

**BURLINGTON INTERNATIONAL AIRPORT  
BOARD OF AIRPORT COMMISSIONERS  
MINUTES OF MEETING  
August 2, 2023**

APPROVED – 9/6/23

[Hybrid meeting]

**MEMBERS PRESENT:** Tim George  
Jeff Schulman  
Greg Shepler  
Bryn Oakleaf  
Chip Mason

**MEMBERS ABSENT:** Helen Riehle  
Robin Guillan

**BTV STAFF PRESENT:** Nic Longo, Director of Aviation  
Larry Lackey, Director of Engineering & Environmental Compliance  
Marie Friedman, Director of Finance  
Hannah Dusablon, Executive Assistant  
Kurt Patch, Airport Engineer  
Jillian Waite, BTV

**OTHERS PRESENT:** Matt Collins, Heritage  
James Leas, So. Burlington  
Nick Clabber, Kaplan, Kirsch & Rockwell  
Channel 17

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**1.0 CALL TO ORDER**

Aviation Commission Chair, Tim George, called the meeting to order at 4:07 PM.

**2.0 AGENDA**

2.01 Approve/Adopt Agenda

**MOTION by Greg Shepler, SECOND by Jeff Schulman, to accept the agenda as presented. VOTING: unanimous (4-0)[Chip Mason not present for vote]; motion carried.**

**3.0 PUBLIC FORUM**

- James Leas, South Burlington, spoke of conflict of interest and the need for the members of the airport commission to recuse or retire for not putting safety as the priority of the airport. Mr. Leas also spoke of climate emergency which could be addressed by establishing single standards for all airport users for noise and fuel efficiency.

**4.0 CONSENT AGENDA**

4.01 Enplanements

4.02 Minutes: July 5, 2023

**MOTION by Greg Shepler, SECOND by Jeff Schulman, to approve the consent agenda as presented.**

**DISCUSSION:**

- **Staff reported the enplanement numbers are year-end numbers and show just over 630,000 outbound passengers from the airport.**

**VOTING: unanimous (5-0); motion carried.**

**5.0 PRESENTATION: Federal Obligations for Aeronautical Access**

5.01 Presentation by Nick Clabber, partner in the firm of Kaplan, Kirsch and Rockwell Attorney Nick Clabber, partner in the national law firm of Kaplan, Kirsch and Rockwell with extensive experience in airport related legal matters, discussed the City of Burlington's authority to restrict aeronautical activities at Burlington Airport. The following was highlighted:

- The city has no authority to adopt/enforce restrictions and could have FAA enforcement action, informal/formal complaints, and loss of federal grant funds if do so.
- Burlington Airport signed 39 FAA grant assurances that require the airport to be available for public use for all aeronautic activities including government aircraft. The airport cannot grant exclusive rights.
- Any restrictions must be approved by the FAA. Any prohibitions otherwise are considered discrimination.
- The FAA has jurisdiction over aircraft in flight, airspace, and aircraft fuel efficiency.
- Airline Deregulation Act (ADA) preempts local laws/regulations. Airlines will litigate regulations preempted by the ADA.
- Airport Noise and Capacity Act (ANCA) procedural requirements must be met for any airport access restrictions and no airport to date has been successful in doing this.
- Consequences for noncompliance with FAA rules include FAA enforcement action, loss of FAA grants, formal and informal complaints by users including airlines and industry users, civil penalties.

There was discussion of grant assurances (initiated in 1948; grant assurances are part of every FAA grant the airport has received to date), offering incentives or applying a tax to incentivize noise reduction or fuel efficiency (cannot put undue burden on interstate commerce; any additional fee/tax must be tied to the cost to the airport to provide service to the aircraft and users must have access to the airport under the same terms and conditions and no additional cost as other aircraft so an incentive is not viewed as an impediment), and environmental justice over-riding federal statute (there is nothing to suggest the FAA is looking at environmental impacts equivalent to aeronautical safety; any party filing a lawsuit must meet the thresholds to file a formal or informal complaint to the FAA).

City Council will hear the presentation by Nick Clabber on aeronautical access.

**6.0 PRESENTATION: Next Project**

#### 6.01 Presentation by Jacobs Engineering

Representatives from Jacobs Engineering working on the north terminal project gave a presentation on the initial design of the project. The project includes the building addition on the north end of the terminal, removing the existing hold rooms for passengers, improving views and natural light in the building, improving safety and interaction with aircraft, sustainable and clean design of the space (Vermont maple wood beams, geothermal heat, natural lights, photovoltaics). Nic Longo noted preliminary project cost is between \$35 million and \$39 million. The project will provide the flexibility needed to accommodate the airlines and passengers and bring the airport to the next generation of airports. It is hoped to start construction on Next Project in the summer of 2024.

### 7.0 CONSTRUCTION UPDATE

Recently hired airport engineer, Kurt Patch, was introduced. In addition to the written report, Larry Lackey noted construction has started on Taxiway Alpha, milling is being done, trimming of topsoil is happening, the wedge was installed so the new jet bridge can be used, and stormwater treatment has been installed on the south apron.

### 8.0 FINANCIAL UPDATE

Marie Friedman reported:

- Revenues through the end of June are \$27 million including \$1.7 million in stimulus money.
- The airport has had a strong and healthy recovery.
- Expenses are \$16.4 million and include a full year of QTA operations and some bills for parking garage projects.
- Cash in the checking account as of 6/27/23 is \$6.3 million.
- PFCs are at 92% to date, but enplanements continue to trend upward.
- AIP Receivables include grants and reimbursements.
- The airport did borrow from the grant anticipation note.

A presentation on the FY2024 budget was given. The budget was approved by Burlington City Council in June 2023. The financial outlook of the airport is positive. All stimulus money will be expended by the prescribed date. The airport is planning significant capital projects.

Staff reviewed budget line items showing significant change including runway deicing, repairs & maintenance, insurance, indirect fees for shared services with the city, and airport security (contract with Burlington Police).

There was brief discussion about enplanements (Burlington Airport is consistent with the growth of other airports in the region) and achieving the 5% growth in parking garage revenue (additional flights are needed at the airport since the current number of flights serving the airport are full).

### 9.0 COMMUNITY CONNECTION

It was noted noise comments are shown on the noise exposure map and on [btvsound.com](http://btvsound.com). Staff gave an update on the Residential Sound Insulation Program. Sound improvements

for the 15 houses in the initial phase should be done this year. The grant for Phase 3 is anticipated so sound improvements for the next 52 houses can be done as well as design outreach for the next 50 homes. The process to update the Noise Exposure Map is moving forward. There was mention of expanding the membership of the technical and regional advisory committees for the Noise Exposure Map update.

## **10.0 AVIATION DIRECTOR'S REPORT**

Aviation Director, Nic Longo, reported:

- The airport received an extremely clean report from the FAA on the annual Part 139 inspection. Kudos to staff for all their hard work.
- A public meeting will be held in September to discuss the Noise Exposure Map update and ideas for a rec path on the parcel across from the airport.
- Beta Technologies hopes to have a certificate of occupancy for its 150,000 s.f. facility by August 25, 2023 and a certificate of occupancy for the general aviation hangar on the valley west apron. The headquarters building is operational now.
- A contract is being drafted with Burlington Tech Center for a building to house their aviation technical program.
- New hires at the airport include an airport engineer (Kurt Patch), operations manager (Stacy Leveille), and airfield maintenance manager (Andrew Geppner). Hannah Dusablon was promoted to Executive Assistant to Airport Administration. Director of Innovation & Marketing has been hired and will start in mid-September. Staff continues to fill positions as outlined in the airport reorganization document.
- Staff is working on an acquisition plan for new vehicles at the airport (all will be electric vehicles).
- The airport is working with the state on how the airport can help with flood relief.

## **11.0 COMMISSIONER ITEMS**

None.

## **12.0 FOLLOW UP ITEMS**

12.01 Queue Permits for Taxi Drivers (Nic Longo) –Staff continues to work on the matter. Retain on agenda.

## **13.0 ADJOURNMENT**

**MOTION by Greg Shepler, SECOND by Jeff Schulman, to adjourn the meeting.**

**VOTING: unanimous (5-0); motion carried.**

The meeting was adjourned at 6:25 PM.

Next meeting: September 6, 2023 at 4 PM.