

**ERIE REGIONAL AIRPORT AUTHORITY  
MEETING  
Wednesday, September 28, 2022**

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	Derek Martin	Jack Bendig, Hangar 20
Brian Slawin	Michelle Magee	Terry Scutella, County Council
Marybeth Smialek	James Pacansky	Jake Ciulla, Reef Parking
Richard Wagner	Kim Scharrer	Ed Tropper, Aviation Flyers
David Hallman, Jr.	Ian Bogle	Don Chase, Hangar 20
Aaron Susmarski	Jennifer Gornall	Brad Peganoff
Gregory Hayes	B. Patterson, NCA	Michael Keys, City Council
	G. Patterson, NCA	Fred Veith, Hangar 20
	Lou Aliota, resident	Annette Mossburg, Wilkins Rd
	Don Boetger	Chief Tecumseh Brown Eagle, Erie Indians Moundbuilders

Board Vice President Andrea Zdaniewski opened the meeting at Noon with the Pledge of Allegiance to the United States of America.

**Approval of Agenda:**

Ms. Zdaniewski asked for a motion to approve the agenda as presented. Brian Slawin made a motion to approve the agenda as presented and Marybeth Smialek seconded. Approved by Yeas: Marybeth Smialek, Aaron Susmarski, Richard Wagner, Andrea Zdaniewski, Brian Slawin, and David Hallman, Jr.

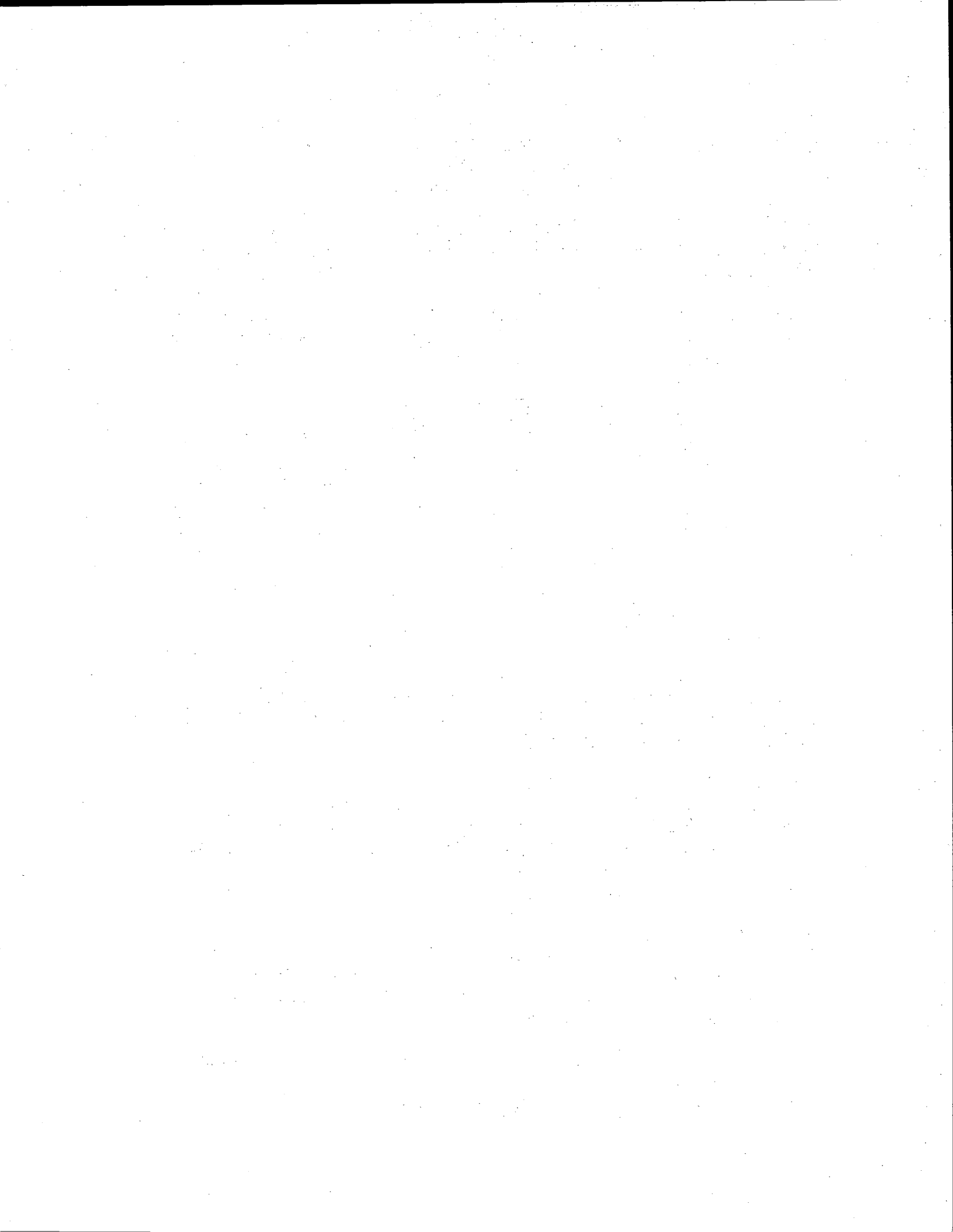
**Approval of Minutes:**

Ms. Zdaniewski asked for a motion to approve the minutes of last month's Board Meeting. Brian Slawin moved to approve, and Aaron Susmarski seconded. Approved by Yeas: Marybeth Smialek, Aaron Susmarski, Richard Wagner, Andrea Zdaniewski, Brian Slawin, and Gregory Hayes. Abstained: David Hallman, Jr.

**MMO Update**

Don Boetger provided the minimum municipal obligation (MMO) update to the Board. He explained the funded status of our plan and Act 205 of Pennsylvania which tells Authorities how to fund their pensions. Mr. Boetger confirmed that the Authority does not need to fund the pension in 2022 or 2023.

Prior to Public Comments, Board Member Gregory Hayes inquired about Act 142. He wants to make sure we are conducting ourselves correctly before moving forward in the meeting. Mr. Hayes explained that per Act 142 of the City, appointees of the City must



be sworn in and take an oath of office. Because no one knew what Mr. Hayes, was actually referring to, Ms. Gornall said she will look into it and added that she is confident that all the members of this Board are sitting on it properly. Ms. Gornall asked Mr. Hayes to provide specific information so she can research what he is referring to. Mr. Hayes stated he would email Ms. Gornall with the requested information. Ms. Gornall stated that she is confident that all current ERAA Board Members are properly holding their Board seats.

*After meeting action- On October 3, 2022, Ms. Gornall sent an email to all ERAA Board Members as well as the Erie City Solicitor Attorney Ed Betza, in response to Mr. Hayes' inquiry regarding ERAA Board Members being in violation of the City of Erie's Act 142. To summarize, ERAA Board Members are not required to take an oath of office. A copy of the referenced email is included in the board binder for 2022.*

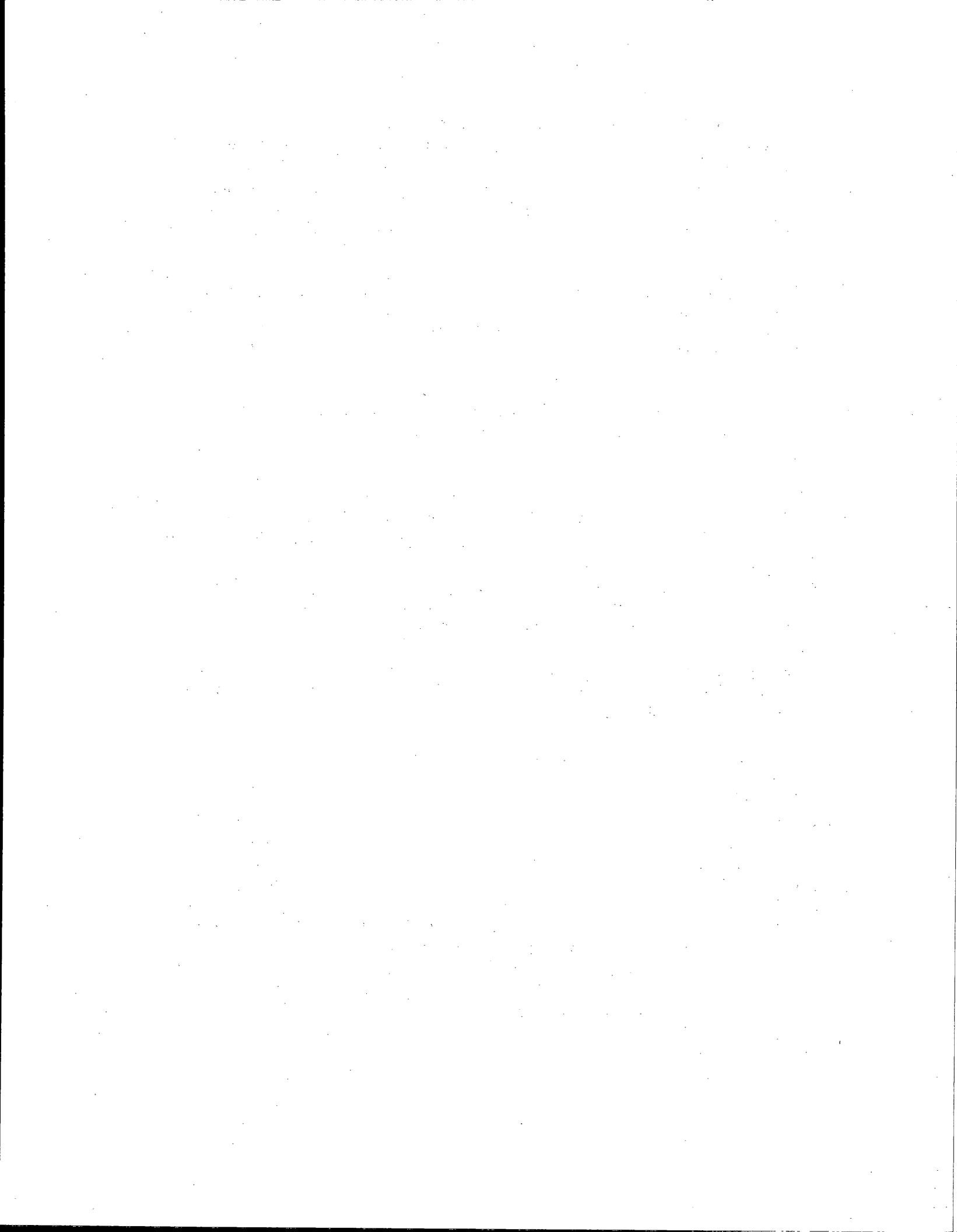
### **Public Comments**

Ms. Zdaniewski reminded each public speaker to state his or her name. Each has five minutes to speak. Ms. Zdaniewski also reminded each speaker to be professional and civil.

Lou Aliota of Millcreek Township stated that the Authority has been nonresponsive to his previous emails. He expects a response! He is concerned that ERAA Board members did not take an oath of office. Those in violation can be removed. Mr. Aliota asked how the Board reports to the community if no oath of office was taken. Mr. Aliota made a general comment about members of our community that are fighting for our future. He cautioned about the need to speak up and respond to the public because you could be caught in the crossfire between the public and elected officials.

Annette Mossburg of Wilkins Road asked for an update on the litigation over the sale of the Wilkins Road property. Ms. Zdaniewski stated that there is no update to share at this time as litigation is ongoing.

Chief Tecumseh Brown Eagle of the Erie Indians Moundbuilders Tribal Nation addressed the group regarding his concerns that ERAA Board Members have not taken an oath of office. Chief Tecumseh Brown Eagle stated that with no oath of office, nothing can be voted on and anything that was voted on would be invalid in particular land purchases made by the Authority. Chief Tecumseh Brown Eagle stated that Erie is the worst city of blacks to live in. He would like to see more diversity in the Authority. Also, we should have representation on this Board because it's our land. Chief Tecumseh Brown Eagle asked if anyone here was present for any of the Tuskegee Airmen events. Greg Hayes took the opportunity to speak of his involvement with the Tuskegee Airmen events. Michelle Magee added that the Authority was also involved and provided funding for such events. Chief Tecumseh Brown Eagle stated it is a shaky situation with the way funds were allocated here- no employee bonuses are allowed! Ms. Zdaniewski asked Chief Tecumseh Brown Eagle to leave his business card. After Chief Tecumseh Brown Eagle explained that no one used business cards anymore, he said he would provide his electronic contact information.



### **Committee Reports:**

Finance Committee- Finance Committee Chair Marybeth Smialek reported that the Committee met on September 27, 2022. The Committee reviewed the financial report, current Cash Forecast and AR Summary, Capital Fund Transactions, Bills to be Paid, and the Business Expense Reports with no concerns. Ms. Smialek stated the Finance Committee recommends approval of the bills and made the motion to approve; seconded by David Hallman, Jr.. Approved by Yeas: Marybeth Smialek, Aaron Susmarski, Richard Wagner, Andrea Zdaniewski, Brian Slawin, and David Hallman, Jr. Abstained: Gregory Hayes

Mr. Aliota interrupted by yelling "point of order"; the Board continued with the meeting.

**Financial Report**- James Pacansky reviewed the August Finance Report. The net surplus for the month of August was \$46,103. Year to date, the net surplus is \$61,167. We are favorable to budget year to date \$85,857 with revenue unfavorable to budget \$163,604 and expenses favorable to budget \$249,461. Mr. Martin added that we have \$8.5 million on hand with \$750,000 available in our PFC account and \$600,000 available in our CFC account.

There was no **Unfinished Business**.

### **Resolutions**

#### **Resolution 2022-22 Approval of Parking Rate Increase**

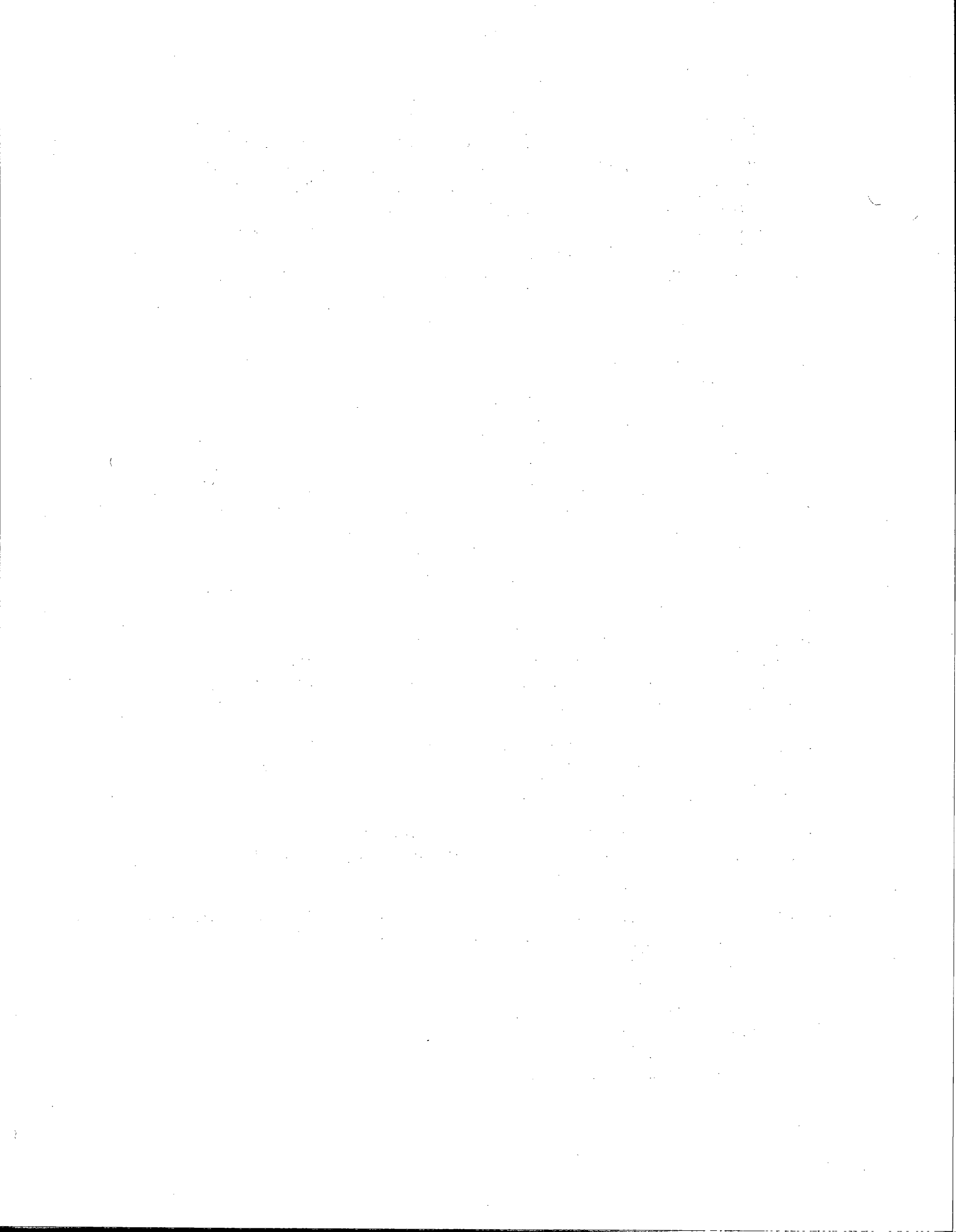
Jake Ciulla from Reef Parking explained the process for the proposed increase. The proposed increase only affects the daily rates in long term and short term parking lots. Each daily max price will increase by \$1.00. An annual revenue increase of \$40,000 is anticipated with the daily max increase. Mr. Hayes asked if this was effective immediately. Mr. Pacansky explained that this increase starts in 2023 and will be reflected in the 2023 budget as 2022 is almost over and the 2022 budget was approved back in November 2021.

Marybeth Smialek moved, and David Hallman, Jr. seconded. Approved by Yeas: Marybeth Smialek, Aaron Susmarski, Richard Wagner, Gregory Hayes, Andrea Zdaniewski, Brian Slawin, and David Hallman, Jr.

#### **Resolution 2022-23 Authorize Executive Director to Accept and Execute FAA Grant Offer- FY23-**

As some still seem to be confused, Mr. Martin explained our process for getting project funds from the FAA:

- ERAA bids to the public
- Ads are placed announcing the bid
- ERAA solicits bids
- Knox hosts a pre-bid meeting with potential bidders
- There is an open bid process



- The lowest responsible and responsive bidder is determined our engineering firm and also reviewed by Knox
- Once determined, the lowest responsible and responsive bidder and dollar amount of the bid is sent to the FAA for grant execution

This grant is for \$1,334,944 AIP. In response to questions from Ms. Zdaniewski, Mr. Martin explained that we pay up front now and get reimbursed later and the local share has been secured- 5% from the state, and we will pay the remaining 5%. David Hallman, Jr. moved, and Aaron Susmarski seconded. Approved by Yeas: Aaron Susmarski, Richard Wagner, Gregory Hayes, Andrea Zdaniewski, Brian Slawin, David Hallman, Jr., and Marybeth Smialek.

**Resolution 2022-24 Authorize Executive Director to Accept and Execute FAA Grant Offer-BIL-** Mr. Martin explained that this is for \$348,020 for a reimbursable agreement with the FAA for the work they need to do for Taxiway A Phase 4.

Brian Slawin moved, and Marybeth Smialek seconded. Approved by Yeas: Richard Wagner, Gregory Hayes, Andrea Zdaniewski, Brian Slawin, David Hallman, Jr.,

**Resolution 2022-25 Authorize Executive Director to Accept and Execute Community Funding Grant-** Mr. Martin explained that the as previously shared with the Board, the Airport worked with Congressman Kelly's office to secure these funds. The Board already approved the project, so this is to accept the grant. In response to a question from Mr. Hayes, Mr. Martin explained that this project will not affect the future plans to construct a hangar by Greenleaf.

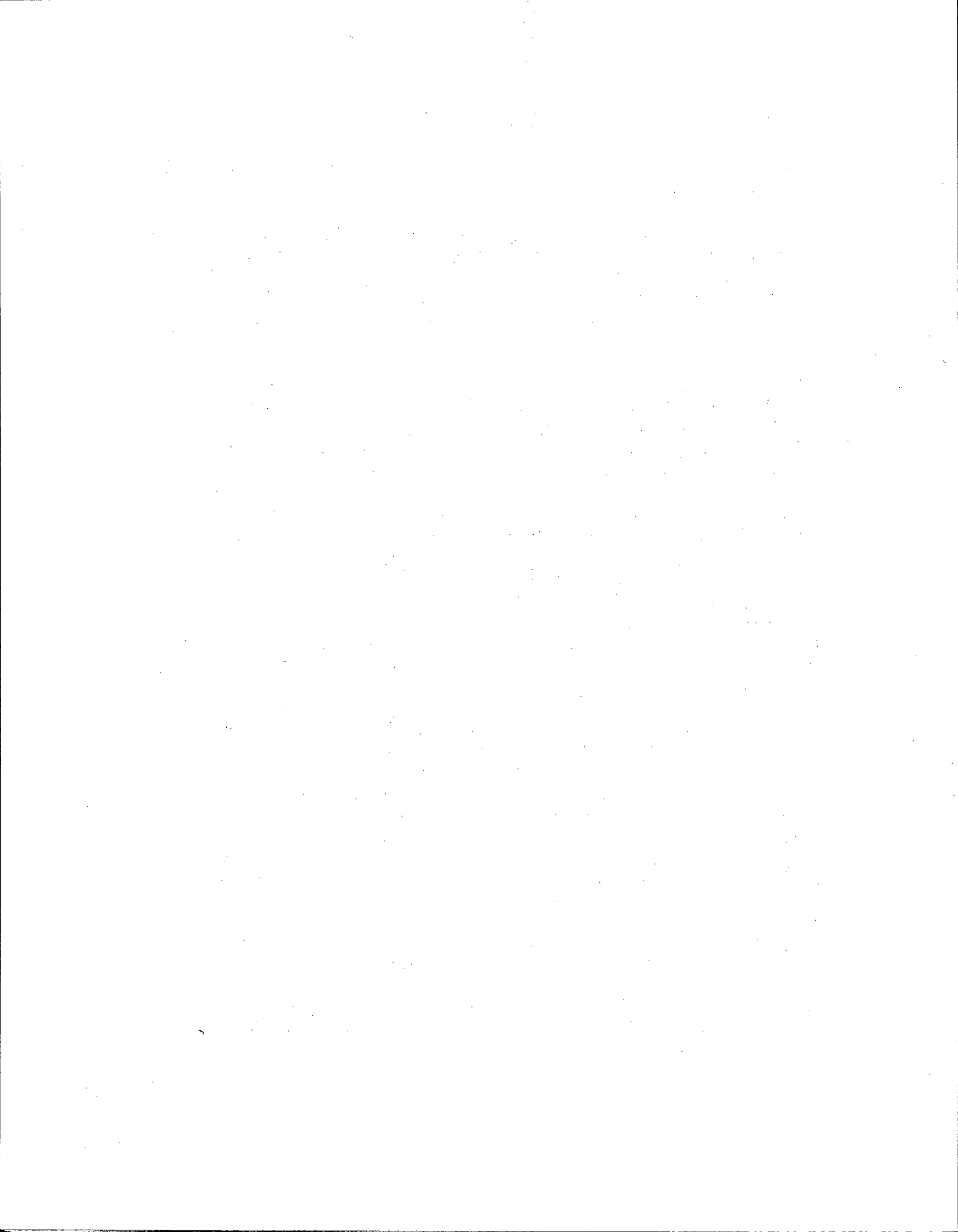
David Hallman, Jr. moved, and Brian Slawin seconded. Approved by Yeas: Gregory Hayes, Andrea Zdaniewski, Brian Slawin, David Hallman, Jr., Marybeth Smialek, Aaron Susmarski, and Richard Wagner.

**Resolution 2022-26 Authorize Executive Director to Enter Into Reimbursable Agreement with the Federal Aviation Administration-** Mr. Martin explained that this resolution goes with Resolution 2022-24 regarding the reimbursable agreement with the FAA. In response to an inquiry from Mr. Hayes, the resolution was amended so the amount is stated in the resolution and the amount matches the amount in Resolution 2022-24.

Marybeth Smialek moved, and David Hallman, Jr. seconded. Approved by Yeas: Gregory Hayes, Andrea Zdaniewski, Brian Slawin, David Hallman Jr., Marybeth Smialek, Aaron Susmarski, and Richard Wagner.

**Resolution 2022-27 Authorize Executive Director to Accept and Execute American Rescue Plan Act of 2021 Grant-** Mr. Martin explained that this accepts the money under the American Rescue Plan Act 2021.

Brian Slawin moved, and Aaron Susmarski seconded. Approved by Yeas: Andrea Zdaniewski, Brian Slawin, David Hallman, Jr., Marybeth Smialek, Aaron Susmarski, Richard Wagner, and Gregory Hayes.





There was no **New Business**.

### **Liaison Comments**

Erie County Council Liaison Terry Scutella explained his role as liaison. He is to listen and take back to Council updates/information he feels is important about the airport. He reiterated what has already been addressed, the County has no authority over the Airport. Oversight ends with ERAA Board seat appointments. Mr. Scutella commended the Board for doing a stand up job. He knows how hard it is!

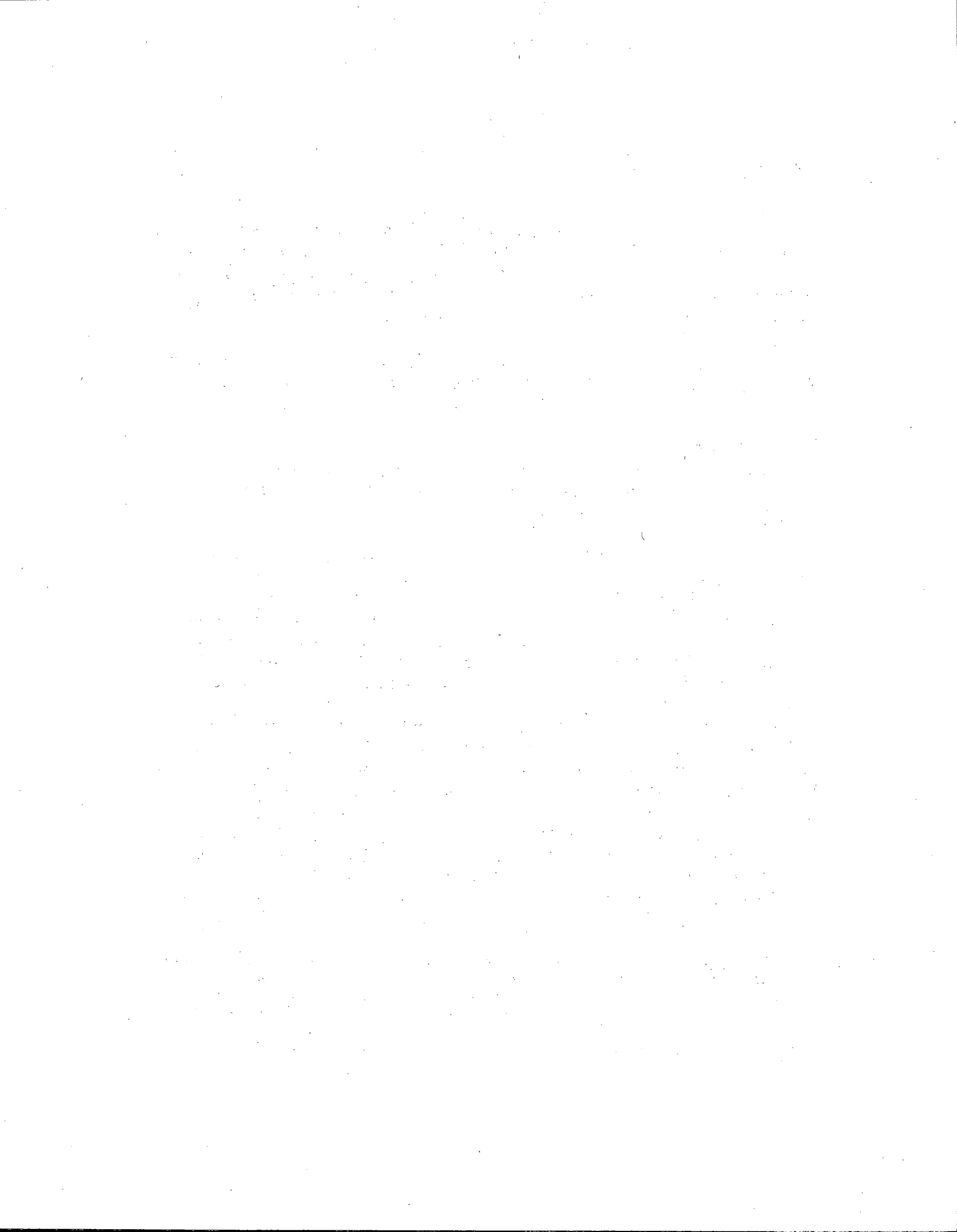
Erie City Council Liaison Michael Keys apologized for missing several meetings then stated- it is always good to stay in good standing, but the Part 13 complaint is concerning. He would also like to see more flights and activity.

### **Board Member Comments**

Mr. Wagner asked if our \$9.5 million is earmarked for anything upcoming. Mr. Martin explained that \$1.3 million will go to our match for next year's planned projects. We will still have approximately \$8.5 million on hand.

Mr. Hayes is upset because he wanted a copy of the letter we received from the FAA regarding the Part 13 complaint. Mr. Hayes then stated that he did not start this investigation and he would love to hear if anyone has a problem with that! Mr. Hayes said that he knows Mr. Martin sent the FAA the video of him speaking at the County Council meeting. Mr. Slawin asked Mr. Hayes if he is denying in public that he had anything to do with the investigation or in moving it along. Mr. Hayes stated again that he had no part in it. Ms. Zdaniewski told Mr. Hayes that she saw the video of him speaking in front of County Council. She asked for clarification from Mr. Hayes as to whether he was speaking as an ERAA Board Member because he did identify himself as an ERAA Board Member when he spoke to County Council. Ms. Zdaniewski asked Mr. Hayes what relief he was seeking by addressing County Council. Ms. Zdaniewski asked for clarification from Mr. Hayes- you went to Council to get a copy of the letter the FAA sent to ERAA. In response to an accusation from Mr. Hayes, Mr. Martin stated he did send a copy of the video to the FAA since Mr. Hayes references the Part 13 complaint when addressing County Council. Mr. Martin believes the FAA should know what is being shared about the complaint since the previous Part 13 complaint we had did not generate any of the interest that this one is- there was no news coverage, and no one requested a copy of the letter.

*After meeting action- it was discovered after the meeting that members of the public were provided with a copy of ERAA's response to the FAA regarding the Part 13 complaint. Out of concern, Mr. Martin called the FAA to find out how our response got in the hands of the public. The FAA stated it is their policy to provide a copy of the response to the complainant. Mr. Martin also asked the FAA why they called Mr. Hayes about the County Council video. Mr. Martin reiterated that anything related to the Airport, or the Part 13 complaint should be directed to him or the Board President not individual Board Members.*

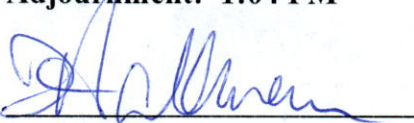


**Executive Director's Report**

Mr. Martin reported the following: our current PFC application, Michael Baker's statewide aviation needs assessment, TSA Pre-check enrollment event at ERI (November 7<sup>th</sup> – 11<sup>th</sup> in the terminal), McDowell ROTC FOD walk (September 17<sup>th</sup>), and Real ID compliance effective May 3, 2023. The airport will be running ads/PSAs to remind the community to get their Real ID. In response to a question from Mr. Hallman, Mr. Martin stated that we cannot issue Real IDs at the airport. Consumers must go to the DMV to obtain a Real ID.

Marybeth Smialek made a motion to adjourn, and Aaron Susmarski seconded. Approved by Yeas: Marybeth Smialek, Aaron Susmarski, Richard Wagner, Gregory Hayes, Andrea Zdaniewski, Brian Slawin, and David Hallman, Jr.

**Adjournment: 1:04 PM**



David Hallman, Jr., Secretary



