

## Massport CAC Executive Committee

Minutes of the meeting held on October 24, 2016 at 10:00 A.M.  
Brookline Town Hall, 333 Washington Street, Brookline, MA 02445

The meeting of the Executive Committee of the Massachusetts Community Advisory Committee was held at Brookline Town Hall, 333 Washington Street, Brookline, Massachusetts on October 24, 2016.

**Members Attending:** Chairman David Carlon, Vice Chairman Jerome Falbo, Treasurer Myron Kassaraba, Member Wig Zamore, Member Pam Hill, Member Neil Wishinsky,

**Members participating by Phone:** Maura Zlody , Secretary, Executive Committee

**Others in attendance:** Massport Acting Director of Community Relations & Government Affairs Attorney Elizabeth Dello Russo Becker, Massport Director of Policy José C. Massó, III, Massport Director of Aviation Planning and Strategy Flavio Leo, Attorney Jennifer Dopazo Gilbert, Administrative Assistant Julie Lacy, Town of Milton residents; Melissa Fassell Dunn, Tom Buckley, Cindy Christiansen (also a member of the CAC) and Tom Dougherty.

Minutes taken by: Julie Lacy

The meeting began at 10:05 A.M. The following items were discussed:

### 1. Draft Minutes.

The Executive Committee discussed the draft minutes of the prior meeting. A discussion on how best to get minutes, agendas and notices of meetings to all CAC members was discussed. For now email is the best way to communicate with CAC members, but the CAC website should be up and running soon.

Wig Zamore arrived at 10:07 AM and Maura Zlody joined by phone at 10:15 AM.

Jerry asked that Julie be added as the taker of the minutes and asked Dave to send the draft minutes around prior to the meeting.

On Motion by Myron the minutes were approved unanimously as amended by Jerry with Neil abstaining as he was not present for much of the prior meeting.

### 2. Letters to the Attorney General and Ethics Commission regarding status of CAC members.

Myron and Dave explained that Jennifer Gilbert was in contact with several people at the Attorney General's Office to seek an opinion as the CAC members' status under MGL c. 258 and well as from the Ethics Commission with regard to MGL c. 268A. A draft letter was distributed to the members and copies made available for the public attendees.

The members discussed the legal issues and that there may be a need for an amendment to the legislation if the matter could not be cleared up.

Attorney Gilbert updated the members on her conversations with Julianna DeHahn Rice, Assistant Attorney General for the Government Bureau and stated she hoped to finalize the letter and with the approval of the Executive Committee send it out in order to get clarification on the 2 issues.

Members agreed that the letters should be neutral and not take a legal position, but rather ask for an opinion or guidance from both the Attorney General and Ethics Commission.

The Executive Committee voted to authorize Attorney Gilbert to finalize the letters and send them in order to get an opinion from the Attorney General and State Ethics Commission.

At 10:25 a.m. Flavio Leo from Massport arrived with Liz Dello Russo Becker and Jose Masso.

### 3. Agenda Item 2/ Report from Massport

Dave Carlon stated that on the agenda as item #2 is a report from Flavio Leo, Director of Aviation Planning and Strategy, at Massport. Mr. Carlon introduced those attending for Massport's report on the RNAV Study as Jose Masso, Director of Policy, Liz Dello Russo Becker, Attorney and now Acting Director of Community Relations and Flavio Leo.

Dave noted that this is the first briefing of the Executive Committee and it is an opportunity for the committee to hear about this Massport study. He also noted that he has requested that a version of this presentation be made to the Massport CAC members at the general meeting on December 8th. He stated that he will have a question and answer period at that meeting for the CAC members in order to allow time for the CAC members to discuss the RNAV study. Dave stated that he anticipates a more detailed report to the CAC and an opportunity for discussion by CAC members at that time.

He noted that this was a public meeting and not a public hearing and that members of the public may attend a meeting, but it is up to the Chair to permit public comment.

He will allow public comment at the conclusion of Flavio Leo's briefing and after discussion by the Executive Committee members. He noted there was a full agenda, so in the interest of time he will allow up to a total of 10 minutes for public comment on what has been presented by Flavio Leo. He requested members of the public to keep comments on what was presented by Massport regarding the RNAV study. He will allow three minutes per person to speak and requested that those speaking try not to repeat comments already made by others. He said that there will be another opportunity to discuss the report at the December 8<sup>th</sup> CAC meeting.

He pointed out that the committee was not deliberating or making any decision today.

Dave asked that if there were questions for Massport that they direct the question to him and questions that are not addressed will be duly noted and can also be communicated directly to Massport after the meeting and copied to the Executive Committee or the CAC. The Executive Committee may request Massport to address any questions or comments at a subsequent CAC meeting.

Dave stated that the Open Meeting Law, permits the recording of public meetings but only if the Chair has been notified and such recording is announced. Therefore, he asked if anyone wished to record. An attendee from Milton requested to record and Dave noted that she was recording.

Dave noted that related to this Agenda Item, he acknowledges receipt of an email from Cindy Christiansen, Milton's Massport CAC member which he received this past Friday afternoon at 3:33 p.m. The email also was sent to Ralph Dormitzer, Chairman of the Massport CAC's temporary Aviation Operations Subcommittee, and John Nucci, a Massport CAC member and Massport Board of Directors member. The document was noted as part of the record of the meeting.

Mr. Flavio Leo from Massport then gave a report on the RNAV Study. He discussed the technology and issues nationwide with RNAV. He stated that Massport reached out to the FAA to look at RNAV. He stated that the FAA laid out the RNAV with in-put from the community they overlayed the BLANS and other communities nationwide did not receive that.

Mr. Leo state that Massport reached out and asked to do testing with the FAA, because they are looking at it on the national level and the implications are nationwide. Mr. Leo discussed the Memorandum of Understanding ("MOU") and the Logan CAC and BLANS. He discussed 5 areas regarding the MOU:

1. Concentration on a Test Case for National Solutions
2. Altitude on Arrivals
3. Altitude on departures
4. Curved approach to 4 Right
5. Separation Standards

He noted that the team from M.I.T. and HMMH would be assisting as consultants.

He stated that Massport wants to work with CAC on key components and keep them informed. He noted that the MOU says the CAC is a conduit to the communities and FAA has committed resources. Massport has resources for its team and they wanted to make sure the FAA has identified air traffic support and they have said yes and have committed to support.

Jerry Falbo noted that with respect to the BLANS they had approved of the RNAV because when the Logan CAC was considering this they were sold on less noise because of narrow path, and did not realize what the consequences of that were because they did not have the experience.

Wig Zamore questioned whether we can rely on HMMH to do simulations or actual and whether Massport developed this in concert with the pubic or the CAC or its members?

Liz Dello Russo Becker stated there was no input on the drafting of the MOU.

Flavio Leo stated that they have taken into account feedback from communities and

Liz stated there was communication with people from the public.

Wig Zamore noted his concern and stated there is a question of process and precedent and I think we should have further conversation about process. Wig noted that Charlotte, West Virginia had a lot of public process – 7 years of public process for their RNAVs and that 33L and 4R are of great public interest, but in 33L he questioned how much of the new noise is coming from the flight paths being moved out or because put into RNAVs. He discussed arrivals and departures and band, physical calculations – and said it would be worth it if the consultants got a handle on the patterns and moving them beforehand rather than after – if you narrow the separation that raises concern of higher volume – for example in Jamaica Plain they advocate against fanning because of increase in volume.

Wig went on to note that in Winthrop, Chelsea, Revere narrowing is not the concern because they already have 4x the flight and 10-100x as much noise and that RNAVs are closer in Milton and farther in Belmont. He urged that the study should look at these communities.

Liz stated that was helpful feedback.

Myron noted that the BLANS Logan in-put was rejected by the FAA and they implemented their own procedure. He asked if there will be an opportunity for communities effected by 4R and 33L to provide input. He wants to establish how and when that will happen. Myron stated that now there is a deal with the FAA and we have had no idea of the details of this deal and we want it further defined. He asked when will this be done thru the CAC and how will that happen and when.

Flavio Leo stated that they will work at key points on briefing the CAC along the way using supplemental metrics. Massport will share info with the CAC and will use the CAC as a liaison with the communities. If there is a proposal from a non-member CAC then they would need to reach out to that community directly. He noted that with regard to BLANS a key point is to look at the flight corridors before and after the RNAV was overlayed by the FAA.

Wig disagreed and stated it is now over North Somerville before was East Somerville while Boston and Cambridge are less affected because it went inland.

Myron insisted they go back to tasks with the technical team. He asked Massport about the meeting and what are the tasks? When will we find out the focus of the task in order to know it focuses on the problem we are experiencing in each community? We want to figure it out now rather than being an opaque process. He stated that it is very important for all communities that we have an opportunity to provide in-put – all communities impacted.

Pam Hill stated that she appreciated the comments on public communication. She asked; Is there something that indicates a formal process such as an enviro impact statement.

Flavio stated that now it's a feasibility study to see what can we do, and if there is an action that comes out of this that may trigger a MEPA process that then we would have to work with the FAA to implement it.

Pam stated that she wants resources for the CAC to make sure that there are triggering mechanisms so that people understand and that the process has a certain rigor to it. She asked if Massport will use the CAC to get public comment. She recommends constructing a process now that everyone understands to work with Massport at "key points". She asked what are the milestones? What are the triggers? Let's write up a process to clarify and for transparency purposes.

Jerry stated that he totally agreed with Pam and understands why Myron wants the info for the impacted communities, but the CAC should have the same information.

Neil stated it would be helpful to set out a timeline for the process and agreed with Pam's points and noted the legislation allows the CAC to hold public hearings and maybe the CAC should do that.

Dave stated that a hearing in conjunction with Massport and a timeline and engagement is a good point. He wanted to be clear of his understanding about that these tests that the FAA is planning. Tom Glynn spoke about the idea of this study and Massport weighing in – maybe at multiple locations.

Flavio stated multiple airports.

Dave stated that because the study is at Logan we are now the envy of the airports nationally. He noted that 33L applies to 33L, but we are the test site for all RNAVs so all may benefit.

Flavio stated it depends and they will need more feedback, but it is just starting. The data will trigger whether it's a standard nationally or unique to Logan. He discussed the various factors effecting Logan.

There was a discussion of the factors impacting Logan and surrounding communities.

Liz noted that the mission statement included all impacted communities.

Dave stated that he tells everyone that my personal preference is that you need to think about all communities impacted by any changes.

Flavio noted that some elements will be win/win – higher altitude will be a win/win - if they can figure out higher flight patterns that are safe with MIT that would be great - on other stuff there may be winners and losers – the data needs to show us – dispersing will have differing impacts etc.

Maura was on the phone and stepped out for 15 minutes.

Wig noted that Massport must separate the win/wins from those where they may have conflict and at the end of the day you will be faced with dispersion everyone will be negatively impacted. He noted that when you go from RNAV's to dispersed you will have an increase of the dba; just one measure of noise when you split it, it doesn't drop very much, but the regulations are written to every 5 dB which works in the face of federal regulations. He wants a deep discussion of equity is early on.

Myron noted a case of RNAV in Northern CA – 27 is similar other than the corridor and 4R paths that go down the middle of Milton. He believes what's equitable is moving it back to what it was before.

Wig stated that's impossible under the federal regulations and Myron stated frequency is a variable that isn't reflected because of log scale.

Dave noted that the study has parameters or 5 areas and should not to be confused with the BLANS project, he noted it is not a runway plan.

Flavio Leo noted that the Logan CAC was looking at a runway plan/runway use – this study, however, is to address specific problems that are not runway use. He noted that the FAA wrote a letter that the Logan CAC grant will run out soon.

Dave stated that the BLANS study is not before the CAC – this is a new RNAV study before us.

Liz agreed and stated this study was distinct and open to the public.

Cindy Christensen a CAC Member from Milton then addressed the Committee and Massport. She noted that in September Milton presented the Massport Board with a resolution and last week Milton representatives sent a letter to Mr. Fuerta. Milton wants to be involved. She stated that Massport needs to involve communities and she asked to be part of that process. She asked for a copy of the MOU. She noted Milton's #1 problem is any planes when prevailing winds say do not go to 4R. She asked what is preventing Massport from using other runways. She asked about enforcement in the MOU and how will they be enforcing/ implementing the rules for the pilots.

Tom Dougherty, Esq. a Milton resident who lives on Adams Street spoke. He noted the difference between briefing and involvement. He wants community input for example it is doable at Heathrow. He doesn't think there is input here from effected communities and he wants was input and engagement before any briefing.

Tom Buckley of 132 Otis Street in Milton spoke. He has lived in Milton 60 years. He noted Boston is enjoying a vibrant economy and international status. He believes Logan wants to bring in more flights because it's a business to increase international travel, but at what point does it

meet the maximum point. He questioned is Logan maxed out – is Massport’s goal to increase traffic. He requested to see the business plan and how it addressed health and safety.

Melissa Fasseldunn, 84 Franklin Street in Milton spoke. She has 5 family members with children ages 4, 7, and 9. Her kids do not sleep at night because the planes are so loud– they end at 1:00 and start at 4:30 AM. She stated that she needs to move my family if this is going to go on because her whole family is being impacted – sleep deprivation is a real thing – this is my life and my kids – we need a timeline.

Dave asked if there was anything else from Massport or others.

Pam wants a rudimentary process and doesn’t see that component as difficult and wants to identify the process.

Dave stated that Massport should bring the CAC a process.

Pam asked when and by what date?

Dave agreed and said he’d like a working document to look at.

Myron agreed and stated it’s very important and difficult to understand the scope of all these activities – this MOU is covering RNAV procedure – there is also terminal E issues and expansion – runway use and expansion – all of these issues are not part of this study and that is one of the problems that the study does not include the scope of all these issues.

There are so many different issues so it’s incumbent on everyone to provide clarity on what is being addressed and how and when and how do they participate – all these things going on and nothing is changing—when things are announced its opaque – there is a need for transparency.

Wig stated that the process will solidify and Myron picked up on his issue of equity i.e. 300,000 will be effected and environmental justice areas. He requested that they move to his agenda item to discuss the upcoming conference.

Myron stated that the Committee should support Wig’s conference and Massport may want to consider endorsing it.

#### 4. Wig Zamore’s November 5th Conference.

Wig handed out the flyer for the conference and the Committee discussed the line-up and presenters.

11:45 PM break Jose Masso and Flavio Leo leave.

Myron – calls for a motion to endorse Wig’s symposium and that the Massport Executive Committee support this herculean effort.

Gerry seconded the motion and the Committee VOTED unanimously to endorse the symposium.

5. Discussion of Draft Request for Proposal for Human Resources Consultant for Executive Director Position

---

Myron gave the update and reviewed the draft RFP. HE wants to send it to Massport for review with respect to compliance with State Law Chapter 30B procurement laws. He noted the budget is \$25,000 so sealed bid does not apply. He noted the Committee can get 3 quotes like the web design firm.

---

Liz agreed on three quotes.

The members discussed the draft RFP and the process and timeline.

Jerry asked that Phase 1 – 60-90 days and Phase 2 60-90 days means 6 months before decision?

Myron responded yes and the budget anticipated that.

Jerry requested the time frame be shortened. A discussion of the timeline followed.

Myron suggested 30-60 days for Phase 1 and 2.

Jerry agreed and on page 5, proposal content – statement of qualification identifying sub consultants that the following paragraph be added: (f) legislative experience and Pam clarified familiarity with STATE process not Massport.

Jerry noted on the last page, page 9 section (j) proposal due date to Massport? Why Massport? Liz stated for administrative purposes only not decision making authority.

Wig asked that it be clarified why Massport has administrative oversight i.e. acting as an administrative agent.

Dave made a Motion to submit RFP as amended.

Seconded by Myron and approved unanimously.

Maura - yes on all unless I said No

6. Review of Minutes/ Maura Zlody.

Maura apologized that they were not ready and Dave said he will put them back on agenda for next meeting.

7. Website Development/ Update from Dave because Peter not available.

Dave stated that the CAC Website is live, but no content yet. It needs to be populated and provide content for day one with minutes, presentations, press releases etc.

The members discussed site content, emails and member contact info on the site.

There was agreement for further discussion and engagement with the full CAC.

8. CAC Address.

Dave stated the Committee had discussed a physical address PO Box in Brookline paid for by Law Firm and then reimbursed through the CAC. Motion by Dave to approve setting up the PO Box. Unanimously approved.

9. Calendaring capability and Misc. CAC Items.

The members discussed how to calendar and schedule meetings and setting a regular schedule for both the CAC and Executive Committee.

The Committee set Tuesdays at 10AM – second Tuesday of the month starting in January 2017, January 10<sup>th</sup> 2017. Second Tuesday of every month for Executive Committee meetings. The next Executive Committee meeting was scheduled for November 29<sup>th</sup> at 10:00 a.m.

A discussion of the CAC Annual Meeting logistics followed; setting the meeting date is very important and adjusting the schedule is tough for volunteers; getting a quorum and need for follow-up for people to attend. Dave noted there must be 21 for a quorum. It was agreed that Julie will make calls for Dave and report back after the election. He will get list of numbers to her.

Discussion of the Agenda for annual meeting; elections; RNAV study update with questions and combined with Tom Glynn and report from John Nucci. Also on the agenda the RFP, the budget report and a policy on public comment period.

Members discussed various options for a public comment policy. Members agreed a policy was a good idea. Jennifer will draft a policy and give to Dave for discussion at the next meeting.

Myron Motion to approve Jennifer's Fee agreement with Law Office of Robert L. Allen, Jr. and process payments was VOTED unanimous approval.

1:00 Jerry departed.

Dave made a Motion to adjourn at 1:03 seconded by Myron Unanimous Vote to adjourn.

DOCUMENTS FOR MEETING:

- Minutes of last Exec. Meeting
- Draft letter to Governor
- Myron's draft RFP for HR Consultant
- Cindy Christiansen email

APPROVED 11-29-16