



## MASSACHUSETTS PORT AUTHORITY COMMUNITY ADVISORY COMMITTEE

EXECUTIVE COMMITTEE

APRIL 9, 2019 AT 10:30 AM

State Transportation Building, Conference Room 1 | 10 Park Plaza, Boston, MA 02116

### Meeting Minutes

Present: Andrea Adams, David Carlon, Jerry Falbo, Myron Kassaraba, Pete Navarra, Wig Zamore, Maura Zlody

Others present: Matthew A. Romero, Executive Director, Jennifer Dopazo Gilbert, Esq., Counsel

Massport attendees: Anthony Gallagher

The meeting was called to order at 10:41 AM.

#### Approval of Minutes of March 12, 2019

Mr. Zamore wanted further assistance from Mr. Gallagher on scheduling rooms, and reiterated his desire to reconstitute the Environment and Health (EH) Subcommittee to help ensure quorums moving forward.

Motion to approve by Mr. Kassaraba, seconded by Ms. Adams. Approved unanimously.

#### Executive Director's Report

Mr. Romero inquired about news of a South End representative, and Ms. Zlody indicated the original candidate being discussed had indicated he was not interested. Her sense was that there was no rush on the City's end to appoint someone, but she would indicate the urgency from the Massport Community Advisory Committee's (MCAC's) perspective due to the quorum issues facing the Committee. Mr. Carlon suggested the Mayor's South End Neighborhood Services staffer might be a good candidate. Other potential candidates were discussed.

#### Treasurer's Update

Mr. Kassaraba reported that the MCAC's accounting firm, AAFCPA, had confirmed no tax returns were required due to the MCAC's status as a government agency and that 1099s had been mailed out to Robert Allen Law.



### Preliminary Massport CAC FY20 Budget

Mr. Kassaraba and Mr. Romero would work on a preliminary budget for FY20 for Executive Committee to review on April 23 at their meeting prior to the MCAC General Meeting. After incorporating any feedback, a draft version would be submitted for a vote of the Executive Committee at the May meeting and the final version presented to the MCAC for a vote at the General Meeting in June. He did not anticipate the budget to be too complicated, noting that while some costs were variable, the majority was the Executive Director salary and other costs such as legal services. Now that the process had been in place, he didn't anticipate there being any trouble with reloading the Massport CAC budget in Q1 of FY20.

### Massport Update

#### *RNAV Study Update*

Mr. Gallagher reported that Massport was working with Dr. Hansman to get the presentation to share with the MCAC prior to the meeting. Mr. Carlon expressed his concerns with sharing information without caveats and disclaimers so that nothing could be taken out of context. Measures such as including a cover letter indicating the "draft" or "notional" status of the information being provided as well as including dates and page numbers were discussed.

#### *HMMH Fly Quiet Reporting*

Mr. Gallagher had no update at this time, but expected one within the week and would provide to Mr. Romero. Mr. Kassaraba asked if there had been follow up with HMMH, and Mr. Gallagher responded that Mr. Leo was the main contact with HMMH and was following up with them. Mr. Carlon recalled that Ms. Mary Ellen Eagan from HMMH had indicated that she would provide the Minneapolis benchmarking report HMMH had conducted. Mr. Romero said he had asked Ms. Eagan for the report, but hadn't heard back yet. Mr. Carlon reiterated his desire to obtain that report so he could educate the Congressional delegation on Fly Quiet Reporting.

### Training for New Members

Mr. Romero indicated that he had a draft version of a survey that he and the Chair would review and finalize to send to MCAC members to the format preferred (live, webinar, etc.) as well as days and level of time commitment that members could make for trainings. Mr. Carlon recommended looking to the former Logan 101 training to compare, enhance, or change. Ms. Adams offered to send Mr. Romero the slide deck on the Noise Monitoring program from



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Massport. Mr. Carlon suggested offering the training to the Congressional delegation so their staffers could participate.

Mr. Kassaraba referenced the Santa Clara/Santa Cruz Round Table had a very well put together presentation that could be a model for something presented to the MCAC.

There was further discussion on the format and content, noting the challenge of gathering 40 individuals together at one common time for a live training. Mr. Kassaraba believed the baseline information could be communicated more efficiently by making it available for streaming online. Mr. Falbo agreed with an online streaming version, but wanted an in person option as well. Ms. Adams suggested having one with the very basics, not Logan specific, but rather airports in general. Mr. Navarra believed it would be great content for the website. Mr. Zamore preferred the PowerPoints rather than a video or "talking head." It was generally agreed that because people learn differently and prefer consuming content in different ways that multiple formats would be pursued.

Mr. Carlon indicated there was now an opportunity for the website to become a resource for educating not only MCAC members, but also elected officials, staffers, and the public; however, there should be authoritative sources for this content. Mr. Kassaraba believed there could be a general policy, but such decisions were usually left to the Executive Director. Mr. Romero indicated his preference for general guidelines so in most cases clear determinations could be made, while leaving the small remainder of "gray area" cases up to the discretion of the Executive Director. The emphasis should be on factual information and not opinion.

Ms. Adams noted a possible resource for recordings could be local cable studios. Winchester, Winthrop, and Belmont local cable studios were discussed as possible options.

### Part-Time Administrative Assistant Hiring Process Update

Mr. Romero reported that the LinkedIn and MMA posting periods had closed and yielded a high number of submissions. As discussed last month, Mr. Romero had identified a list of semi-finalists and reached out to them to confirm their continued interest in the position. Mr. Romero outlined the process as he envisioned it moving forward being mindful of complying with Massport's hiring policies and procedures. He suggested a working group consisting of himself, counsel, and perhaps one or two Executive Committee members to review semi-finalists and interview the finalists. Mr. Kassaraba requested a review of the by-laws to confirm that formulating such a committee would not trigger a formal subcommittee designation, which would in turn trigger Open Meeting Law (OML) requirements. Counsel would provide a determination.

Mr. Carlon made the motion to authorize the Executive Director to move forward with the interview process to hire a part-time administrative assistant in consultation with an internal



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working group consisting of Ms. Gilbert, Ms. Adams, and Mr. Navarra. Ms. Adams seconded the motion, and the Committee approved it unanimously.

### Massport Annual Current Expense Expenditure Budgets Review – RFI Update

Mr. Romero updated the committee that there continued to be a lack of interest on the next round of organizations he had reached out to. However, the Collins Center at UMass Boston had indicated a renewed interest in taking on the project. They were looking to see if they could add outside aviation expertise that they were lacking internally to assist with the project. Mr. Carlon suggested an independent consult with municipal accounting experience. Mr. Zamore believed that aviation experience might be necessary, and Mr. Kassaraba disagreed, indicating it would be nice to have but not critical to the project. Mr. Zamore and Ms. Adams both discussed potential sources of consultants or references to consultants and said they would provide Mr. Romero with information he could pursue.

### Legislative Update

Mr. Carlon indicated that he and Mr. Romero had composed and sent a letter to Senator Walter Timilty in response to an amendment to the Enabling Act he had drafted that would significantly alter the makeup of the MCAC's membership. Mr. Romero indicated that after the initial contact, he had reached out to his office via email again to clarify a date referenced in the initial letter, and then stopped by the Senator's office in person when he was at the State House for another meeting, hoping to engage the Senator's staff on the matter. No response had been received to date. Mr. Carlon indicated that he had updated the Hull and Hingham Boards of Selectmen at a joint meeting they held. The Hull Board of Selectmen voted unanimously to oppose the amendment.

Mr. Carlon indicated that he wanted discussion and a vote to oppose the amendment at the next MCAC General Meeting. Members discussed the legislative process of a bill and noted that it was unlikely this bill would move forward because the co-chairs of the Joint Committee on Transportation were Representative Straus and Senator Boncore. Mr. Zamore remarked that the bill, as written, was staggeringly prejudicial.

Mr. Kassaraba made a motion of non-support for Bill S.2149 and to bring that vote for ratification to the MCAC General Meeting, and to submit the MCAC's position by letter to the Joint Committee on Transportation.

Mr. Kassaraba noted that the Transportation Committee was in a 2-year session now, and suggested that in the letter the MCAC could ask to testify at any public hearing held on the bill.



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Mr. Carlon indicated that while the “door was always open” at Senator Boncore’s office, he wanted an official position of the MCAC.

Mr. Falbo seconded the motion on the floor, which was passed unanimously.

Mr. Kassaraba commented that there are 500-plus bills filed every year, many of which never see the light of day. He suggested that an informal discussion with the Committee Chair could be more effective than formal positions or testifying at hearings. Mr. Zamore expressed concerns about the opacity of the State House process and wondered how to keep track of it.

Mr. Romero noted that he was exploring options for access to a MassTRAC subscription, which could inform users both of bills and amendments as they were filed based on keywords and bill numbers, as well as provide daily activity updates on relevant bills or keywords. Mr. Kassaraba noted that “My Legislature” also provided notifications for bills and hearings.

### New Business

Ms. Zlody wanted to confirm the current vacancies. Upon review they were: Beverly, Boston (South End), Concord, Lexington, Randolph, Swampscott, and Milton.

Members engaged in discussion about the importance of and how best to fill vacancies.

Mr. Zamore gave an update on the EH subcommittee’s recent meeting on soundproofing. Mr. Carlon expressed a desire to document the rules that allow or disallow funding for noise mitigation at airports as governed by the FAA.

Mr. Zamore reiterated his concerns about the disconnect between noise annoyance (as identified and represented on the Schultz Curve) and the 65 DNL used as the noise mitigation funding standard.

There was discussion on what restrictions applied to Massport on funds for noise mitigation. Were the restrictions only on FAA funds or did FAA restrictions extend to other funds? Ms. Adams noted that she heard from Massport that the FAA considered all airport funds in the same “bucket” as FAA funds, so they might be constrained by FAA rules.

Mr. Carlon suggested a legal review by Massport and MCAC counsel. Mr. Falbo considered one complication to be the fact that Massport was semi-private and therefore was always concerned with bondholders. Mr. Kassaraba appreciated the spirit of Mr. Zamore’s comments on noise sensitivity, but he believed objective criteria were required for noise mitigation qualifications. He acknowledged that it’s possible that conditions have changed so that more people should qualify for noise mitigation, but what would the objective criteria be to allow for that expansion? He noted that some airports, such as Minneapolis, soundproof at 60 DNL, and he wanted examples of different criteria.



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The general consensus was for counsel to work with Massport's legal team to obtain answers on noise mitigation funding criteria, possibilities, and limitations, similar to the coordination that had been conducted with regard to the noise-based landing fee.

Mr. Falbo asked if there would be any relief for Winthrop. Mr. Gallagher noted that Massport was updating the contour and where it went from there was unknown. However, he pointed out that FAA guidelines made a distinction between windows that functioned for soundproofing purposes versus windows that functioned as windows. For example, some houses had windows that wouldn't open any more, but still fulfilled their soundproofing requirements when shut.

Mr. Anthony noted there was an individual in Somerville that was very upset and may be attending the general meeting to discuss her concerns.

Mr. Romero and Mr. Carlon reported that they had met with Congressman Lynch's Chief of Staff. He was offering a bill to the study noise and health impacts of airplanes. They had inquired if the Congressman wanted or needed any help, and his staffer indicated he would let them know what, if anything, would be helpful. Mr. Carlon indicated based off of the meeting, that there was a disconnect with the facts of what is possible versus not with the Congressman and his office.

Mr. Zamore discussed how cell biology and mechanistic biology understanding had advanced tremendously in recent years to the point where a blood test can show where a person lives. He noted that there is now an understanding that the single most important factor is one that reacts to nanoparticles, and transportation emissions are the main source of these.

Mr. Kassaraba wanted it noted for the record that many people are either misinformed or underinformed that NextGen and RNAV are to blame for increased noise due to changes in flight paths. That is not always the case. He was not aware of any significant flight path procedural changes in recent years, but there has been a significant increase in complaints and annoyance from residents in many different communities. He noted there had been a 33% increase in volume at Logan over the past decade. Not only is increased volume the issue, but also time of day. By 5:00 AM the airport is in full operations, so over harbor noise abatement procedures were not able to be used. He believed the one thing that definitely warranted review and analysis was the change in props over Chelsea and Winthrop that showed up in DNL analysis that was done for 33L departures. He underscored that apart from the possible props issue the biggest changes and impacts being felt by residents have everything to do with increased volume and more late night and early morning flights in the overnight hours vs. NextGen or RNAV. It's incumbent for the MCAC to direct the questions to Massport about both the volume changes and time of use. Because Massport cannot implement either a curfew or a cap on flights, it claims it has no control the volume increases or time of flights.

Mr. Romero had provided members' comments as outlined in the RNAV feedback handout to Mr. Leo to forward to Dr. Hansman. Mr. Kassaraba further added that flights by hour and runway



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should be added to Mr. Frank Iacovino's current monthly runway used operations reports. He explained it should be a simple script in their reporting system. He formally requested this from Anthony for last month, and moving forward.

### Correspondence

None

### Public Comment

None

### Adjournment

Motion to adjourn at 1:41 PM by Mr. Zamore, seconded by Ms. Adams, approved unanimously.

Documents Associated with EC Meeting:

### Agenda

Draft 03-12-2019 Executive Committee Minutes

RNAV Feedback document

Letter to Senator Timilty with attached proposed legislation