

**PEASE DEVELOPMENT AUTHORITY
BOARD OF DIRECTORS' MEETING
MINUTES**

Thursday, June 13, 2024

Presiding: Stephen M. Duprey, Chairman
 Present: Neil Levesque, Vice Chair; Thomas G. Ferrini, Treasurer; Susan B. Parker, Karen Conard, and Brian Semprini
 Absent: Steve Fournier
 Attending: Paul E. Brean, Pease Development Authority ("PDA") Executive Director; Anthony I. Blenkinsop, Deputy Director / General Counsel; Suzy Anzalone, Director of Finance; Michael R. Mates, Director of Engineering; Scott DeVito, Pease Golf Course ("PGC") General Manager; Myles Greenway, Interim Director of Division of Ports and Harbors; Jared Sheehan, Environmental Compliance Manager; Andrew Pomeroy, Director of Aviation Planning & Regulatory Compliance; Greg Siegenthaler, IT Director; and Raeline A. O'Neil, Executive Administrative Assistant

BOARD OF DIRECTORS' MEETING

AGENDA

I. Call to Order:

Chair Stephen Duprey ("Duprey") called the meeting to order; the meeting commenced at **8:34 a.m.**

II. Acceptance of Meeting Minutes: Board of Directors' Meeting of May 23, 2024

Director Semprini **moved** the **motion** and Director Levesque **seconded** to accept the meeting minutes of the Board of Directors' meeting held on May 23, 2024.

Discussion: None. Disposition: Resolved **unanimous** vote for; motion **carried**

III. Public Comment:

Douglas Berry – Ethos Veterinary (didn't speak)

Brad Cook ("Cook") – spoke to the proposed Appledore Marine Engineering ("AME") materials regarding Rye Harbor ("RH"), shacks' history via Right of Entry ("ROE") and displacement of shacks due to storms. Cook indicated shacks required to be linked to passenger vessels, mooring permits, and pier use permits, not the sale of fish. Spoke to the ARPA funding and indicated a raised platform is not necessary. Spoke to a better use of the funds at the Portsmouth Fish Pier ("PFP") or replacement of the Rye Harbor DPH office, as alternatives.

Executive Director Brean ("Brean") exited at 8:42 a.m. and returned at 8:43 a.m.

Pete Reynolds (“Reynolds”) – Granite State Whale Watch - Spoke to the AME study and that storm surges have not caused interruptions to businesses as they do not necessarily occur during summer months. Understands the need to utilize ARPA funding but there are other shellfish projects that could benefit; the PFP. Spoke to issues with Rye Parking Lot and how the funds could be utilized elsewhere for the benefit of everyone.

Duprey stated DPH has been run at a deficit and the facilities need capital improvements. The purpose of Rye, Hampton and Portsmouth locations being to first support the fishing communities, but also the greater purpose (harbors belonging to a group of fishermen, people in the area; and the State). Questions have been presented on what is going on in the harbors (i.e., use for the few fishermen, commercial vessels, recreational boaters or use by the average citizen); the harbors belong to all the citizens. Generating money would help to offset costs associated with maintaining the harbor. The Board is charged with developing overall policies for both Tradeport and DPH. Does not believe the [Rye] ARPA funding could be reallocated for use of the PFP project. Duprey spoke to the need for consistency and the necessity to be fair to all, not one group.

Adam Baker (“Baker”) – Vintage Fish Company – Baker indicated the harbor is for everyone, but it also a working harbor (one of the last in NH). Baker spoke to patrons’ interests in the various boats and concerns regarding the parking lot.

Baker stated he has a mooring permit, commercial use pier permit, and a ROE (with associated yearly fees), spoke to equality and asked if Hampton Harbor, would face this reality. Duprey affirmed. Baker spoke to the shacks / buildings originally built as small kiosks for ticket sales and over time businesses have expanded and should be grandfathered. Understands the need to increase income and revenue but there needs to be a balance.

Daniel Salerno (“Salerno”) – Manager of NE Fisheries Sector – Groundfish component of the NH Fishing Industry based out of Portsmouth, spoke to rebuilding PFP building, the anticipated future of fisheries, and inclusion of a bait cooler / ice facilities, etc.

Duprey asked Salerno how many groundfishermen PFP supports; Salerno indicated between 5 to 10 range. Salerno further stated the interchange between ground fishing and lobster as neither are year-round opportunities (some fulltime lobstermen but not many fulltime ground fishermen). Duprey followed-up asking if it were known how many lobstermen working out of PFP, Hampton and Rye; Salerno did not know.

Damon Frampton (“Frampton”) – Frampton spoke to users from the previous discussion at the harbors and will continue to participate in the process going forward.

Dwight Tuttle (“Tuttle”) – Black Dog Charters (Rye Harbor) – agreed with what has been stated; reiterated the cost of the study is high.

Pat Dennehy (“Dennehy”) – Tontine – Any money for Rye Harbor is a waste; buildings move, fixes are made, and businesses move forward.

Duprey asked if the shacks were moved into the parking lot; Dennehy indicated if they were placed against the guardrail they wouldn't float away.

Duprey spoke to a long-term study to improve the whole harbor; Dennehy asked how the money would be recouped. Duprey indicated having a few additional businesses at the harbor paying rent to generate funds for improvements to the harbor.

Mike Donahue (“Donahue”) – spoke to Rye Harbor in 1962, the deposit of dredge spoils and a public benefit being the extension of the sewer to the harbor or fixing of the parking lot. Suggested working with Parks and Rec to place food trucks along the point and/or a concession stand. Funds should be considered by all, so they are utilized in a more constructive and well thought out manner.

Joshua Ford (“Ford”) – spoke to the Co-op (“PFP”) building being in need as it is important to all; feels the Board is fair to all. The character of Rye is why people move there and if start changing things, the character will get lost.

Duprey stated the Board understands the need to rebuild the PFP, the fees associated with the studies and appreciates the valuable information received.

IV. Consent Agenda Items:

A. Consent Agenda Approvals:

Director Conard **moved** the **motion** and Director Parker **seconded** that **the Pease Development Authority Board of Directors hereby moves that item numbers 1-4 and 6 -7 from the consent agenda list below be approved as a single consent agenda item, and that the proposed motions included for each be incorporated into such approval as the operative motion for each item.**

1. Security Utility Vehicle – 4X4 John Deere
2. Legal Services
3. 231 Corporate Drive LLC – 231 Corporate Drive - Variance Request
4. Lonza – 101 International Drive – Equalization Tanks Concept Approval
6. Port City Air, Inc. (Great Circle Catering) – 282 Corporate Drive – Concept Plan
7. US Department of State – 31 and 32 Rochester Avenue - Lease Amendment No. 2

Discussion: None. Disposition: Resolved **unanimous** vote for; motion **carried**.

5. Vanasse, Hangen, Brustlin, Inc. – Update Implementation Plan – Tradeport Intersection Improvement Implementation Plan

Director Semprini moved the motion and Director Parker seconded that **the Pease Development Authority (“PDA”) Board of Directors hereby authorizes the Executive Director to enter into a contract with Vanasse Hangen, Brustlin, Inc. (“VHB”), PDA’s on-call transportation consultant, to prepare an Implementation Plan Update for the Tradeport-wide Intersection Improvement Program; all in accordance with the memorandum from Michael R. Mates, P.E., Director of Engineering, dated June 3, 2024.**

Discussion: Parker commended PDA regarding the updated implementation plan and asked when it would begin; Michael Mates (“Mates”), Director of Engineering, indicated if approved, he would reach out to VHB to schedule a kickoff meeting in the next week or so.

Parker asked if there would be any kind of public hearing on some of the work VHB is anticipating; Mates indicated the study could be brought to the Transportation Committee once it has been completed.

Parker spoke to the review of the frequency of turnings etc. and inquired if this were a single time per day or rush hour (a.m. / p.m.; Mates confirmed VHB would establish when the peak hours are (a.m. / p.m.) which will be compared to the warrants to find out if additional turn lane / signal / some other improvement(s) may be warranted.

Parker asked how far in the scope will the study look, specifically traffic overloads and chock points on Route 33 which passes through Greenland. Mates indicated Route 33 is jurisdiction of NH DOT and while the implementation plan will look at [turning movements at] the intersection of Grafton Drive and Route 33, it won’t go beyond that. However, DOT has real time Route 33 counts on its website which can be utilized [to further evaluate Route 33]. Parker indicated it would be wise for the Transportation Committee to encourage the public to collaborate with DOT.

Ferrini indicated the extent to which this would connect to the communities (State / Newington / Portsmouth / Greenland) with connections on Route 33 are important and if they are not integrated from decision-making areas and they need input to a fully integrated system. Brean indicated looking off-site would be considered revenue diversion but is confident VHB will tie into existing data available from DOT. The VHB focus is on the Tradeport and Airport and would harvest information NH DOT has available. Ferrini spoke of the representatives from the different towns and asked to what extent is the impact integration provided.

Parker wondered if it would be under regional impact planning and thinking ahead; it makes sense for the consideration of a wider impact.

Duprey indicated Pease is restricted in what it can utilize its funds on, cannot be off-site / off airport, but the report can be made available to surrounding towns.

Disposition: Resolved **unanimous** vote for; motion **carried**.

V. Committees:

A. Report:

1. Port Committee

Levesque spoke to the meeting held on June 4, 2024, and discussions regarding both the PFP and Rye Harbor; received great input regarding the fishing community from public speakers.

2. Finance Committee

Ferrini spoke to the meeting held on June 10, 2024, and Suzy Anzalone (“Anzalone”), Director of Finance, presented various aspects of the reports current in the Board materials as well as the upcoming operating budget and forecast. There was a review of capital improvements at the Airport / Tradeport / DPH, of great interest when provided with an understanding of planning and funding of various projects.

VI. Finance:

A. Executive Summary

B. Reports:

- 1. FY2024 Financial Report for the Ten-Month Period Ending April 30, 2024**
- 2. Cash Flow Projections for the Nine Month Period Ending February 28, 2025**

Suzy Anzalone (“Anzalone”), Director of Finance, spoke to the Executive Summary and the two (2) reports.

Anzalone spoke to a strong year and consolidated operating revenues being on budget, with operating expenses on a year-to-date (“YTD”) basis under budget by 8.8%. Each business unit is performing favorable to budget; the exception being Skyhaven, due to the onboarding of staff.

Anzalone spoke to a strong balance sheet as well as PDA assets and liabilities; YTD capital expenditures of \$12.2 million with main projects being main pier at Market Street (almost complete) with \$6.4 million representing what was spent in the current fiscal year. To date, \$4.9 million has been invested in the Arrival’s Hall project.

Further, Anzalone spoke to cash inflows of \$20.4 million, including just under \$6 million in grant funding just for PDA; \$24.5 million in outflows which include \$11.3 million in grant / non-grant related capital expenditures. Over the next nine months, it is expected that unrestricted cash balances will decrease to \$6.6 million.

Director Levesque (“Levesque”) exited the room at 9:39 a.m., and returned at 9:41 a.m.

Duprey asked of capital expenditures and how much was spent on the decking and bracing at the PFP; Myles Greenway (“Greenway”) Interim Director of Ports and Harbors indicated it had just started and believes it is \$1.2 million; the remaining funds of approximately \$110,000 from a recent Hampton Harbor project had been shifted to PFP for use on this project. Greenway indicated the current work at the PFP is for bracing and on top deck. Duprey asked when this project is complete, would the pier be in good shape from \$4.2 million spent on various projects; Greenway affirmed.

Duprey also spoke to DPH revenue (Wharfage / Dockage / Fuel fees) being down; Greenway spoke to the schedule of deep-water vessels, of which one was supposed to have arrived in May with salt but was delayed. Further, smaller vessels do not require heavy lift like larger vessels do and fuel pump work (being up or coming online except for the fuel at Rye) which should be operational next week. Therefore, the anticipated proceeds from those items have been lost. Anzalone indicated when [last year’s] budget was being prepared, an estimate of fuel purchase and sale price were higher and pricing came down, also wharfage/dockage can vary significantly as historical information is utilized for budgeting purposes.

Parker appreciated Duprey’s questioning concerning the wharfage / dockage concerns. By bringing this to the attention it points out the role the weather / mother nature has on deep draft long boats which can prohibit / delay anticipated arrivals. Greenway affirmed and further spoke to an extension of arrival by at least 30 days when the Panama Canal is not able to be utilized. Greenway indicated usually, container vessels pay for use of the canal and salt vessels opt to go around adding approximately 30 days to its transit.

Duprey asked if the Market Street project was complete; Anthony I. Blenkinsop (“Blenkinsop”), Deputy Director / General counsel indicated there are a couple of remaining items being addressed, but it is close.

C. Approval:

1. Proposed FY 2025 Operating and Maintenance Budget and FY 2026 - FY2028 Forecast

Anzalone indicated for the 2025 budget, consolidated operating revenues increasing by 4.5% over the prior year; some of the line items contributing to the increase being facilities rentals and fuel flowage fees (anticipating an increase in fuel flowage fee by two cents and an increase in volume). “Miscellaneous Other” represents a reduction in fuel sales as the pricing has decreased, but the volume is anticipated to increase. Further, Anzalone spoke to a 4.6% increase in expenses; “Miscellaneous Other” represents the decrease in cost of fuel purchased.

Anzalone stated that staffing includes a yearly Cost of Living Adjustment, and a salary increase capped at 2%. Included is the potential onboarding of a staff attorney; this position has always been on the organizational chart but was not budgeted in previous years.

Anzalone indicated the State had not provided information regarding benefits prior to the budget preparation; therefore, estimated a 7% increase. Duprey asked if any guidance had been provided; Anzalone indicated no information had been received and this estimate is on the conservative side, being mindful of insurance costs etc.

Anzalone mentioned a decrease in utilities due to the lower cost; Duprey asked if this was based off utility broker information. Anzalone stated last year's budget did not anticipate a decrease in utility costs and for this year the budget is the same which incorporates the lower cost, conservatively. Also, PDA continues to work on obtaining a contract for the supply portion of utility's cost.

Pertaining to State of NH personnel costs, Parker asked if surrounding states' costs were considered when estimating increases; Anzalone affirmed a review of New England states. Further, Anzalone indicated PDA has more control over salaries but not its benefits, which are received from the State.

Lastly, Anzalone indicated there are no required covenants when preparing the budget; however, she does a calculation for "days cash on hand" ("DCOH"). DCOH means if PDA / DPH were to stop receiving any kind of revenue, it could last approximately 8.5 months.

Anzalone spoke to the executive overview providing potential impacts to the budget, operational initiatives (efficiency, safe, long-term success etc.) and determination of some budget assumptions. Further, the summary provides information on expenses, revenues and the anticipated budgeted performance of both PDA and DPH.

Anzalone indicated continued work going forward working towards decreasing DPH's deficit; has not budgeted anything not in place at this time.

Anzalone spoke to the cash flow analysis provided for both PDA and DPH over the next four years, showing a decrease in cash, being carefully managed.

Duprey indicated that Director Conard needed to depart the meeting for an outside meeting; therefore, moved to vote on the budget and forecast.

Director Ferrini **moved** the **motion** and Director Conard **seconded** that **the Pease Development Authority Board of Directors hereby accepts and approves the proposed FY 2025 Operations and Maintenance ("O&M") Budget and FY 2026 – FY 2028 O&M Forecast; all in accordance with the memorandum dated June 2, 2024, and attached documentation submitted by Suzy Anzalone, Director of Finance.**

Discussion: None. Disposition: Resolved **unanimous** vote for; motion **carried**.

Director Conard ("Conard") had to leave the meeting early due to required attendance at another meeting, she departed the meeting at 9:45 a.m.

Ferrini stated looking at the proposed DPH deficit over the years and the Board's vote in favor of the budget with a deficit, doesn't mean moving forward it is a good idea. With today's public comments received, he spoke to the interaction with stakeholders being helpful to PDA's decision-making. With a vote of approval, on a budget which contains a deficit, it doesn't mean the deficit is being condoned, rather there is work necessary toward stopping a deficit and

options need to be considered. Analysis of options needs to occur while being responsive to the legislature and State of NH on how this is going to work.

Levesque stated there is money in the budget for an additional fire truck if the Executive Director needs that stream of funding.

Duprey spoke of \$86,000 for equipment lease; Anzalone indicated the fire truck portion from that amount was approximately \$70,000 and the balance was for other operational items.

Parker asked if the fire truck discussions were those which resulted in the very brief shut down of the airport last year; Duprey affirmed.

Duprey asked Brean to speak to the fire truck issue further. Brean stated Portsmouth International Airport at Pease (“PSM”) is currently at Index D and working to towards Index C. The NH ANG has reported making great gains in obtaining parts to get the fleet of vehicle(s) online when engines go down. Brean informed the Board that ANG is scheduled to receive a new fire truck in 2025. Currently, ANG is waiting on a part, to be received month end, for repairs to one of its fire trucks. Also, ANG keeps in contact with PDA, daily / weekly, on the status of the various fire apparatus located at the airport. Spoke to discussions of PDA facilitating a fire vehicle for use at the airport; however, this is not how the ANG operates. PDA could look to lease a vehicle, should it become necessary.

Paker inquired if the Department of Defense refused to pay for the necessary equipment; Brean indicated funding has been appropriated. That said, the supply chain, due to the pandemic, created a setback; these are highly specialized units made to order. Parker further inquired into the timing of the vehicle; Brean stated the apparatus will be received by the ANG in 2025.

Chairman Duprey moved items XII. A. 1. & 2. up in the meeting.

VII. New Business:

A. Report:

1. Thermo Fisher Scientific, Inc. – 23 Hampton Street – Presentation to Board

Christine Emery (“Emery”) of Thermo Fisher Scientific (“TFS”) is part of its corporate real estate team. TFS is a Fortune 500 company in the life science sector who has been on the Tradeport for close to thirty (30) years; the hangar it currently utilizes is over sixty (60) years old. TFS is looking to build a new hangar and it would like to remain at the Tradeport. Currently have one jet in the hangar and would be adding a second jet; the new location would plan for that growth. Emery indicated TFS has been working with ProCon who has provided design schematics.

Duprey stated PDA appreciates having TFS at the Tradeport as it is a great corporate citizen of NH. Duprey asked of the timing moving forward. ProCon has been working with PDA staff on the location of a hangar; currently looking at the end of Flightline Road. Anticipate bringing this to the Airport Committee in July, with a return to the Board in August

for conceptual approval.

2. Delos, LLC (PlaneSense) – 115 Flightline Road - Presentation to the Board

Josh Howard of Hoyle Tanner presented, and in attendance were representatives of PlaneSense and Mike Lawrence with ProCon. The project would be an expansion of the existing PlaneSense building located at 115 Flightline Road with the existing facility being 63,000 sq.ft. and new expansion being approximately 67,000 sq.ft. for a total footprint of 130,000 sq.ft. The main entrance would be shifted slightly north with the addition of parking to bring the total number of parking spaces to 255. The building will contain office and hangar space.

Duprey indicated the PlaneSense expansion would be a great addition, its business is great for the Tradeport and State of NH; and the Board looks forward to seeing more detail in the future regarding the proposed project.

VIII. Licenses/Rights of Entry/Easements/Rights of Way:

A. Report:

- 1. 603 Aero Space, LLC – Right of Entry – Aviation Avenue**
- 2. ATDG, LLC – Right of Entry – 360 Corporate Drive**
- 3. CDM Constructors Inc. and Northam Survey LLC - Right of Entry – Off Arboretum Drive**
- 4. New Hampshire ANG – Right of Entry - 119 Arboretum Drive**

In accordance with the “Delegation to Executive Director: Consent, Approval and Execution of License Agreements,” PDA entered into the following Right-of-Entry/Agreement:

1. Name: 603 Aero Space, LLC
License: Right of Entry
Location: Portsmouth International Airport at Pease
Purpose: Geotechnical Review and Survey / Site Inspection for General Aviation T Hangars
Term: May 15, 2024, through October 11, 2024
2. Name: ATDG, LLC
License: Right of Entry
Location: 360 Corporate Drive
Purpose: General site inspection
Term: May 24, 2024, through September 30, 2024
3. Name: CDM Constructors Inc.
License: Right of Entry
Location: Off Arboretum Drive
Purpose: Site Survey Purposes for Tree Removal for the removal of the fuel line
Term: May 23, 2024, through May 31, 2024

4. Name: NH ANG
 License: Right of Entry
 Location: 119 Arboretum Drive
 Purpose: Truck Rodeo Training Event
 Term: May 31, 2024, through June 2, 2024

Director Fournier was consulted and granted his consent regarding these Rights of Entry.

Duprey inquired of item #3; Blenkinsop indicated this was for survey work in anticipation of the following item on the agenda which is the approval of the pipeline removal.

B. Approval:

1. CDM Constructors Inc. –Defense Fuel Support Point Pipeline Removal – Right of Entry

Director Levesque **moved** the **motion** and Director Semprini **seconded** the motion that **the Pease Development Authority Board of Directors approves of issuing a Right of Entry (“ROE”) to CDM Constructors Inc. for the removal of two inactive Defense Logistics Agency fuel pipelines located on PDA property, substantially in accordance with the memorandum of Jared Sheehan, Environmental Compliance Manager, dated June 11, 2024, and draft ROE.**

Discussion: Blenkinsop indicated these are old fuel lines that ran from the river through Newington onto the Tradeport to the former Air Force fuel tanks. The removal of the pipelines has been discussed for years and the project is moving forward; work has started in Newington on Shattuck Way. This ROE is necessary to allow CDM to access Pease property to remove the pipeline. It is anticipated that the removal on Pease would commence in July and be completed by the end of December. DES permits and approvals have been received; should there be any issues along the way, none are anticipated, they will be addressed. There will be a short area of the North Apron Access Road which will be temporarily closed and dug up, associated with the pipeline removal, anticipated during August.

Duprey spoke to previous discussions with Two International regarding leasing the 165 Arboretum property and the pipeline issue resulting in the project not moving forward. Also indicated the clear understanding that the primary concern regarding the pipeline had been making sure nothing that was done could in any way be construed by the AF as an assumption that PDA assumed the liability for any PFAS etc. Blenkinsop indicated the issue triggered by the potential development was the desire of getting ahead of the AF in the pipeline removal to advance the project. An agreement was reached by the developer and the Air Force during those discussions to waive the developer’s indemnification rights under federal law, but when the project went away so did that agreement. The federal protections are still in place, within the ROE the contractor has insurance and indemnification obligations to the PDA.

Ferrini asked if the development project could return, with this resolution, at a lesser cost. Blenkinsop could not speak for Two International, but once the pipeline has been removed from

165 Arboretum Drive it does open the possibility of development as the pipeline impediment would be removed.

Parker stated this would be considered an investment; Blenkinsop agreed and stated it will be good to get the old AF jet fuel lines out of the ground.

Disposition: Resolved **unanimous** vote (5-0) for; motion **carried**.

VIII. Leases:

A. Report:

1. **Sublease between 200 International LP and Global Dominion Access USA Corp – 200 International Drive (Suite #150)**

In accordance with the “Delegation to Executive Director: Consent, Approval of Sub-Sublease Agreements” PDA approved the following lease option with:

- | | | |
|----|---------|--|
| 1. | Tenant: | Global Dominion Access USA Corp |
| | Space: | 200 International Drive (Suite #150) |
| | Use: | Business office, light industrial and light manufacturing uses |
| | Term: | Eighteen (18) Months commencing May 15, 2024, with an expiration of October 31, 2025 |

The Delegation to Executive Director: Consent, Approval of Sub-sublease Agreements also requires the consent of one member of the PDA Board of Directors. In this instance, Director Fournier was consulted and granted his consent.

IX. Contracts:

A. Report:

1. **Sunbelt Rentals – Stump Grinder**
2. **Air Traffic Control Tower - Shade Replacement – Plastic-View**
3. **Pease Tradeport - Zero Turn Diesel Mower – James R. Rosencrantz & Sons, Inc.**
4. **Pease Golf Course - True 72” Four Drawer Refrigerated Chef Base - WebRestaurant**

In accordance with Article 3.9.1.1 of the PDA Bylaws, Brean reported on the following:

- | | | |
|----|------------------|---|
| 1. | Project Name: | Sunbelt Rentals |
| | Board Authority: | Director Ferrini |
| | Cost: | \$321.61 |
| | Summary: | Rental of Stump Grinder |
| 2. | Project Name: | Plastic-View |
| | Board Authority: | Director Ferrini |
| | Cost: | \$9,476.00 |
| | Summary: | 360 Shade Replacement for the Air Traffic Control Tower |

3. Project Name: James R. Rosencrantz & Sons, Inc.
 Board Authority: Director Ferrini
 Cost: \$21,049.00
 Summary: One Zero Turn Diesel Mower
4. Project Name: WebRestaurant
 Board Authority: Director Ferrini
 Cost: \$6,780.00
 Summary: True 72” Four Drawer Refrigerated Chef Base

X. Executive Director:

A. Reports:

1. Updated Committee Assignments

PDA COMMITTEE LISTING – EFFECTIVE May 23, 2024

Standing Committees

Executive Committee

Stephen M. Duprey, Chair
 Neil Levesque, Vice Chairman
 Thomas G. Ferrini, Treasurer
 Staff Contact: Brean/Blenkinsop

Marketing and Economic Development Committee

Thomas G. Ferrini, Chair
 Neil Levesque
 Susan Parker
 Staff Contact: Brean

Finance Committee

Thomas G. Ferrini, Chair (Treasurer)
 Brian Semprini
 Neil Levesque
 Staff Contact: Brean/Anzalone

Zoning Adjustment & Appeals Committee

Steve Fournier, Chair
 Susan Parker
 Stephen M. Duprey
 Staff Contact: Blenkinsop/Mates

Airport Committee

Stephen M. Duprey, Chair
 Steve Fournier
 Brian Semprini
 Staff Contact: Brean/Mates

Ad Hoc Advisory Committees

Capital Improvement and Land Planning Committee

Steve Fournier, Chair
 Thomas G. Ferrini
 Neil Levesque
 Staff Contact: Blenkinsop/Mates

Transportation Management Committee

Brian Semprini, Chair
 Karen Conard
 Susan Parker
 Staff Contact: Mates

Golf Committee

Steve Fournier, Chair
 Thomas G. Ferrini
 Karen Conard
 Staff Contact: Brean/DeVito

Port Committee

Neil Levesque, Chair
 Steve Fournier
 Karen Conard
 Ex Officio: Chair DPH Advisory Council
 Staff Contact: Brean/Greenway (Interim)

Audit Committee

Thomas G. Ferrini, Chair
 Stephen M. Duprey
 Karen Conard
 Staff Contact: Anzalone

Legal Bill Review

Stephen M. Duprey, Chair
 Thomas G. Ferrini
 Karen Conard
 Staff Contact: Blenkinsop

Notes: Executive Committee must have Board Chairman as Executive Committee Chair and Board Vice-Chair as Executive Committee Vice-Chair. Finance Committee must have Board Treasurer as Chairman of Finance Committee. Other than that, each Committee must have a minimum of three Directors appointed to each Committee with a Chairman selected from such appointees; appointments to Committees are at sole discretion of Board Chairman.

2. Golf Course Operations

Scott DeVito (“DeVito”), Pease Golf Course (“PGC”) General Manager, spoke to its operations and informed the Board that despite 8 rain days in May, PGC came close to matching rounds of golf played in a single month (385 rounds per day). Since the beginning of June have averaged 405 rounds per day.

DeVito indicated the major storm last Wednesday came in around 3 p.m. and had to get players off the course. That Thursday, maintenance worked on the PGC facility so the league could play that evening.

Grill 28 has thirteen (13) separate events aside from the golf events. Today, PGC is hosting Great Bay Community College, as well as another event on Friday and a large Memorial event on Monday.

3. Airport Operations

- a) **Portsmouth International Airport at Pease (PSM)**
- b) **Skyhaven Airport (DAW)**

Brean spoke to the load factor being good on Allegiant and PSM being currently above last year’s passenger enplanements. Anticipates an uptick next month with civil reserve air fleet service with D-day Anniversary, work being performed at Bangor airport and NATO events.

Duprey inquired into the work being done at Bangor; Brean stated PSM closed its runway for two weeks when work was being done, but Bangor has required the contractor restore the runway daily to meet its commercial air service demands which may extend out the work timeframe an additional six (6) months.

Revenue parking is strong and anticipate an uptick in fuel flowage next month with the anticipated increase in activity at PSM.

Brean spoke to an Airport Committee in July; stated the Board requested an FBO Airport Study and staff has prepared a draft report (stormwater / spill capacity) for discussion at the Airport Committee meeting (this includes a comparison of fee structures in the region).

Duprey spoke of the need for a study to understand the various stormwater restrictions, what can go into the ground / separators, and overall capacity prior to advancing with next step(s).

Brean spoke to significant ramp improvements at Skyhaven being federally funded and through State Block Grant Program. Skyhaven also had a very successful community outreach program, Wings and Wheels, with approximately 5,000 to 6,000 people in attendance.

c) Noise Line Report
(i) May 2024

Brean stated for the month of May, PSM received one (1) noise inquiry that involved two separate aircrafts: one aircraft at 6:00 a.m. and another at 7:00 a.m. One was most likely an Atlas flight departing with troops and the other being a business aircraft.

XI. Division of Ports and Harbors:

A. Reports:

1. **American Cruise Lines, Inc. – 555 Market Street Terminal – Right of Entry**
2. **Commercial Mooring Transfer – Elwell to Falzarano**
3. **Commercial Mooring Transfer – Murphy to Desrosiers**
4. **Commercial Mooring Transfer – MacDonald to Ribblett**
5. **Commercial Mooring for Hire – Esther’s Marina**

Greenway provided an update at the facilities:

1. **Market Street Terminal**: Continues working with MAS on punch list items for the project. There will be a call later today to go over some information for the terminal project.

Planning continues regarding the Coast Guard Cutter “EAGLE” arrival and ride in.

Regarding working to rebid for the Functional Replacement project, an Administrative Closing letter (permitting for the project) has been received from the Army Corp of Engineers, placing DPH in a hold status at this time. DPH is working with DOT on funding an analysis of the dredge spoils before moving forward with the project.

2. **Portsmouth Fish Pier (“PFP”)**: On May 23, 2024, attended a construction (decking and bracing) meeting; nothing significant to report. DPH and contractors are working with vessel owners / operators to shift vessels as they continue to work down the pier.

3. **Rye Harbor**: Gasoline / Diesel fuel is available at commercial pumps only, with installation of the new pumps on the recreational side being worked on; anticipate the pumps open on Monday.

4. **Hampton Harbor**: Gas and diesel pumps are up and running.

5. **General**: Operations Manager and Deputy Chief Harbormaster met with FEMA and the Dept. of Homeland Security Emergency Management regarding the ongoing FEMA applications from the winter storms; the next step will be site visits.

Parker asked if this were State or Regional; Greenway indicated he would follow-up, but Homeland staff were in attendance, FEMA for the actual government as well as state representatives (outgoing and incoming).

Duprey asked for an update of the process for Rye and Hampton; Greenway indicated reimbursement was more for Rye than Hampton (the fuel system at Hampton). Duprey asked of the estimate request for each facility; Greenway does not know the numbers at this time and is hoping to break even.

Greenway spoke to attending a North Atlantic Ports Association meeting last week and the discussions held, and there being a guest speak at the meeting.

On the 25th, a meet and greet will be held with the Northern Sector Captain of the Port who is retiring, will be introduced to her replacement.

Will be attending a Capital Budget meeting in Concord on Tuesday with Anzalone.

Director Levesque (“Levesque”) exited the room at 10:24 a.m., and returned at 10:25 a.m.

B. Approvals:

1. Portsmouth Fish Pier - Replacement Building - Appledore Marine Engineering Services

Director Levesque moved the motion and Director Semprini seconded that the **Development Authority Board of Directors authorizes the Executive Director to finalize and execute a contract with the Division of Ports and Harbors contracted on-call marine engineering service provider, Appledore Marine Engineering, LLC, in an amount not to exceed \$218,419.00, for engineering services related to the Portsmouth Fish Pier Replacement Building; all in accordance with the memorandum of Myles Greenway, Interim Director of Ports and Harbors, dated June 4, 2024.**

Discussion: Duprey asked the size of the existing building; Greenway stated approximately 4,000 sq. ft. (not metal, it is a stick-built building). Duprey indicated Appledore Marine Engineering (“AME”) provided options from \$1.4 million to \$2 million, being approximately \$700/ft.; seemed high with nominal amenities. Greenway stated that Noah from Appledore was in attendance and asked for his comments on the project.

Brean asked if Noah Elwood (“Elwood”), President of AME, would provide some of the breakdown, previously provided at the Port Committee meeting. Elwood indicated the smaller size of the building could play a role in the difference in pricing against a larger building.

Duprey stated the Governor listened to the fishermen’s concerns and indicated he would find \$1 million to put toward the building; asked if there were a cheaper way to provide the fishermen with an appropriate building. Elwood indicated that once all professional services were removed from the \$1 million, \$780,000.00 remained available. Many options were reviewed and

AME's consultant and architectural firm (OakPoint) provided a professional opinion of the anticipated cost based on other similar projects. Elwood indicated by going in with unrealistic expectations, the project could be under water once bids are received. Duprey indicated there isn't an option to move ARPA funds from Rye to the PFP as this started by speaking with the Governor regarding the disrepair of the building and the fishermen's needs; doesn't want to lose any forward moving progress on either project as well as the possibility of losing all funding.

Parker spoke to the cost concern too and asked where comparative data was obtained; Elwood indicated OakPoint Associates is a Portsmouth business (approximately 30 years) with experience in this type of project.

Ferrini asked the percentage of work of OakPoint, government versus private; Elwood did not know that information. Ferrini asked if the current building could be repaired to make it operational; Elwood did not think it was a possibility. AME did go through different alternatives. Ferrini asked if the alternatives were presented so the Board would have an opportunity to know what they are; Elwood indicated a concept study had previously submitted to the Board. Brean indicated that Fish and Game had extra ARPA money that it provided for the concept study.

Brean spoke to compromises that may be able to be made as well as discussions / review by PDA engineering and DPH to discuss alternatives etc. Brean indicated that with the funding, PDA / DPH needs to be in contract by December and expended. Parker indicated expending on contract; Brean affirmed and further indicated the need to keep the GOFFER office informed on the status.

Ferrini spoke to the rendering provided and a desire to keep with history for the function versus aesthetics on its looks.

Semprini reiterated Ferrini's reference and how the funding is related to functionality and timing.

Duprey asked if there was an ability to do components to the building so PDA / DPH can do as much as it can for the fishermen. PDA wants to utilize the money in the most productive manner providing the greatest benefit to the fishermen's needs / wants. Duprey indicated he does not believe there would be an ability to reallocate the Rye ARPA funding to the PFP project.

Elwood indicated the next step does include value engineering, without the options it was \$1.4 million, so the first step would be to figure out how to cut it to the bone so when it goes out to bid it would be a successful project. There had been some discussions of the needs to stay within the character of the neighborhood and if those are not requirements there may be options available for savings.

Levesque spoke to the City of Portsmouth provision of the land for the PFP and that requirements were incorporated into the transfer; Greenway stated the need for the property to be utilized for fishing and if it does not, it goes back to the City.

Ferrini asked if this meant the expenditure would be approved, but what if the expenditure comes back and response received is not what is wanted. Parker indicated the need for more consideration.

Levesque suggested voting for the motion and getting the ball rolling and to work with the engineering firm to make this work for the fishermen; if there isn't a vote today then we loss the timing on moving forward.

Duprey spoke to working hard at a resolution, if get to the end and it is determined nothing can be accomplished with the remaining \$800,000, maybe could convince them to utilize the funds towards future use resulting in a \$200,000+ deficiency if ARPA doesn't allow use of the funds because nothing would be built.

Levesque further stated there is always the option that the Legislature indicates this is an important thing and they close the gap. If the Board does not vote today those things won't happen.

Duprey stated it being a risk but need to do the most to benefit the fishermen.

Parker asked if there were other options aside from a "Cape Cod" look and were there other alternatives; likes Ferrini's idea / discussion on real basics. Elwood indicated a metal building may be less expensive, so long as it worked with deed to property (could be reviewed).

Ferrini spoke to minimal aesthetic requirements being part of the waterfront history.

Disposition: Resolved **unanimous** vote (5-0) for; motion **carried**.

2. Rye Harbor Marine Facility
a. Revetment Work

Director Parker **moved** the **motion** and Director Levesque **seconded** that **the Pease Development Authority Board of Directors authorizes the Executive Director to request an amendment to the FY26/27 Legislative Capital Budget submission related to increased funding for the Rye Harbor Marine Facility Revetment work; all in accordance with the memorandum of Myles Greenway, Interim Director of Ports and Harbors, dated June 6, 2024.**

Discussion: Duprey stated presentation to the Governor by next Tuesday; Greenway affirmed.

Disposition: Resolved **unanimous** vote (5-0) for; motion **carried**.

b. Retail Platform - Appledore Marine Engineering Services

Director Parker **moved** the **motion** and Director Levesque **seconded** that **the Pease Development Authority Board of Directors authorizes the Executive Director to finalize and execute a contract with the Division of Ports and Harbors contracted on-call marine**

engineering service provider, Appledore Marine Engineering, LLC, in an amount not to exceed \$243,260.00, for engineering services related to the Rye Harbor Marine Facility Retail Platform; all in accordance with the memorandum of Myles Greenway, Interim Director of Ports and Harbors, dated June 5, 2024.

Discussion: Duprey spoke to the various comments made earlier in the meeting.

Brean indicated the PFP concept study had been paid for by Fish & Game ARPA funding, but a concept study had not been done on this project; pricing includes a concept study as well.

Duprey indicated there would be a discussion later in the meeting on a concept and expanding the uses at the harbors. At the end of the meeting, he will request PDA staff to take a step back to review how ROEs are done and how leases are priced etc. During public comment equality had been mentioned (i.e., leases at Pease are multiyear) and some DPH tenants don't know how long they will be at the facility. Reviewing changes to the harbors to make them self-supporting with revenue streams. During COVID, permission was provided to one vendor for the provision of ready-made food items and there have been efforts made (intentional / unintentional) to end that and the Board does not endorse that concept. Duprey spoke to the ARPA funding and spending of funds if nothing were built. With respect to PAC, his understanding of the charter is that PAC is more technical, not broad matters; the Board is charged with setting the policy for the use of harbors.

Ferrini spoke to taking into consideration problems heard from the public, this is one piece of the bigger picture with a deadline. Comments regarding mother nature taking "it" back (i.e., global warming) things will and can be maintained / considered (i.e., raising parking lot). This may be a stop gap and if mother nature is going to take it back can get rid of everything and keep it simpler. If he votes on this and a grant to do this work is received... he doesn't want to lose money, but don't know how it fits with everything else.

Levesque spoke to the need to look at the fact that there are commercial fishermen at Rye Harbor who are trying to do their job(s); feels the need to do everything possible to protect that. Can create a secondary opportunity to sell their lobsters caught (i.e., opportunity to sell lobsters for a five-year period) to provide them a spot to increase value of product caught, currently not providing that opportunity. Statements were made earlier that shacks get hurt by storms; currently there is a large shack, in the wetland, as it was pushed off by the storm which occurred six months ago. The charter fishermen need to be protected; now understand the revenue that can be made from the restaurant food sold... there are many different opportunities to be considered. He is sympathetic to those who purchased a shack, but there is no deed or grant from the Legislature for those shacks. Welcomes hearing constructive information from different groups of individuals so can work together, rather than with animosity.

Duprey spoke to further discussions on the use of the property (i.e., multi-use to encompass all aspects) being a policy decision for the Board to make. The constituents can be brought into the conversation for input, so the best solution works for all. There is a perception that the harbors are closed with a select group allowed to play and get the benefit. Need to find the optimal mix so the harbors benefit all.

Semprini spoke to the study needing to include what would be built on (i.e., soil) as well as the business owners who have been there and should they choose to be involved, it should be available to them at not an exorbitant cost. He would be for this so long as it is all encompassing; benefits long-term for those with current businesses and other people.

Duprey reiterated asking staff for a review / evaluation to outline the ROEs in Hampton and Rye for 2023 as there are ROEs which expire next spring. A number of items for review would be existing ROEs / Concession Agreements; history or ROEs (bid process or not); nature of ROEs; degree of consistency of the Division mission; with the Board making recommendations (i.e., private / commercial services available for fishermen; should any privately owned structures be allowed on state owned piers; rights and privileges to existing holders). All work should be conducted consistently with the DPH policy decision that all harbors are assets that belong to all and can be multipurpose harbors. By voting and taking the money it may be that we do nothing but that is the risk to be taken.

Disposition: Resolved **unanimous** vote (5-0) for; motion **carried**.

Chairman Duprey requested a brief recess which commenced at 10:51 a.m., with the meeting resuming at 10:55 a.m.

Duprey exited the room at 10:51 a.m., and returned at 10:53 a.m.

Brean exited the room at 10:53 a.m. and returned at 10:55 a.m., and again exited at 10:57 a.m. and returned at 10:58 a.m.

C. Board Action on Mooring Permit Appeal:

1. Appeal of Richard Wickson – Mooring Permit #8008 - Recommended Decision of Director Fournier

Ferrini spoke to the decision rendered in accordance with Director Fournier's hearing and the decision written. Therefore, regarding Mr. Wickson's appeal, the Board has the option of 1.) denial of the appeal, determining Mr. Wickson did not meet his burden of proof; 2.) granting of the appeal; or 3.) postpone to the next regularly scheduled meeting. As Ferrini stated, Mr. Wickson understood it was his right to be present and speak at the meeting. Therefore, Ferrini asked the Chair to afford Mr. Wickson that opportunity and if not, to proceed with a motion.

Duprey asked if Mr. Wickson was present, no one stepped forward.

Ferrini indicated the appeal could be denied; he proposed to deny the appeal as Mr. Wickson's rights were considered by Director Fournier's recommendation.

Director Ferrini **moved** the **motion** and Director Parker **seconded** that **having considered the record pursuant to Pda 514.09(b), the Pease Development Authority ("PDA") Board of Directors hereby accepts the report of the PDA Board designee and determines that the appellant, Richard Wickson, has not met his burden of proof and**

denies his appeal pursuant to the provisions of New Hampshire administrative rules Pda 514.10 and Pda 514.11.

Discussion: Duprey indicated it was a thorough report and he felt badly when there is a situation such as this. Further, Fournier's report indicates there was no evidence to the contrary shown to overturn the decision of DPH.

Disposition: Resolved **unanimous** (5-0) vote for; motion **carried**.

XII. New Business:

A. Report:

1. **Thermo Fisher Scientific, Inc. – 23 Hampton Street – Presentation to Board**
2. **Delos, LLC (PlaneSense) – 115 Flightline Road - Presentation to the Board**

These presentations were moved to earlier in the meeting.

B. Grant Applications Filed in May:

None.

XIII. Special Event:

A. Report:

1. **Yellowfin Events LLC – Road Race to be held July 20, 2024**

XIV. Upcoming Meetings:

Port Committee	July 11, 2024 @ 8:00 a.m.
Airport Committee	July 15, 2024 @ 8:30 a.m.
Board of Directors	August 8, 2024 @ 8:30 a.m.

All Meetings begin at 8:30 a.m. unless otherwise posted.

Levesque indicated the Port Committee meeting scheduled for July 11, 2024, may be rescheduled with respect to the vote taken today in order to collect better public input.

Duprey asked about the Airport Committee; Brean stated the meeting is scheduled to provide the Airport Committee information concerning today's two presentations (PlaneSense and Fisher Scientific) discussed, as well as information concerning the FBO study.

XV. Board Discussion:

1. Future Use of Harbors

Duprey indicated this item has been added as the Board typically sets policy from information received from staff. Moving forward, any Director seeking to discuss an item should contact staff to have an item for discussion placed on agenda allowing the public advance notification of a specific topic for discussion.

Ferrini suggested another method which may be utilized would be a work session that are not motion driven.

Duprey again spoke to the letter he will be forwarding to staff to provide a clearer understanding with items such as ROEs provided at the Tradeport and DPH. The statute indicates that every decision is supposed to benefit and consider the issues and problems of three constituents (local, Seacoast; and State). The harbors are a tourism driver and not just an asset for fishermen; looking at money spent on harbors for direct constituents, is a high cost to benefit. The harbors should be reviewed on how to be utilized in a holistic sense, so we are doing the best for the most people. Duprey reiterated Levesque's comments of protecting the interests of those lobstermen / fishermen and it is worthwhile to charge staff with looking at how to make this a real asset for all and not just some.

Ferrini agreed with Duprey's comments and further indicated a Marina is allowed to obtain State mooring licenses and then provide moorings at an upcharge. Spoke of fee opportunities available, the need for those who operate through ROEs etc. with certainty while having economic parity with others for fee structures, and calculations and escalators in rent. Obtaining an overview will provide pertinent information for equitable provisions and fairness.

Duprey spoke to the revenue report which indicated the payment by Grill 28 of 17% in comparison to the concession fee at the harbor of 10%; funds raised from the fee paid by the concessionaire selling lobster rolls for the season in the amount of \$49,000.00. Further, shacks with ROEs who sell t-shirts / souvenirs paid a fee in the amount of \$1,250.00 for the season; Blenkinsop indicated it had been \$1,000.00 for the past ten (10) or fifteen (15) years. Duprey reiterated that all issues need to be reviewed so a plan can be devised that is equitable; the view of the harbors needs to be broadened and more encompassing without harming the current tenants.

Parker agreed with these statements as well as the need to underscore equitable and transparency (business, decision-making and fair play).

XVI. Directors' Comments:

Brean thanked Greenway and DPH staff for working towards getting the fuel systems functional and operational at the harbors.

Duprey commended all staff (DPH, Airport, Tradeport / Real Estate and Golf) as the entire picture is complicated; there is a great team behind it all.

XVII. Adjournment:

Director Levesque moved the motion and Director Semprini seconded to adjourn the Board meeting. Meeting adjourned at 11:12 a.m.

Discussion: None. Disposition: Resolved by unanimous vote for; motion carried.

XVIII. Press Questions:

None.

XIX. Consultation with Counsel:

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul E. Brean". The signature is fluid and cursive, with a large initial "P" and "B".

Paul E. Brean
Executive Director