicted wounds from isolated individuals from within our own community who clearly do not represent the overwhelming majority of residents who believe in this airport and want to see it succeed.

Public Comments

Jack Bendig asked for a copy of the statement Mr. Giannelli read.

Chief Tecumseh Brown Eagle of the Erie Indians addressed the Board stating what's in the past is in the past. He added that the airport and the community need to come together. He suggested engaging the Chamber of Commerce and tapping into tourism resources. Chief Tecumseh Brown Eagle the Board and Executive Director need to move forward in the best interest of the airport and community. He stated it was good that the airport got a clean bill of health from the FAA. Everyone is doing a pretty good job. He stated that we need to get more flights and asked what can be done to entice more flights. Chief Tecumseh Brown Eagle stated that Erie is power.

Committee Reports

Finance Committee- Finance Committee Chair David Hallman, Jr. reported that the Committee met on June 27, 2023. The Committee reviewed the current Cash Forecast and AR Summary, the May Finance Report, current Bills to be Paid, and Expense Reports. Mr. Hallman stated that James, Derek, and staff are doing a great job of expense control. He added that this is something they were doing long before COVID. Mr. Hallman stated the Finance Committee recommends approval of the bills and made the motion to approve; seconded by Brian Slawin. Approved by Yeas: Andrea Zdaniewski, Aaron Susmarski, Richard Wagner, Daniel Giannelli, Peter Burton, Eric Rogers, Brian Slawin, David Hallman, Jr., and Dorothy Smith-Frazier.

Financial Report- James Pacansky reviewed the May report. The net surplus for the month of April was \$18,481. The year to date net surplus is \$648. We are favorable to budget year to date \$5,618 with revenue unfavorable to budget \$41,296 and expenses favorable to budget \$46,914.

Personnel Committee- Mr. Giannelli reported that he and Mr. Susmarski received from Mr. Martin the list of accomplishments for the evaluation period. This information as well as an updated evaluation survey will be distributed to the Board soon.

Community Relations- Mr. Burton suggested a follow-up meeting with the general aviation tenants. Mr. Martin reminded the committee that a meeting has to be advertised per Sunshine Laws so keep Michelle Magee apprised.

There was no **Unfinished Business**.

Resolutions

Mr. Martin explained that this resolution is to accept and execute a grant offer from the FAA for \$2,459,442 under the Airport Improvement Program (AIP). The Board was previously informed that funding under this grant would come in pieces. This is another piece.

RESOLUTION 2023-09

AUTHORIZE EXECUTIVE DIRECTOR TO ACCEPT AND EXECUTE FAA GRANT OFFER

Whereas, the Erie Regional Airport Authority (“Authority”) has received from the Federal Aviation Administration (“FAA”) an offer for Airport Improvement Program (AIP) Grant 3-42-0030-081-2023 for \$2,459,442; and

Whereas, the Authority pledges that the local share has been secured for this grant; and

Whereas, the Authority authorizes the Executive Director to accept the grant and execute said grant on behalf of the Authority.

It Is Hereby Resolved That:

1. The Board hereby APPROVES and ACCEPTS a grant from the FAA in the amount of \$2,459,442.
2. The Executive Director of the Authority is authorized to execute said grant on behalf of the Authority.

Dorothy Smith-Frazier moved, and Brian Slawin seconded. Approved by Yeas: Andrea Zdaniewski, Aaron Susmarski, Richard Wagner, Daniel Giannelli, Peter Burton, Eric Rogers, Brian Slawin, David Hallman, Jr., and Dorothy Smith-Frazier.

Mr. Martin explained that this resolution allows Enterprise to perform fleet and retail operations at the airport. Their agreement restricts this so this amendment will allow such operations moving forward. In response to a question from Mr. Hallman, Mr. Martin confirmed that we are doing this to make an airport tenant happy.

RESOLUTION 2023-10

SECOND AMENDMENT TO FULL SERVICE RENTAL CAR CONCESSION AND LEASE AGREEMENT- ENTERPRISE

It Is Hereby Resolved That the Erie Regional Airport Authority Board of Directors approves the second amendment to the full service rental car concession and lease agreement with Enterprise Rent-A-Car Company of Pittsburg, LLC. And that the Executive Director is authorized to execute said amendment.

Eric Rogers moved, and Brian Slawin seconded. Approved by Yeas: Aaron Susmarski, Richard Wagner, Daniel Giannelli, Peter Burton, Eric Rogers, Brian Slawin, David Hallman, Jr., Dorothy Smith-Frazier, and Andrea Zdaniewski.

Mr. Martin stated that Kirila Contractors was the lowest responsible and responsive bidder. Bids were reviewed by our engineer and legal counsel. Mr. Martin stated that there is no conflict of interest for those involved. Bids were opened publicly. Ms. Gornall asked for individual affirmations regarding no conflict of interest from the following:

Richard Wagner- no conflict of interest

Daniel Giannelli- no conflict of interest

Peter Burton- no conflict of interest

Erie Rogers- no conflict of interest

Brian Slawin- no conflict of interest

David Hallman, Jr.- no conflict of interest

Dorothy Smith-Frazier- no conflict of interest

Andrea Zdaniewski- no conflict of interest

Aaron Susmarski- no conflict of interest

Mr. Martin stated that he has no conflict of interest and stated that there is no conflict of interest for Kimberly Scharrer. James Pacansky stated that he had no conflict of interest. Ms. Gornall stated that she and Attorney Tim Wachter reviewed the bid documents. She stated that she has no conflict of interest, Attorney Wachter has no conflict of interest. There is no known conflict of interest with the Knox Law Firm.

In response to a question from Mr. Rogers, Mr. Martin confirmed that the affirmations of no conflict of interest from the individuals involved in the process satisfies the FAA. Ms. Gornall explained that we cannot hold a bidder to the numbers in the bid after 60 days unless the contractor agrees to do so. Mr. Wagner stated he would like to know what the other bids were. He is an Erie guy and wants to see how Erie bidders compared. Ms. Gornall stated that the bid tabulation will be shared.

RESOLUTION 2023-11

AWARD OF REALIGNMENT & RECONSTRUCTION OF TAXIWAY A- PHASE 2 BID

WHEREAS, the Erie Regional Airport Authority (“ERAA”) operates the Erie International Airport and is responsible for the continued maintenance and upkeep of the terminal building, grounds and runways at Erie International Airport (“ERI”); and

WHEREAS, the ERAA has determined that realignment and reconstruction of ERI’s asphalt taxiway A is necessary, specifically including pavement demolition, excavation, storm sewer installation, subbase and base course, asphalt paving and airfield electrical (“the Project”); and

WHEREAS, the ERAA has publicly solicited bids from interested firms for the Project; and

WHEREAS, ERAA publicly opened the bids received on May 25, 2023 and determined the apparent low bidder for the Project is Kirila Contractors, Inc. ("Kirila"), which submitted a base bid in the amount of \$2,241,607, Alternative 01 in the amount of \$617,865.68 and Alternative 02 in the amount of \$1,126,894.98, with a total bid in the amount of \$3,986,367.66; and

WHEREAS, upon review of the bid amounts received on May 25, 2023, ERAA has determined to award the base bid to Kirila; and

WHEREAS, ERAA conducted a review to determine (a) whether the apparent low bidder was a "responsible" bidder and (b) whether the low bid was responsive to the bid specifications, which review revealed that the bid documents submitted by Kirila were responsive to the bid specifications and that Kirila is a "responsible bidder;" and

WHEREAS, the ERAA's engineer and Solicitor have performed a due diligence review of the bids submitted and they concur that it is appropriate to award the base bid to Kirila as the lowest responsive and responsible bidder.

AND NOW, THEREFORE, on this 28 day of June, 2023, it is hereby RESOLVED by the Board of Directors of the Erie Regional Airport Authority, the following:

1. That Kirila Contractors, Inc. is declared to be the lowest responsible and responsive bidder for the Project. The base bid amount is \$2,241,607.
2. Subject to the receipt of grant funding for the Project, the Board hereby awards the base bid to Kirila Contractors, Inc.
3. The Board authorizes the Executive Director to execute the contract documents and proceed in all ways necessary with the award of the bid to and the execution of the contract with Kirila.

Andrea Zdaniewski moved, and Peter Burton seconded. Approved by Yeas: Richard Wagner, Daniel Giannelli, Peter Burton, Eric Rogers, Brian Slawin, David Hallman, Jr., Dorothy Smith-Frazier, Andrea Zdaniewski, and Aaron Susmarski.

There was no **New Business**.

There were no **Liaison Comments**.

Board Member Comments

Mr. Burton stated if we can spend \$2 million to pave areas on the airfield then why can't we spend some money to pave the side roads for the GA tenants.

Mr. Burton shared the news of the passing of long time North Coast Air, FAA recognized Master Mechanic Daryl Stull. He added that the Erie Airport was very fortunate to have such a talented mechanic for so long.

Mr. Burton announced that the Experimental Aircraft Association (EAA) will be holding a summer picnic on July 8th from 11 am until 2 pm and encourage Board Members to attend.

Executive Director's Report

Mr. Martin explained that providing pavement for leaseholds is not something we can do per our grant assurances. If we do it from one tenant, then we would have to do it for all tenants. We can't pick and choose who we do extras for. He added that North Coast Air spent \$37,000 of its own money for improvements in their leasehold. Ms. Gornall shared again what was previously done when a GA tenant complained about pavement conditions in four separate areas. After review, it was determined that two of the areas in question were the responsibility of ERAA, so we made the necessary repairs. The other two areas were the responsibility of specific tenants. Our engineer gave a presentation nearly two years ago regarding pavement, improvements, federal project funding, etc. It may be time for another presentation for the benefit of the newer Board Members. Mr. Bendig interrupted the discussion by saying the airport is a slum landlord! He stated that Hangar 20 wanted to be in front of North Coast Air on prime land and the airport would not let them build there. Mr. Slawin stated that general aviation is critically important to the airport but many of the current questions/issues are items that have been asked and answered at least 12 times. Mr. Martin stated that we should start with a list of what Hangar 20 wants then we can see what we can and can't do. Mr. Wagner added that maybe Hangar 20 will consider keeping their aircraft elsewhere when their lease is up. The Board decided that further discussion, possibly within a committee, is needed. Mr. Tropper stated that the GA should be part of the discussions.

Mr. Giannelli reported that air service development discussions continue in conjunction with local representatives and businesses. There are no roadblocks or potholes yet.

Mr. Martin reported that the airport recently participated in a site assessment by FEMA for a disaster response air operations plan where they assessed the airport's ability for evacuation by air.

Mr. Martin reported that weather permitting, Taxiway A could be done in October and the work on the GA ramp should wrap up in a few weeks.

Mr. Martin reported that due to numerous inquiries from the community, we will be hosting a global entry enrollment event with Customs and Border Protection. It will be similar to the TSA precheck events we have previously hosted here.

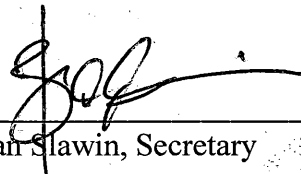
Mr. Martin reported that we have in hand a fully executed 10 year lease with FAA air traffic control. We are working on a renewal with the FAA technical operations office at the airport.

Mr. Martin reported that contract negotiations with both of our unions are going well. He stated that the Board can expect to ratify contracts with both unions soon.

In response to an inquiry from Mr. Burton about flight cancellations and how the FAA is handling, Mr. Martin explained that weather related issues/cancellations are not the FAA's problem.

Brian Slawin made a motion to adjourn, and Aaron Susmarski seconded. Approved by Yeas: Andrea Zdaniewski, Aaron Susmarski, Richard Wagner, Daniel Giannelli, Peter Burton, Eric Rogers, Brian Slawin, David Hallman, Jr., and Dorothy Smith-Frazier.

Adjournment: 12:51 PM



Brian Slawin, Secretary

