

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

Thursday, March 18, 2021

Pursuant to NH RSA 91-A:2 III (b) PDA Chairman Kevin Smith has declared COVID-19 an emergency condition and has waived the requirement that a quorum be physically present at the Board meeting in accordance with the Governor’s Executive Order 2020-04, Section 8, as extended by Executive Order 2021-04, and Emergency Order #12, Sections 3 and 4. PDA Directors will be participating remotely and will identify their location and any person present with them at that location. All votes will be by roll call. Members of the public may participate by using the access information provided. Please note that this meeting will be video / audio recorded.

Presiding: Kevin H. Smith, Chairman
 Present: Peter J. Loughlin, Vice Chair; Erik Anderson; Thomas Ferrini; Steve Fournier; Margaret F. Lamson; and Neil Levesque
 Attending: Paul E. Brean, Pease Development Authority (“PDA”) Executive Director; Anthony I. Blenkinsop, Deputy Director /General Counsel; Maria Stowell Engineering Manager; Irv Canner, Finance Director; Geno Marconi, Division of Ports and Harbors (“DPH”) Director; Scott DeVito, Pease Golf Course General Manager; Greg Siegenthaler PDA, IT Director and Raeline A. O’Neil, Legal Executive Assistant.

I. Call to Order:

Chairman Smith (“Smith”) called the meeting to order at **8:02 a.m.**

Smith welcomed the PDA Board of Directors, PDA Staff, members of the public to the meeting of the Board of Directors and asked the Directors to confirm their presence on the call, physical location, and advised if there were any other individuals present with them:

Chairman Kevin Smith was located in Londonderry, NH with no other individual(s) present in the room.

Vice Chair Peter Loughlin was located in Portsmouth, NH with no other individual(s) present in the room.

Thomas Ferrini was located in Dover, NH with no other individual(s) present in the room.

Erik Anderson was located in Portsmouth, NH with no other individual(s) present in the room.

Steve Fournier was located in Dover, NH with no other individual(s) present in the room.

Peggy Lamson was located in Newington, NH with no other individual(s) present in the room. Director Lamson (“Lamson”) was having difficulties connecting to the call and was assisted by PDA IT personnel to connect to the Zoom meeting.

Neil Levesque was located in Manchester, NH with no other individual(s) present in the room.

II. Non-public Session:

Director Loughlin **moved** the **motion** and Director Lamson **seconded** that the Pease Development Authority (“PDA”) Board of Directors enter non-public session pursuant to NH RSA 91-A:3 for the purpose of discussing (1.) Sale or Lease of Real or Personal Property [RSA 91-A:3, II (d)]; and (2.) Consideration of Legal Advice provided by Legal Counsel [NH RSA 91-A:3, II (l)].

Discussion: None. Disposition: Resolved by unanimous (7-0) roll call vote for; motion carried.

The non-public discussions commenced at **8:04 a.m.** via Zoom.

Director Fournier **moved** the **motion** and Director Lamson **seconded** that the Board of Directors return public session at **8:55 a.m.**

Discussion: None. Disposition: Resolved by unanimous (7-0) roll call vote for; motion carried.

The meeting recessed until 9:00 a.m. at which time the public session resumed.

III. Vote of Confidentiality:

Director Levesque **moved** the **motion** and Director Lamson **seconded** that resolved, pursuant to NH RSA 91-A:3, the Pease Development Authority (“PDA”) Board of Directors hereby determines that the divulgence of information discussed and decisions reached in the non-public session of its March 18, 2021, meeting related to the sale or lease of property and the consideration of legal advice from legal counsel are matters which, if disclosed publically, would render the proposed actions ineffective and further agrees that the minutes of said meeting be held confidential until, in the opinion of a majority of the Board of Directors, the aforesaid circumstances no longer apply.

Discussion: None. Disposition: Resolved by unanimous (7-0) roll call vote for; motion carried.

Smith asked for those individuals on the Zoom meeting to mute themselves unless they are speaking in an effort to minimize feedback.

PDA IT Director Greg Siegenthaler was the moderator for the meeting and he advised that meeting was being audio / video recorded and asked individuals to please follow the guidelines for the duration of the meeting:

1. In an effort to minimize background noise, we ask that all members of the public keep their microphones muted, and PDA Board members and staff are encouraged to stay on mute when not speaking during the meeting. Additionally, we ask members of the public to turn off their video camera or webcam unless they

- intend to speak during the meeting. This will help to optimize the available network bandwidth for the meeting.
2. For members of the public wishing to speak during the public comment portion of the meeting, please press *9 on your phone to ‘raise your hand’, or press ALT+Y on your computer keyboard, or tap the ‘raise hand’ button on your tablet. The moderator will see your ‘hand’ and prompt you to make your comment. It is requested that no public comment be longer than 3 minutes.
 3. This is a public meeting. If any member of the public causes a disruption to the meeting that would not allow the meeting to continue, the moderator will request that the Chair temporarily recess the meeting so that the disruption may be addressed. The moderator will then inform the Chair when the meeting may continue. If the Board is unable to continue the meeting due to the disruption, the Chair may elect to suspend the meeting to a later date/time, to be noticed in accordance with State law.
 4. Once again, this meeting is being audio and video recorded. Following the meeting, a copy of the recording will be available for playback at www.townhallstreams.com

IV. Acceptance of Meeting Minutes of January 21, 2021 & January 28, 2021:

Director Anderson **moved** the **motion** and Director Lamson **seconded** to **approve the minutes of the Pease Development Authority Board of Directors meetings dated Thursday, January 21, 2021 and Thursday, January 28, 2021.**

Discussion: None. Disposition: Resolved by unanimous (7-0) roll call vote for; motion carried.

V. Public Comment:

Ned Denney (“Denny”), CEO of Port City Air (PCA), thanked the Board and indicated Million Air’s application process has been challenging and the decision would not be an easy one. Denney spoke of two competing proposals (Million Air and PCA) and choosing between them would be a big decision which would impact jobs, economy and the future of the airport. Denney indicated that PCA has achieved rapid growth and has invested heavily at the airport (employs over 100 people) and is proud of its track record. He further stated that PCA’s operations help to support local tourism and the Board’s decision would impact PCA and the local tourism industry. Denney asked the Board to make sure it has all the necessary information to make a decision (proof of capability; financial ability and past performance). Denney also asked the Board if it should pause to consider PCA’s application to increase its capacity and capabilities and to make a more environmentally friendly use of the Exeter Street location. Also, to consider fairness to PCA when airport regulations only allowed PCA to pump fuel after its commitment to the airport was proven through completing construction of a fuel farm and nearly the completion of the FBO and hangar facility. Denney indicated that PCA has applied to build more facilities that the airport needs with a \$1 million bond for collateral for each phase of construction and PCA has already segregated the first \$1 million dollars in an account to support these phases of construction. Denney indicated that in fairness to the Board, who has asked

Million Air of its capabilities, financial strength and an opinion of whether there is enough business at the airport to warrant a second FBO, to his knowledge the Board is still waiting on those answers. In fairness to the airport, staff and surrounding community relying on customer traffic for jobs, commerce and the Board to protect the future growth plan. PCA is grateful for the Board's time and consideration and hopes to work together in the future to continue to grow and support the airport and surrounding community.

VI. Old Business:

A. Approvals:

1. Pease Aviation Partners, LLC (d/b/a Million Air Portsmouth) at 53 Exeter Street – FBO Application

Smith recognized Director Levesque (“Levesque”) prior to the motion being read. Levesque indicated his friend, Jim Demers, had been hired by a potential competitor to the applicant in the next agenda item. Twenty years ago Mr. Demers briefly employed Levesque’s wife and he sits on the Advisory Board of the NH Institute of Politics where Levesque is employed. The Advisory Board makes no fiduciary decisions regarding the institute and Levesque has no financial interests or ties in the interest of the applicant, the competitor or that of Mr. Demers. NH is a small state which has allowed Levesque to have personal relationships with many people / businesses in government and sees his relationship in no way as a conflict.

Director Fournier did not have the correct motion in front of him and asked that another Director be recognized for the motion.

Director Lamson **moved** the **motion** and Director Fournier **seconded** that **in accordance with the recommendation of the Pease Development Authority (“PDA”) Airport Committee, the PDA Board of Directors finds that the Fixed Based Operator (“FBO”) application of Pease Aviation Partners, LLC d/b/a Million Air Portsmouth (“PAP”), dated January 7, 2021 (the “Application”), to become a FBO at Portsmouth International Airport at Pease pursuant to the Minimum Standards for Commercial and Noncommercial General Aviation Operators dated August 16, 2007 (“Minimum Standards”), satisfies said Minimum Standards and:**

1. Approves the Application;
2. Authorizes PAP to become a FBO at Portsmouth International Airport at Pease (“PSM”) in accordance with and subject to the Minimum Standards; provided, however, that the commencement of FBO operations by PAP at PSM shall be subject to and contingent upon:
 - a. Site plan, subdivision, and any other requisite approvals and permits for use of a temporary facility and construction of PAP’s proposed facility at 53 Exeter Street, consistent with project phasing;
 - b. Execution of a lease agreement for the property at 53 Exeter Street, subject to separate PDA Board approval, on terms and conditions substantially similar to those set forth in the Letter of Intent dated January 7, 2021, attached hereto, including such other terms as the Executive Director shall deem necessary and appropriate; and

- c. **Verification by the Executive Director that all provisions of the Application and requirements of the Minimum Standards to act as an FBO remain satisfied in full force and effect at such time as PAP shall commence providing FBO service;**

all in accordance with the memorandum of Paul E. Brean, Executive Director, dated January 14, 2021.

Discussion: Smith turned the gavel over to Vice Chair Loughlin in order to offer an amendment to the motion which was shared; Smith spoke of the amended changes shown in **red**. The amendment is not substantive but tightens up the existing motion.

Chairman Smith **moved** the **motion** and Director Ferrini **seconded** that **in accordance with the recommendation of the Pease Development Authority (“PDA”) Airport Committee, the PDA Board of Directors finds that the Fixed Based Operator (“FBO”) application of Pease Aviation Partners, LLC d/b/a Million Air Portsmouth (“PAP”), dated January 7, 2021 (the “Application”), to become a FBO at Portsmouth International Airport at Pease pursuant to the Minimum Standards for Commercial and Noncommercial General Aviation Operators dated August 16, 2007 (“Minimum Standards”), satisfies said Minimum Standards and:**

1. **Conditionally** approves the Application **subject to paragraph 2 below; and**
2. **Conditionally** authorizes PAP to become a FBO at Portsmouth International Airport at Pease (“PSM”) in accordance with and subject to the Minimum Standards; provided, however, that **such authorization, and the commencement of FBO operations by PAP at PSM, shall be subject to and contingent upon:**
 - a. **Site plan, subdivision, and any other requisite approvals and permits for use of a temporary facility and construction of PAP’s proposed facility at 53 Exeter Street, consistent with project phasing;**
 - b. **Execution of a lease agreement for the property at 53 Exeter Street, subject to separate PDA Board approval, on terms and conditions substantially similar to those set forth in the Letter of Intent dated January 7, 2021, attached hereto, including such other terms as the Executive Director or PDA Board of Directors shall deem necessary and appropriate; and**
 - c. **Verification by the Executive Director that all provisions of the Application and requirements of the Minimum Standards to act as an FBO remain satisfied in full force and effect at such time as PAP shall commence providing FBO service;**

all in accordance with the memorandum of Paul E. Brean, Executive Director, dated January 14, 2021.

Loughlin indicated he also had an amendment to the motion and asked how to handle procedurally.

Smith asked that one amendment be addressed at a time and voted on; Smith indicated apprehension of taking up multiple amendments at the same time.

Director Ferrini (“Ferrini”) agreed with Smith in that taking up more than one amendment at a time would be inappropriate. However, if Loughlin’s motion is substantively different than Smith’s it would be appropriate for him to speak about it in the context of the discussion of Smith’s amendment to the motion. Smith indicated this was a good idea.

Loughlin appreciated the amendment provided by Smith in an effort to address some concerns that have been raised at a previous meeting, but feels it puts “the cart before the horse”. Loughlin indicated when appropriate he would like to make a motion to “defer” action until certain benchmarks are met. Loughlin indicated that his motion would address wetland issues, financial statements and site administrative review and asked that action be deferred until [the Board] has received results in those three areas.

Levesque addressed Smith’s motion on the table and stated “conditionally” approved still means that it is approved and the Board would be approving of a project or application that has two things for discussion. Levesque indicated that PDA has learned that the environmental issues on its property are giant, impacting the residents of the Seacoast community in many ways (i.e.; PFAS). Levesque spoke of being opposed to the filling in wetlands and doing further environmental damage to this property. Levesque further stated he understood that this would provide conditional approvals that would then be addressed, but what happens when a Board approves (conditionally or otherwise), it is basically saying it was looked at and the Board is okay with it. Levesque again stated he is not okay with doing further environmental damage to PDA property and the applicant has submitted a proposal that would do just that. Levesque stated that the regulators are not liable for the environmental damage to the property (the people of NH are, as well as the Board). Secondly, in order to meet the Minimum Standards the applicant proposed a series of things it was willing to do which cost money. When Levesque asked in a public session for a certified financial statement or anything to show that it has the money, it has not been delivered and therefore he does not believe it meets the Minimum Standards. Levesque indicated that because of these two issues he will vote against the Motion; and will be voting for the amendment Loughlin has spoken of until those two items are met.

Director Lamson (“Lamson”) indicated Levesque brought up some very good points and the biggest one is the environmental issues that have been a problem since day 1. Lamson indicated that she has a fiduciary responsibility and needs to know about the dollars and cents and would vote against the Motion.

Smith reminded everyone that the discussion is the amendment to the existing motion.

Anderson indicated he is in agreement with Levesque’s comments and with respect to this particular Motion, he is not sure he can support it; but the amendment provided strengthens the Motion which may provide some comfort to him. Anderson is not sure if it strengthens the intent and if it would be a benefit under item 2. To indicate “Conditionally” authorizes... as in item 1 and not sure if it strengthens at section 2 b. where it indicates “... Executive Director” to add “or

the Board of Directors” shall deem necessary and appropriate. Smith indicated he would be open to these suggested changes made by Anderson (shown above in the amended motion in **blue**).

Blenkinsop indicated that regarding the Executive Director language, the Board would have to approve the lease and if the Board did not like the terms it wouldn't approve it. Further the authorization in item 2 already says "...subject to and contingent upon..." and not sure if "Conditionally" would be needed. Smith indicated he is not necessary a fan of redundancy but is okay if it is spelled out very clearly in both cases.

Loughlin indicated that the motion written at this time is what Levesque referenced being an approval of wetlands filling, financial assurances and administrative approvals and feels the Board should defer and he would be opposed to the motion.

Lamson indicated when Seacoast Helicopters came to the Board regarding filling of wetlands, she was very much against the request.

Smith indicated if no further discussion on the amendment Loughlin would call the roll and asked the Board to keep in mind that this would be a vote on the amendment to the existing Motion only, not on the application. Blenkinsop asked if this would also include Anderson's proposed further amendments; Smith affirmed.

	Yes	No
Anderson	X	
Ferrini	X	
Fournier	X	
Lamson		X
Loughlin		X
Levesque		X
Smith	X	

Disposition: Resolved by roll call vote (**4-3**) for; motion carried to amend the motion as requested by Chairman Smith and Director Anderson (in **red** or **blue** above).

Smith asked Loughlin if he would like to make a further amendment; Loughlin affirmed and indicated:

Director Loughlin **made** a **further amendment** to the **motion** and Director Anderson **seconded** that the Pease Development Authority Board of Directors hereby defers action on all applications for development until a certified financial statement has been provided by the developer and in instances where the application will require NHDES wetland approval until that approval has been issued by NHDES and that all necessary administrative approvals have been granted.

Discussion: Fournier asked if procedurally this would be tabling it to date certain.

Ferrini spoke to Fournier's concerns, he doesn't think this is an amendment.

Smith indicated he would call the roll seeing no further discussion and asked Loughlin to read it one more time for the Board

	Yes	No
Anderson	X	
Ferrini		X
Fournier		X
Lamson	X	
Loughlin	X	
Levesque	X	
Smith		X

Disposition: Resolved by roll call vote (4-3) for; motion carried to amend the motion as requested by Director Loughlin.

Chairman Smith **moved** the **motion** and Director Lamson **seconded** the request for a **Consultation with legal counsel** and move into non-public before the Board moves on to the motion; this commenced at **9:36 a.m.**

Discussion: None. Disposition: Resolved by unanimous (7-0) roll call vote for; motion carried.

Chairman Smith **moved** the **motion** and Director Lamson **seconded** that **the Board of Directors** come out of **Consultation with Counsel**, at **9:59 a.m.**

Discussion: None. Disposition: Resolved by unanimous (7-0) roll call vote for; motion carried.

Vote of Confidentiality:

Director Levesque **moved** the **motion** and Director Lamson **seconded** that **Resolved, pursuant to NH RSA 91-A:3, the Pease Development Authority (“PDA”) Board of Directors hereby determines that the divulgence of information discussed and decisions reached in the non-public session of its March 18, 2021, meeting related to the sale or lease of property and the consideration of legal advice from legal counsel are matters which, if disclosed publically, would render the proposed actions ineffective and further agrees that the minutes of said meeting be held confidential until, in the opinion of a majority of the Board of Directors, the aforesaid circumstances no longer apply.**

Disposition: Resolved by unanimous (7-0) roll call vote for; motion carried.

Director Loughlin **moved** the **motion** and Director Lamson **seconded** to **withdraw the motion to amend previously made (by Loughlin) and was voted on and instead substitute a new motion.**

Discussion: None. Disposition: Resolved by unanimous (7-0) roll call vote for; motion carried.

Director Loughlin **moved** the **motion** and Director Anderson **seconded** that **the Pease Development Authority Board of Directors defer action on all applications for development until a certified financial statement has been provided by the developer and instances where the application will require NHDES wetlands approval until that approval has been issued by NHDES and until all necessary administrative approvals have been granted.**

Discussion: Fournier indicated at the beginning of the motion it was indicated to suspend all development and assuming it is not meant all development on Pease. Smith asked for clarification.

Loughlin thought he was creating something broader than this one application that all other applications at Pease that are similarly situated would require advanced wetlands approval and financial statements.

Blenkinsop asked the Board to think about the implications to Pease before voting on that motion.

Loughlin indicated he could tailor it to this application but was trying to not be specific to this application.

Fournier indicated that by voting on this the Board is deferring all development at Pease until such time... if you have this motion you are doing it for every development we have on Pease. Fournier indicated that he did not think that was the intent but was also not sure PDA could do that for everyone else.

Loughlin reworded the motion to indicate deferred action on the pending fixed base operator application. Smith asked if it were to all FBO applications, not just Million Air; Loughlin affirmed.

Smith asked if there were further discussions; Blenkinsop stated before voting on a motion that has broad impact to Pease and to development at Pease... on a motion that is not written, but being made verbally, it is making it difficult for all members to understand and think through the implications. Blenkinsop stated that if there is a need for more time on this before granting or considering such a motion, he encouraged the Board to think about postponing this agenda item to the April meeting so that this can be thought through and addressed in a way so it is given the attention it requires before voting on something where the implications aren't fully understood.

Smith asked what the procedure would be if the Board were going to postpone voting on this; currently the Board has a motion to defer that Loughlin has offered and seconded which would take the place of the amended motion offered by Director Fournier/Lamson with Smith's and Anderson's amendment. Blenkinsop indicated that perhaps a better course in terms of understanding the implications would be instead of voting in an affirmative way on Loughlin's motion, would be to postpone this matter until the April meeting.

Lamson agreed with Blenkinsop.

Ferrini asked if the Board is postponing the postponement as it creates too many reiterations. He stated the proper action, understanding Loughlin's intent, would be to vote Loughlin's motion down with the understanding that this will be placed on the agenda in April in order to address the concerns raised.

Anderson indicated he doesn't interpret Loughlin's motion as something the Board cannot vote on as it places something on the applicant to produce financial consideration and has the applicant getting in touch with NH DES on some of the mitigation / environmental issues that carry concern. The way in which the motion has been framed places a signature of the issue by the Board of Directors of concerns that have been raised; he doesn't have a problem voting on this.

Smith again asked for clarity on Loughlin's motion that it would be deferring all FBO applications, existing and future, until financial statements are produced, they have proper wetlands approvals and approved administratively; Loughlin affirmed. Smith indicated to Ferrini's point the Board needs to vote on Loughlin's motion and if it fails then the Board can bring up the matter of postponement.

Smith indicated that it was his intent to vote against the motion; if it does fail he intended to offer a further amendment addressing concerns within the motion as amended by the Board.

Fournier expressed a concern of the Board putting in a requirement that is not in the documents already; meaning if [the Board] is going to require something as financial documents as well as environmental studies before everything then that should be an amendment to the Minimum Standards, not a motion on the record. Fournier indicated the Board would be changing its policies and rules, the Board should then go back to the Minimum Standards and change those and indicated he would be voting against the motion. Fournier indicated this would be changing the rules, asking for additional information from one applicant.

Lamson spoke of the need to be extremely cautious regarding the Minimum Standards and the Board's attorney (Anderson Kreiger) has indicated the same. Lamson indicated while she agreed with Loughlin she also stated the Board may be getting itself into hot water if the Board does not follow comments from Ferrini and Fournier regarding the Minimum Standards.

Smith called the roll regarding the motion before the Board; Smith clarified that it is Loughlin's motion to defer all FBO applications, existing and future, pending certified financial statements being produced, having wetlands approvals and all administrative matters approved.

	Yes	No
Anderson	X	
Ferrini		X
Fournier		X
Lamson		X
Loughlin	X	

Levesque	X	
Smith		X

Disposition: Resolved by roll call vote (3-4) for; motion failed.

Smith asked with the assistance of counsel, Blenkinsop, to address Loughlin’s concerns and incorporate them in the motion that has been amended. Blenkinsop indicated for clarity in item 2 a. it states, all “Site plan, subdivision, and any other requisite approvals and permits for use of a temporary facility and construction of PAP’s proposed facility at 53 Exeter Street, consistent with project phasing.” Smith asked if the Board could spell out specifically, financial statements, wetlands approvals and administrative approvals; Blenkinsop affirmed. Blenkinsop further stated the more specific the language the potential that something is left out while being more general it encompasses requirements. Smith asked if added, “including but not limited to...”; Blenkinsop affirmed.

Smith stated that at item 2 a. the Board insert (in red) “Site plan, subdivision, and any other requisite approvals, including **but not limited to production of certified financial statements, NH DES wetlands approval and all administrative approvals** and permits for use of a temporary facility...” Blenkinsop indicated that the financial statements the Board is looking for and want to talk about fit better under 2 b. (when finalizing the lease agreement – financial assurances, bonding etc.). Blenkinsop indicated that the language, as suggested by Smith works under 2 a.

Levesque indicated that the conditional approval is still an approval; Smith indicated it is conditionally approved.

Loughlin asked if were possible to make a motion to table to a time certain to the next meeting so whatever wording the Board would like to have included can be inserted.

Smith indicated a tabling motion takes precedence and asked for a second, which was done by Fournier.

Director Loughlin moved the motion and Director Fournier seconded to **table the motion to a time certain to the next meeting.**

Disposition: Resolved by unanimous (7-0) roll call vote for; motion carried.

2. Pease Aviation Partners, LLC (d/b/a Million Air Portsmouth) at 53 Exeter Street – Conceptual Site Plan Approval

Director Lamson moved the motion and Director Fournier seconded that **the Pease Development Authority Board of Directors hereby approves the concept plan for Pease Aviation Partners, LLC (d/b/a Million Air Portsmouth) (“PAP”) at 53 Exeter Street, as submitted by PAP and attached hereto and incorporated herein; all in accordance with the memorandum of Maria J. Stowell, Engineering Manager, dated January 13, 2021.**

Discussion: Fournier made second for parliamentary inquiry, should this not be tabled as well. Smith indicated that motion could be made.

Director Fournier **made** the **motion** and Director Anderson **seconded** that **this motion be tabled to the next meeting.**

Disposition: Resolved by unanimous (7-0) roll call vote for; motion carried.

Lamson asked the Board to read Stowell's memo to the Board regarding this subject as it is spelled out.

3. Lonza – Site Plan Approval Waiver

Director Loughlin **moved** the **motion** and Director Lamson **seconded** that **the Pease Development Authority Board of Directors hereby approves of and authorizes that in accordance with PDA Land Use Controls Part 403.03(a), which allows the Board to waive any portion of the site review regulations under stated conditions, Lonza be granted a reinstatement of its 2019 site review approval for rear yard infrastructure related improvements at 101 International Drive, provided that within one year of the date of this approval Lonza obtains a building permit and begins work on the project; all in accordance with the terms and conditions set forth in the memorandum from Maria J. Stowell, P.E. Manager - Engineering, dated March 8, 2021.**

Discussion: Anderson asked for an explanation why construction had been delayed. Stowell indicated Lonza has a complicated approval process and believes due to the other items (i.e.; vaccine) Lonza had been working on, it did not have the funds in place / in time. Stowell indicated that Lonza had gone ahead and obtain the building permit, earlier than needed.

Disposition: Resolved by unanimous (7-0) roll call vote for; motion carried.

VII. Finance:

A. Executive Summary

Finance Director Irv Canner ("Canner") indicated there were four items for discussion and one which required an approval being that of bank signatories.

B. Reports:

1. FY2021 Financial Report for the Seven Month Period Ending January 31, 2021

Canner indicated the operating revenues are slightly above budget and there are variances by revenue streams. Canner indicated that the fuel sales are lower than budgeted due to construction at the Portsmouth Fish Pier ("PFP") and there is an offset by fee revenues at the Golf Course. Canner stated that the golf fees represent approximately 50% of the fee revenue. Canner indicated that operating expenses are under budget by approximately 13%; payroll / personnel services are under budget primarily due to the seven open positions (payroll down approximately

6%). Canner spoke to variances due to timing differences and reporting period; also spoke to operating income, how it is achieved and how it helps the cash flow.

Canner indicated in January, the Revolving Line of Credit (RLOC) was at \$6 million and as of today it has been reduced to \$2.5 million; PDA being under budget regarding projected interest expense. Canner spoke to \$20 million in capital expenditures being offset by \$13 million in grant fund.

Canner indicated in February the Board will see a lower line of credit and the accounts receivable will be down due to lower construction activity.

Canner spoke to impacts due to COVID at the airport (i.e.; pay-for-parking; enplanements - January apprx. 5,000).

Canner indicated that Skyhaven Airport continues to produce a positive operating income due mainly to fuel sales.

Canner stated that the Golf Course closed in November and the data remains relatively consistent with 13% more in rounds played (62,000 rounds in 2020 versus 55,000 rounds in 2019). Canner also stated that COVID has impacted Grill 28 sales with a reduction of approximately 15%.

Canner indicated that the unrestricted fund at the Division of Port & Harbors (“DPH”) is holding its own in terms of operating income and DPH’s cash flow is consistent with what has been stated in prior periods and the collection of mooring revenues in January and February.

2. Cash Flow Projections for the Nine Month Period Ending November 30, 2021

Canner indicated PDA should hit a high point during the summer of approximately \$8 million for construction taking the short-term RLOC down to \$3.2 million due to \$10.6 million in capital expenditures; the use of funds would be between the runway and the terminal which represents about \$9.6 million.

Canner spoke to keeping a \$1.5 million fund balance for working capital needs and the sources of funds would be the in / out of the RLOC (in May have to draw down in the amount of \$3 million and another \$1.5 million) there would be excess cash that would draw down the RLOC as well. The interest environment is holding its own and PDA’s cost of capital remains at 2.85% with the RLOC which is favorable.

Canner indicated that the unrestricted funds for DPH is driven down as it collects its revenues primarily in January and February.

Canner stated that DPH is hoping to bring back the PFP fuel operation in late fall and spoke of the fund balances for Harbor Dredging; RLF and Foreign Trade Zone (FTZ).

Canner informed the Board that PDA is in a position to manage the construction activity at the PFP and PDA's \$15 million RLOC seems to be sufficient to take PDA through.

3. Revolving Loan Fund for the Six Month Period Ending December 31, 2020

Canner indicated that this is brought to the Board twice a year and it is consistent with the requirements from the Economic Development Administration ("EDA"). The total capital basis was \$1.2 million (loans outstanding of approx. \$881,000 a working capital of \$354,000). Canner reminded the Board that this was at the end of January and spoke of the loans outstanding of participant. Canner indicated that the overall purpose of this RLF was jobs created and jobs saved, which has proved to be successful over course of time.

Canner informed the Board that last month PDA received a letter from the EDA relative to RLFs and there has been an enactment of the Reinvigorating Lending for Future Act authorizing the EDA to release its federal interest in certain RLFs. Canner indicated that if PDA accepts this there will be a reduction in the administrative burden to file reports to the EDA. This will be presented to the RLF and then bring it back to the Board for approval. Canner indicated that there would be no changes to the internal operations and Provident Bank would continue to serve as the administrator with no impact to the participants or the operating procedures of the fund.

Lamson thanked Canner for the presentation and the RLF has been wonderful for the individuals who are out on the seas.

C. Approvals:

1. Updated Corporate Resolution – Bank Accounts

Director Lamson **moved** the **motion** and Director Levesque **seconded** that **the Pease Development Authority ("PDA") Board of Directors hereby authorizes Director Thomas Ferrini to endorse all checks, drafts, depository agreements and/or other related bank documents in accordance with the powers previously granted by this Board to the Treasurer, Executive Director, General Counsel, and Manager of Engineering of the PDA concerning PDA bank accounts, and consistent with bank resolutions previously adopted; the authority hereby conferred shall be and remain in full force and effect until written notice of the revocation is presented.**

The following appointed official and employees are authorized to endorse all checks, drafts, depository agreements and/or other related bank documents in accordance with the powers so granted:

**Thomas Ferrini
Paul E. Brean
Anthony I. Blenkinsop
Maria Stowell**

**Treasurer
Executive Director
Deputy Director/General Counsel
Manager of Engineering**

The authority hereby conferred upon the above named Agents shall be and remain in full force and effect until written notice of the revocation is presented;

Further, the Board respectfully revokes such authority of former Director Robert Allard and retired PDA General Counsel Lynn Marie Hinchee;

All in accordance with a memorandum from Irv Canner, Finance Director, dated February 24, 2021.

Discussion: None. Disposition: Resolved by unanimous (7-0) roll call vote for; motion carried.

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

A. Reports:

1. **PlaneSense, Inc. – Right of Entry regarding Hampton Avenue & Aviation Avenue**
2. **Port City Air – Right of Entry for Portion of Hangar 227 for Storage of Two Vehicles**

Brean stated in accordance with the “Delegation to Executive Director: Consent, Approval and Execution of License Agreements,” PDA entered into two Rights of Entry:

1. Name: PlaneSense, Inc.
License: Right-of-Entry
Location: Corner of Hampton Street and Aviation Avenue
Purpose: Site Inspection Purposes
Term: Through May 31, 2021

2. Name: Port City Air
License: Right-of-Entry
Location: Portion of Hangar 227 (14 Aviation Avenue)
Purpose: Storage of Two Vehicles
Term: Through March 1, 2021

IX. Leases:

A. Reports:

1. **Sublease between 100 International, LLC to ONBRAND24, LLC**
2. **Sublease between 119 International Drive, LLC to Stewart’s Ambulance Service, LLC**
3. **Sublease between 119 International Drive, LLC to EOFflow, Inc.**
4. **Sublease between Cinthesys Real Estate Management, LLC to Bauer Hockey, LLC**

Brean reported that in accordance with the “Delegation to Executive Director: Consent, Approval of Sub-Sublease Agreements” PDA approved the following leases with:

- A. Tenant: OnBrand24 , LLC

- Space: 9,059 square feet at 100 International Drive
 Use: Office and Related Use
 Term: One (1) Years Commencing February 1, 2021
- B. Tenant: Stewart's Ambulance Service, LLC
 Space: 4,270 square feet at 119 International Drive
 Use: General Office and Related Use
 Term: Five (5) Years with one (1) Five (5) year option
 Commencing January 1, 2021
- C. Tenant: EOFLOW, Inc.
 Space: 2,285 square feet at 15 Rye Street
 Use: General Office and Related Use
 Term: Five (5) Years
- D. Tenant: Bauer Hockey, LLC
 Space: 5,000 square feet at 68 New Hampshire Avenue
 Use: Dead Storage of it Marketing Materials and No Other Uses
 Term: Two (2) years and three (3) months Commencing February 1, 2021

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 all of these instances, Director Lamson was consulted and granted her consent.

X. Contracts/Agreements:

A. Reports:

- 1. Fishnet Media, LLC – PDA Website Work**
- 2. Fishnet Media, LLC – Pease Golf Course Website Work**
- 3. Sandwich / Salad Unit – Pease Golf Course**

Brean reported that in accordance with Article 3.9.1.1 of the PDA Bylaws, the following:

1. Project Name: PDA Website Update
 PDA Obligation: \$4,875.00
 Summary: Update the PDA website to optimize user experience; prioritize flight arrival and departure information; Update "News and Events" section to promote Facebook; Create new Careers page; design and develop new "Policies and Procedures" link to promote information (Lost and Found Policy; Drone Information and Policy; Badging Office Info., etc.)

2. Project Name: Pease Golf Course Website Update
 PDA Obligation: \$9,875.00
 Board Authority: Director Ferrini on February 5, 2021
 Summary: Website update for the Pease Golf Course

3. Project Name: Pease Golf Course Sandwich / Salad Unit
 PDA Obligation: \$2,762.00
 Summary: Replacement of Bev-Aire Sandwich / Salad Unit purchased in 2011

B. Approvals:

1. Turf Products LLC – Golf Course Large Rough Mower

Director Fournier moved the motion and Director Anderson seconded that the Pease Development Authority (“PDA”) Board of Directors hereby authorizes the Executive Director to enter into a contract with Turf Products LLC to purchase a Toro Groundmaster, 4500-D (T4) large rough mower with universal sunshade, golf ball guard, and golf netting mounting bracket for use at the PDA Golf Course for a purchase price of \$69,440.41, as outlined in the memorandum from Scott DeVito, PGA General Manager dated March 2, 2021.

Furthermore, in accordance with the provisions of RSA 12-G:8 VIII, the Board justifies the waiver of the RFP requirement for said purchase as follows:

- Turf Products, LLC is the only New England area authorized Toro golf products distributor and, as such, the Golf Course has only received bids from Turf Products the last several replacement cycles.
- Turf Products, LLC extends their Government Services Administration pricing to the PDA.
- Both current large rough mowers are Toro machines and the purchase of the new Toro equipment will allow use of an estimated \$6,000 - \$8,000 of replacement parts currently in inventory, as Toro designs its equipment to use common parts compatible with other Toro units.
- Staff is trained to maintain and repair Toro equipment.
- The new Toro rough mower will be Tier 4 emissions compliant.

Discussion: None. Disposition: Resolved by unanimous (7-0) roll call vote for; motion carried.

2. Two Golf Utility Cars

Director Anderson moved the motion and Director Lamson seconded that the Pease Development Authority (“PDA”) Board of Directors hereby approves of and authorizes the Executive Director to enter into an agreement with Country Club Enterprises of Wareham, MA for the purchase of two (2) Club Car Carryall 502 utility cars for use by the PDA Golf Maintenance Department in a total amount not to exceed \$19,500; all in accordance with the memorandum from Scott D. DeVito, PGA General Manager, dated March 2, 2021.

Discussion: None. Disposition: Resolved by unanimous (7-0) roll call vote for; motion carried.

3. Addendum to Contract with Five Star Golf Cars for Twenty (20) Additional Golf Cars for 2021 Season and Surcharge for Single Rider

Director Ferrini moved the motion and Director Lamson seconded that the Pease Development Authority (“PDA”) Board of Directors hereby approves of and authorizes the Pease Golf Course to negotiate and execute an addendum to the Five Star Golf Cars and Utility Vehicles (“Five Star”) contract for an additional twenty (20) golf cars for the 2021 Season (April 23 through October 11) at an amount not to exceed \$35,993.20; and to implement a \$10 per round surcharge, on top of the daily golf car rental rates, for players requesting an individual golf car; all in accordance with the memorandum from Scott DeVito, PGA General Manager dated March 10, 2021.

Discussion: None. Disposition: Resolved by unanimous (7-0) roll call vote for; motion carried.

4. AIP Grant to Resurface the Airport Perimeter Road (aka Lowery Lane)

Director Levesque moved the motion and Director Loughlin seconded that the Pease Development Authority (“PDA”) Board of Directors approves of and authorizes the Executive Director to:

1. Authorize the paving of Lowery Lane to be done under the current Pike Industries contract for an estimated amount of \$300,000 (the exact amount will be based on the actual quantity of pavement);
2. Accept FAA AIP funding and associated NH Department of Transportation funding, anticipated to cover 90% and 5% respectively of the project costs, when the grant becomes available later in the year, with PDA’s contribution constituting the remaining 5% share; and
3. Execute any and all documents necessary to use funds (estimated to be \$300,000) to complete the work in accordance with the proposed schedule.

all in accordance with the memorandum from Maria Stowell, Engineering Manager dated March 4, 2021.

Discussion: Lamson asked Stowell when it was named Lowery Lane; Stowell indicated it came from the earliest AIP maps but it should be spelled “Lowry” without the “e”. Lamson asked Stowell if she would look into the beach heather (endangered ground species) that is over in the area of McIntyre (suggested fencing around the area).

Disposition: Resolved by unanimous (7-0) roll call vote for; motion carried.

5. **Dan Fortnam - Extension and Revision of Air Development Consulting Service Agreement**

Director Loughlin **moved** the **motion** and Director Lamson **seconded** that the Pease Development Authority (“PDA”) Board of Directors hereby approves of and authorizes the Executive Director to negotiate and enter into an air service agreement with Daniel Fortnam for a period of three (3) years commencing April 1, 2021 through March 31, 2024, with two (2) one year options exercisable at the discretion of the Executive Director; all in accordance with the memorandum of Andrew B. Pomeroy, Manager, Aviation Planning and Regulatory Compliance, dated March 8, 2021.

In accordance, with the provisions of RSA 12-G:8, VIII the Board waives the RFP requirement based upon the following justification:

- A. **Daniel Fortnam has a long history representing Portsmouth International Airport at Pease (“PSM”), and has very well established relationships with Allegiant Airlines and other service providers; he is an independent and cost effective consultant known through the industry as the Air Service Development representative to Pease.**

Discussion: Director Anderson asked how a potentially five (5) year commitment was determined; what was the previous arrangement with Mr. Fortnam (would this be an increase or decrease). Anderson offered an amendment (shown in **red**) to the motion to state “...exercisable at the discretion of the Executive Director **or the Board of Directors**” so the Board can weigh in through the course of this five year commitment.

Brean indicated that the contract was originally a six month contract and formalized by PCA and PDA with a 50/50 cost share for a short period of time. The contract was successful in getting air service approximately 13/14 years ago and since that time there have been six month extensions and PDA has seen growth from the contract. Brean indicated that the three (3) year with two (2) option mirrors what PDA with most of its contracts currently. Brean indicated regarding compensation it is the same as last year; also there had been a commission on enplanements and cargo tonnage so in addition to last year’s flat fee PDA also paid approximately \$6,300 in commissions for the number of enplanements and cargo as the original agreement was written. Brean stated this prepares PDA better for the future and puts PDA on a more consistent financial forecast with 2% increase over three years; in the option years PDA would negotiate a new rate. Brean also informed the Board that in January the Board approved a motion for Volaire Air (development company) with a \$17,000 fee that PDA did not move forward with (this was to complete a small community air service application with the Department of Transportation).

Smith asked if he was offering that amendment; Anderson affirmed and indicated it would be for an improvement of the motion so it would read, “...exercisable at the discretion of the Executive Director **or the Board of Directors**”.

Director Anderson moved the motion to amend and Director Loughlin seconded that the Pease Development Authority (“PDA”) Board of Directors hereby approves of and authorizes the Executive Director to negotiate and enter into an air service agreement with Daniel Fortnam for a period of three (3) years commencing April 1, 2021 through March 31, 2024, with two (2) one year options exercisable at the discretion of the Executive Director or the Board of Directors; all in accordance with the memorandum of Andrew B. Pomeroy, Manager, Aviation Planning and Regulatory Compliance, dated March 8, 2021.

In accordance, with the provisions of RSA 12-G:8, VIII the Board waives the RFP requirement based upon the following justification:

- A. Daniel Fortnam has a long history representing Portsmouth International Airport at Pease (“PSM”), and has very well established relationships with Allegiant Airlines and other service providers; he is an independent and cost effective consultant known through the industry as the Air Service Development representative to Pease.

Discussion: Fournier indicated he is against the amendment as PDA has an Executive Director for a reason; if you put “or the Board” who executes it. It needs to be clear, he did not think the Board should be in this position.

Ferrini agreed with Fournier and further stated that by using the word “or” there is not a requirement that the Board be involved and is effectively of no consequence.

Smith called the roll on the amendment only.

	Yes	No
Anderson	X	
Ferrini		X
Fournier		X
Lamson	X	
Loughlin	X	
Levesque		X
Smith		X

Disposition: Resolved by (3-4) roll call vote for; motion to amend failed.

Disposition on original motion: Resolved by unanimous (7-0) roll call vote for; motion carried.

XI. Signs:

A. Reports:

- 1. Laborie Medical Technologies, Corp. – 180 International Drive

Brean indicated that in accordance with the “Delegation to Building Inspector: Consent and Approval of Minor Revisions to Existing Signs” PDA reports as follows:

Entity:	200 International Limited Partnership
Location:	180 International Drive
Summary:	Change out of the Medtronic signs and replacing them with in-kind signs that identify Laborie. Renderings are attached depicting the proposed minor signage changes referenced above.

The Delegation to Building Inspector: Consent and Approval of Minor Revisions to Existing Signs also requires the consent of one member of the PDA Board of Directors. In this instance, Director Loughlin was consulted regarding the sign change on March 4, 2021.

B. Approval:

1. City of Portsmouth – Water Treatment Plant – 97 Grafton Road

Director Anderson moved the motion and Director Lamson seconded that **the Pease Development Authority (“PDA”) Board of Directors hereby approves of the proposed new sign for the City of Portsmouth’s Water Treatment Plant located at 97 Grafton Drive; all in accordance with the memorandum of Maria J. Stowell, P.E., Engineering Manager, dated March 15, 2021.**

Discussion: Loughlin asked if it were the City of Portsmouth Water Treatment Plant at Pease or is it the Pease Development Authority Water Treatment Plant. Stowell indicated that PDA owns all of the original infrastructure, but since then the City has made a lot of renovations to it (they may own new tanks put in); PDA owns what was transferred from Air Force.

Anderson indicated the City has an obligation to take care of that facility; Stowell affirmed. Anderson asked when this would go online with all the restoration/improvements at the facility; Stowell indicated this summer and further indicated that the filters have been in place for the Smith and the Harrison wells for quite a few years. Stowell indicated that regarding the Haven Well it is anticipated that too will become active this year (summer).

Lamson indicated that regarding the Haven Well there are many individuals concerned with the Haven Well coming online.

Disposition: Resolved by unanimous (7-0) roll call vote for; motion carried.

XII. Executive Director:

A. Reports:

1. Golf Course Operations

Golf Course General Manager Scott DeVito (“DeVito”) indicated the driving range opened on Wednesday, March 17th, and anticipates opening 18 holes on Friday, March 26th. The state guidelines for restaurants have been updated and Grill 28 can now seat up to 10 people to a table (increasing its capacity and business improving).

DeVito indicated at the last Golf Committee meeting there had been discussion regarding availability to sign up for tee times up to fourteen (14) days in advance for membership. DeVito indicated no change to the software, but as of April 19th will transition to taking phone calls in order to schedule tee times at an earlier time, rather than midnight.

DeVito indicated maintenance has put down seed to recoup some of the damaged areas on the course. DeVito stated that staff will be working with the City of Portsmouth to get the irrigation system online early next month, but that he anticipates there may be some restrictions this year. DeVito indicated that EJ Chea has come up with a water conservation program that he has been working on for a number of years which would transition some of the areas on the course to more natural areas that don't play and will be shutting the irrigation off in these areas in an effort to decrease water usage. There are multiple programs within the system to reduce consumption on a daily basis (i.e.; rain sensors to turn off the system if getting rain while system is on; hand watering during day versus having irrigation cool the surface off; drought resistant products). DeVito indicated that staff are working with the City and trying to utilize up-to-date technology at the course for water conservation.

Brean thanked the Board for supporting the capital equipment purchase requested by the golf course delayed last year due to COVID.

2. Airport Operations
a) Portsmouth International Airport at Pease (PSM)

Brean indicated that PSM is holding its own regarding enplanements; through February there have been 9,197 enplanements which is a 53% decrease from February of 2020. This breaks down to a 45% charter decrease and a 57% scheduled service decrease (throughout the industry, other airports are down 78%). Brean did indicate that future travel bookings have increased and announced summer/seasonal service to Nashville TN and St. Pete FL (northbound market for Floridians to enjoy social distance vacations in New England), and continuing year round service to Punta Gorda and Sanford / Orlando.

Brean stated that through the Coronavirus Response (CRRS) Act, PSM will be receiving \$1.4 million of aid and anticipate an approximate savings of \$70,000 in PDA portions of AIP projects that have been included in the bill.

Brean informed the Board stated that the Air National Guard received its 12th and final KC-46 on February 4th; the squadron is at full capacity and actively flying missions out of Portsmouth.

b) Skyhaven Airport (DAW)

Brean indicated Andrew Pomeroy ("Pomeroy") is working closely with the City of Rochester Planning Board pertaining to developments off the airport area that will impact the airport and the navigation easements into the airport.

Brean stated that through the Coronavirus Response (CRRS) Act, DAW will be receiving

\$13,000 in relief aid and anticipate an approximate savings of \$5,000 in some of the scheduled projects at Skyhaven.

**c) Noise Line Report
(i) January & February 2021**

Brean indicated that there were no noise inquiries at either airport during the months of January and February, 2021.

B. Approvals:
1. Bills for Legal Services

Director Fournier moved the motion and Director Lamson seconded that the Pease Development Authority (“PDA”) Board of Directors approves of and authorizes the Executive Director to expend funds in the amount of \$20,851.00 for legal services rendered to the Pease Development Authority to Sheehan Phinney Bass & Green for services from December 1, 2020 – December 31, 2020 in the amount of \$870.00 for Tradeport General Representation; December 1, 2020 – December 31, 2020 in the amount of \$319.00 for Ports & Harbors Matters; December 1, 2020 – December 31, 2020 in the amount of \$12,035.00 in support of MS4 and CLF settlement implementation; and January 1, 2021 – January 31, 2021 in the amount of \$7,627.00 in support of MS4 and CLF settlement implementation.

Discussion: None. Disposition: Resolved by unanimous (7-0) roll call vote for; motion carried.

Director Fournier excused himself from the meeting at 11:07 a.m. as he had another appointment.

2. Allegiant Airlines - Marketing

Director Anderson moved the motion and Director Lamson seconded that the Pease Development Authority (“PDA”) Board of Directors authorizes the Executive Director to use unmatched marketing funds, not to exceed \$100,000, specifically for air service route development and to expend said funds for the purpose of promoting Allegiant Airline’s air passenger service from Portsmouth to Nashville, TN and Clearwater, FL; all in accordance with the memorandum of Andrew B. Pomeroy, Manager Aviation Planning and Regulatory Compliance, dated March 9, 2021.

Discussion: None. Disposition: Resolved by unanimous (6-0) roll call vote for; motion carried.

3. Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act

Director Ferrini moved the motion and Director Anderson seconded that the Pease Development Authority (“PDA”) Board of Directors hereby approves of and authorizes the Executive Director to accept Coronavirus Response and Relief Supplemental

Appropriations Act (Public Law 116-260) (CRRSA) Grant(s) for which Portsmouth International and Skyhaven Airports are or may become eligible. This approval includes the authority to execute any and all documents necessary or appropriate to accept the CRRSA Grant(s) on an expedited basis and to use said grants for any purpose for which airport revenues may be lawfully used, in accordance with the FAA's Policy and Procedures Concerning the Use of Airport Revenues.

Discussion: None. Disposition: Resolved by unanimous (6-0) roll call vote for; motion carried.

**4. Town of Newington Transportation Alternative Program (TAP)
Grant Application – Letter of Support**

Director Lamson withdrew this request from the agenda as it was not approved at the Newington Town meeting held on Saturday, March 13th.

XIII. Division of Ports and Harbors:

A. Reports:

1. **Port Advisory Council – Minutes of December 9, 2020**
2. **Port Advisory Council - Minutes of January 13, 2021**
3. **Portsmouth Fish Pier – Change Order #5 / H.L. Patten**
4. **Cianbro Corp. – Right of Entry – Market Street Terminal**
5. **Commercial Mooring Transfer – Pike to Noyes**
6. **Commercial Mooring Transfer – Chong to Collins**
7. **Commercial Mooring Transfer – McLaughlin to McLaughlin**
8. **Commercial Mooring Transfer – Chong to Nudd**
9. **Commercial Mooring Transfer – Bohley to Naples**
10. **Commercial Mooring Transfer – Randall to Adams**
11. **Commercial Mooring Transfer – Thurlow to Thurlow**
12. **Commercial Mooring Transfer – Ouellette to O'Neil**
13. **Commercial Mooring Transfer – Armano to Merrow**
14. **Report on the Commercial Fishermen Days at Dover DMV for the 2021 Season**

Geno J. Marconi ("Marconi), Division Director of the Division of Ports and Harbors ("DPH"), reported on Division activities, and the reports before the Board represent the current business at the DPH.

Director Marconi mentioned the packet contained two sets of minutes (December 9, 2020 and January 13, 2021) of Port Advisory Council.

Marconi spoke to the Change Order at the PFP in the amount of \$11,000 for the purchase for two hydraulic hoists (\$5,500/ea.) to replace the electric chain hoists (between \$4,200/ea. - \$4,700/ea.). Marconi indicated this was at the recommendation of the commercial fishermen and through the due diligence of staff determined the savings of the two different types of hoists (life expectancy / replacement costs, maintenance (the electric chain hoists isn't made for outside) and

feel will reduce maintenance / replacement costs.

Marconi spoke to Cianbro's Right of Entry for trans-loading of construction materials for the PNSY super flood basin project. Earlier in the project there had been a trans-loading of dredge materials for the project but was informed by the Navy of 20,000 additional yards of additional materials to be removed at the construction site. Marconi indicated that the Navy is strict on the handling of the dredge materials which will be transported up to Turnkey in Rochester, also had Ransom review the type of material being removed and DPH indicated it was appropriate for the handling of the material through DPH.

Marconi indicated items 5 through 13 are Commercial Mooring Transfers; the Code Administrative Rules allows mooring transfers which must remain commercial use and cannot be used for general. Marconi spoke of the process and review that the requests go through,

Marconi spoke to the report on the Commercial Fishermen Days held at Dover DMV which has been held for the past few years cooperatively with NH Fish & Game and DMV. Marconi indicated that it is easier for the fishermen this way for in order to obtain a commercial mooring there needs to be a commercial fishing license. The event was held on a Saturday when the DMV was closed and have received good feedback from the fishermen handling registration in this manner.

Lamson thanked Marconi for the information forwarded to her concerning the Little Bay Bridges.

Anderson indicated the registration day is tremendous for the commercial fisherman as it is "one stop shopping", it has alleviated something that used to take multiple trips which has been consolidated into one event.

B. Approvals:

1. Right of Entry Extension - Juliet Marine Systems, Inc. "Ghost Boat"

Director Ferrini moved the motion and Director Levesque seconded that **the Pease Development Authority ("PDA") Board of Directors hereby approves of and consents an extension of the Right of Entry ("ROE") for Juliet Marine Systems, Inc. ("Juliet"), under the same terms and conditions in the ROE dated May 16, 2019, for the use of the facilities at the Market Street Terminal for the purpose of storage, and the eventual loading (onto a ship), of the 60' vessel known as the "Ghost boat" for a period of twelve (12) months commencing May 1, 2021, on a month to month basis, or until April 30, 2022; all in accordance with the memorandum of Geno J. Marconi, Division Director, dated February 24, 2021**

Discussion: None. Disposition: Resolved by unanimous (6-0) roll call vote for; motion carried/failed.

2. Expansion of the Piscataqua River's Uppermost Turning Basin Project

Director Levesque moved the motion and Director Anderson seconded that the Pease Development Authority ("PDA") Board of Directors hereby authorizes the Executive Director to execute a Project Partnership Agreement (PPA) between the Army Corps of Engineers and PDA for the "Portsmouth Harbor & Piscataqua River Navigation Improvement Project, New Hampshire and Maine" (the "Project"), submitted to the Division of Ports and Harbors ("DPH") related to the expansion of the Piscataqua River's Uppermost Turning Basin, and to commit funds for the Project pursuant to the PPA; all in accordance with the Memorandum of Geno Marconi, Division Director, dated March 8, 2021.

Discussion: Ferrini asked in what manner PDA would see the tracking of this project in an effort to understand timing and expenditure; Marconi indicated when the PPA is executed a check will be written upfront for approximately \$6+ million. Marconi indicated that at the end of the project (as is the experience with all DPH dredging projects) it takes about a year to close out all of the paperwork there. During this time it will be determined if there are any rebates to be received (i.e.; receiving money back from Hampton and Rye projects), in addition there is \$2.5 million post construction and operating and maintenance contribution (the request for that payment is a year and a half after construction is completed - anticipated to be March 2022).

Lamson asked if this were the same procedure done over the years; Marconi affirmed.

Disposition: Resolved by unanimous (6-0) roll call vote for; motion carried.

XIV. New Business:

XV. Upcoming Meetings:

Port Committee	April 1, 2021 @ 8:00 a.m.
Audit Committee	April 12, 2021 @ 8:30 a.m.
Golf Committee	April 12, 2021 @ 9:00 a.m.
Finance Committee	April 12, 2021 @ 9:30 a.m.
Board of Directors	April 15, 2021 @ 8:30 a.m.

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

Smith indicated that it is his intention to have the next Board of Directors' meeting held as an "in-person" meeting.

Lamson asked if the Finance Committee meeting would be held at the PDA offices or would it be as a Zoom meeting; Smith indicated he would get back to her with a response.

XVI. Directors' Comments:

Smith thanked the Board for its patience during the meeting as it worked through, and continues to work through, the Million Air project. Smith indicated an appreciation of the respect amongst Board members and their opinions.

XVII. Adjournment:

Director Lamson **moved** the **motion** and Director Loughlin **seconded to adjourn the Board meeting**. Meeting adjourned at **11:22 a.m.**

Discussion: None. Disposition: Resolved (6-0) for; motion carried.

XVIII. Press Questions:

There were no questions from the press.

Respectfully submitted,



Paul E. Brean
Executive Director