

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

**Thursday, March 14, 2024**

Presiding: Stephen M. Duprey, Chairman  
Present: Neil Levesque, Vice Chair; Steve Fournier; Margaret F. Lamson; Susan B. Parker, and Karen Conard  
Absent: Thomas G. Ferrini, Treasurer  
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; Geno Marconi, Director of Ports and Harbor (“DPH”); Myles Greenway, Deputy Director DPH; Scott DeVito, Pease Golf Course (“PGC”) General Manager; Jared Sheehan, Environmental Compliance Manager; Andrew Pomeroy, Director of Aviation Planning & Regulatory Compliance; Chasen Congreves, Director of Operations, Greg Siegenthaler, IT Director; and Raeline A. O’Neil, Executive Administrative Assistant

**BOARD OF DIRECTORS' MEETING**

**I. Call to Order:**

Chairman Duprey (“Duprey”) called the meeting to order, noting Director Ferrini was not in attendance for the meeting; the meeting commenced at **8:31 a.m.**

**II. Acceptance of Meeting Minutes: Board of Directors' Meeting of January 11, 2024 and February 14, 2024**

Director Lamson **moved** the **motion** and Director Parker **seconded** to **approve the minutes of the Pease Development Authority Board of Directors' meetings dated January 11, 2024 and February 14, 2024.**

**Discussion:** Chairman Duprey abstained from voting on the meeting minutes of January 11, 2024, and Director Levesque abstained from voting on the meeting minutes of February 14, 2024, as they were not present from those respective meetings.

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

**III. Public Comment:**

No public comment.

**IV. Committees:**

**A. Report:**

**1. Golf Committee**

Director Fournier indicated the meeting was held on Monday, March 11, 2024. During the meeting the Committee spoke to a number of items (i.e.; domestic partnerships, special event tent rental, seasonal rates and fees and scope of work for engineering of a building addition).

**V. Consent Agenda Items:**

**A. Consent Agenda Approvals \* (Parker):**

Director Parker requested to remove item 7 from the consent agenda for further discussion.

Director Parker **moved** the **motion** and Director Conard **seconded** that the Pease Development Authority Board of Directors hereby moves that item numbers **1 through 6 and 8 through 17** 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. On-Call Wayfinding and Signage Services
2. On-Call Branded Apparel Services
3. Northeast Land Care, LLC - Landscaping Services
4. Sweeping Contract – Multi-use path
5. Skyhaven Apron Bidding and Permitting Proposal – Jacobs Engineering
6. Grant Acceptance for Design Only of Taxiway “A” South and Hold Bay at Portsmouth International Airport at Pease
8. R.B. Allen Co. Inc. - On-call Fire Alarm and Sprinkler System
9. S.U.R. Construction, Inc. – Right of Entry – Jones School and Ashland Road area for Corporate Drive Reconstruction Project
10. Pease Golf Course - Special Events Tent
11. Pease Golf Course – Walk Behind Greens Mower
12. Pease Golf Course – Trim & Surround Mower
13. Pease Golf Course – Riding Greens Roller
14. Pease Golf Course - Rate Increase and Limitation of Passes
15. Ransom Consulting, LLC - Stormwater Sampling
16. Apex Design Build – Right of Entry Extension – 360 Corporate Drive
17. Legal Services

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



**7. Grant Acceptance and Purchase of Snow Removal Equipment for Portsmouth International Airport at Pease**

Director Parker moved the motion and Director Fournier seconded that the Pease Development Authority (“PDA”) Board of Directors hereby authorizes the Executive Director to:

- (1) accept a Federal Aviation Administration ("FAA") AIP Grant Offer of up to \$1,474,816.00, and accept up to \$81,934.00 from New Hampshire Department of Transportation in matching funds, for snow removal equipment for Portsmouth International Airport at Pease (PSM);
- (2) expend PDA funds up to \$81,934.00 for the equipment;
- (3) award a contract to M-B Companies for the purchase of a liquid deice truck for the price of \$585,361.00 and a multi-tasking equipment for the price of \$1,032,112.00;
- (4) expend PDA funds up to \$4,480.00 to purchase additive alternatives #1 and #2 from M-B Companies; and
- (5) execute any and all documents necessary to receive the grant funds and procure the snow removal equipment as described.

All in accordance with the memorandum from Michael R. Mates, P.E., Director of Engineering, dated February 29, 2024.

Discussion: Director Parker (“Parker”) requested information on the new deicing vehicle such as is the vehicle being replaced and how the new vehicle may differ from the existing one. Brean indicated that the current vehicle is 27/28 years old. The deicing vehicle to be purchased would replace the older vehicle; is safer and more ergonomical.

Disposition: Resolved unanimous vote for; motion carried.

**VI. Finance:**

**A. Executive Summary**

**B. Reports:**

1. **FY2024 Financial Report for the Seven Month Period Ending January 31, 2024**
2. **Cash Flow Projections for the Nine Month Period Ending November 30, 2024**

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

Anzalone informed the Board that operating revenues are on budget, year-to-date (YTD); stated that operating expenses are under budget by approximately 11.3% with PDA operating income being favorable to the budget. All business units are performing well and indicated there aren’t any concerns regarding the business units to bring to the Board’s attention.

Further, Anzalone spoke of YTD capital expenditures (\$7.7 million) mostly being the Pier at Market Street and the Arrivals Hall projects. Lastly, spoke of cash flows over the next nine months with inflows (\$22.7 million) / outflows (\$28 million) as a result of planned capital projects (grant and non-grant funded), causing a decrease in cash.

Duprey spoke to a decrease in the cash flow over the next year and asked of potential projections; Anzalone indicated PDA staff are currently working on the Capital Improvement Plan/Budget. Further, she stated it does appear as though cash flow would be diminished due to proposed capital projects. Anzalone indicated PDA does have a Line of Credit (“LOC”) it can utilize, occasionally there are projects that require disbursements prior to grant funding reimbursement. This is done so there would be minimal to none, long outstanding debt on capital projects.

Paul E. Brean (“Brean”), Executive Director stated PDA does attempt to maintain a specific operating balance of approximately \$2,000,000.00. Anzalone affirmed keeping PDA’s cash flow for operating needs between \$1.5/\$2 million.

Duprey indicated the fund had been built up due to operational surpluses etc.; Anzalone affirmed (i.e.; sale of the building at 30 New Hampshire, COVID funding, etc.).

**VII. Licenses/Rights of Entry/Easements/Rights of Way:**

**A. Report:**

- 1. ATDG, LLC – Right of Entry – 360 Corporate Drive**
- 2. Apex Design Build – Right of Entry - 360 Corporate Drive**
- 3. New England CERFP – Right of Entry – North Apron – Training Exercises**
- 4. NH ANG – Right of Entry - Exercise Last Option for Mobile Air Traffic Control Tower**
- 5. City of Portsmouth Police Department – Right of Entry – North Apron for Emergency Vehicle Operator’s Driver Training**
- 6. ProCon – Flightline Road and Kilo Taxiway Apron and Ramp Area**

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: ATDG, LLC  
License: Right of Entry Extension  
Location: 360 Corporate Drive  
Purpose: Purpose of geotechnical review and site survey  
Term: through April 1, 2024
  
2. Name: Apex Design Build  
License: Right of Entry Extension  
Location: 360 Corporate Drive  
Purpose: Purpose of vehicle parking and the installation of a construction trailer  
Term: through February 29, 2024



3. Name: Maine ANG – NH CERFP  
License: Right of Entry  
Location: North Apron and Overflow Parking Lot at 119 Arboretum Drive  
Purpose: Purpose of conducting readiness exercises related to hazardous materials response  
Term: May 6, 2024 through May 10, 2024
4. Name: NH Air National Guard  
License: Right of Entry  
Location: Airfield  
Purpose: Mobile Air Traffic Control Tower  
Term: through March 2, 2029
5. Name: City of Portsmouth Police Department  
License: Right of Entry  
Location: North Apron  
Purpose: Emergency Vehicle Operator’s Driver Training Course  
Term: June 26, 2024 through June 29, 2024
6. Name: ProCon LLC  
License: Right of Entry  
Location: Flightline Road and Kilo Taxiway Apron and Ramp  
Purpose: Survey / Site Inspection  
Term: February 9, 2024 through July 30, 2024

Brean stated most of the Rights of Entries (“ROEs”) are for geotechnical / survey work and extensions to existing ROEs.

Duprey inquired into item 6; Brean indicated it is a client of ProCon who has an interest in a corporate hangar.

**VIII. Leases:**

**A. Report:**

1. **Sublease between NH Avenue Retail Center, LLC and CAVU Enterprises, Inc.– 14 Manchester Squire (Suite #275)**

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

1. Tenant: CAVU Enterprises, Inc.  
Space: 14 Manchester Squire (Suite # 275)  
Use: General Office and related use  
Term: Commencing December 15, 2023, five (5) years with two (2) five (5) year options.

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 Lamson was consulted and granted her consent.

**B. Approvals:**

**1. Port City Air – 104 Grafton Drive - Concept Approval for Deice Tank Installation and Lighting Improvements**

Director Levesque moved the motion and Director Fournier seconded that the Pease Development Authority Board of Directors hereby approves the concept plan submitted by Port City Aircraft Repair, LLC for deice tank installation and lighting improvements at the shelter hangars located at 104 Grafton Drive; all in accordance with the memorandum of Michael R. Mates, P.E., Director of Engineering dated March 1, 2024.

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

**2. Lonza – Variance for Above-Ground Storage Tank Capacity**

Director Levesque moved the motion and Director Fournier seconded that the Pease Development Authority Board of Directors hereby approves of the variance request submitted by Lonza Biologics, Inc. (“Lonza”) attached hereto for four (4) Above-Ground Storage Tanks (“AST”) with a capacity of 4,400 gallons each at the Central Utility Building and Building 1 located at 70/80 Corporate Drive / 101 International Drive; subject to Lonza securing the requisite variance from the City of Portsmouth for the additional AST; all in accordance with the memorandum from Michael R. Mates, P.E., Director of Engineering, dated February 29, 2024.

Discussion: Duprey indicated that these would be diesel, double-walled storage tanks with monitoring devices; Brean affirmed.

Disposition: Resolved unanimous vote for; motion carried.

**3. US Department of State – 31 and 32 Rochester Avenue - Lease Amendment No. 1**

Director Conard moved the motion and Director Parker seconded that the Pease Development Authority Board of Directors hereby approves and authorizes the Executive Director to enter into Lease Amendment No. 1 with US Department of State regarding its lease of 31 and 32 Rochester Avenue, to shorten the renewal option 1 notice period under Article 1, Section 1.1, l. (ii), from not later than six (6) months prior to the last day of year 10 of the initial lease term to not less than three (3) months; all in accordance with draft Lease Amendment No. 1, attached hereto.

Discussion: Duprey asked of the notification on the option exercise; Anthony I. Blenkinsop (“Blenkinsop”) Deputy Director / General Counsel stated Department of State is not late on its notification, as it is as of April 1<sup>st</sup>. However, Dept. of State anticipates the potential of lease amendment along with its lease extension. By shortening the time for notification, it allows more time for discussions.

Disposition: Resolved unanimous vote for; motion carried.



**IX. Contracts:**

**A. Report:**

1. **Jacobs Engineering – On-call Airport Planning and Engineering Services - Exercise of Two-year Option**
2. **Hoyle, Tanner & Associates– On-call Airport Planning and Engineering Services - Exercise of Two-year Option**
3. **McFarland-Johnson – On-call Airport Planning and Engineer Services - Exercise of Two-year Option**
4. **Stantec Consulting Services Inc. – On-call Airport Planning and Engineering Services – Exercise of Two-year Option**
5. **Modern Pest Control – Portsmouth Fish Pier**
6. **Binnie Media – Digital Marketing Advertisement on I-95**
7. **Skyhaven Apron Bidding and Permitting - Jacobs Engineering - Immediate Preconstruction Work**
8. **Daniel C. Fortnam – Air Development Consulting Service - Exercise of First, One-year Option**
9. **Dover Marine – Repairs to Harbor Master Patrol Vessel**
10. **HID - Portsmouth International Airport at Pease – Three Month Extension of Maintenance Agreement Airport Badge System**

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

1. Project Name: Jacobs Engineering Group, Inc.  
Board Authority: January 21, 2021  
Summary: Exercise its one (1) two-year option for On-call Airport Planning & Engineering Services
2. Project Name: Hoyle Tanner & Associates, Inc.  
Board Authority: January 21, 2021  
Summary: Exercise its one (1) two-year option for On-call Airport Planning & Engineering Services
3. Project Name: McFarland-Johnson, Inc.  
Board Authority: January 21, 2021  
Summary: Exercise its one (1) two-year option for On-call Airport Planning & Engineering Services
4. Project Name: Stantec Consulting Services, Inc  
Board Authority: January 21, 2021  
Summary: Exercise its one (1) two-year option for On-call Airport Planning & Engineering Services

5. Project Name: Modern Pest Control  
Board Authority: Director Levesque  
Cost: First year \$1,998.61 with \$1,100 annually thereafter  
Summary: Pest Control Services for Portsmouth Fish Pier
  
6. Project Name: BinnieMedia  
Board Authority: Director Ferrini  
Cost: \$7,000.00  
Summary: Outdoor Digital Billboard Advertising on I-95 from April 8, 2024 through May 5, 2024
  
7. Project Name: Skyhaven Apron Bidding and Permitting  
Board Authority: Director Ferrini  
Cost: \$10,000.00  
Summary: For Immediate Preconstruction with performed by Jacobs Engineering
  
8. Project Name: Daniel C. Fortnam  
Board Authority: March 18, 2021  
Summary: Exercise its first one-year option for Air Development Consulting Service
  
9. Project Name: Dover Marine  
Board Authority: Director Ferrini  
Cost: \$5,749.83  
Summary: For Repair to Internal Fuel Tank on Harbor Master Patrol Vessel
  
10. Project Name: Portsmouth International Airport at Pease  
Board Authority: Director Ferrini  
Cost: \$8,246.14  
Summary: Three Month Extension of the Badge System Service Agreement from March 1, 2024, through May 31, 2024

Duprey asked of items 1 through 4; Brean spoke of the requirement to go out to bid for professional engineering services. PDA has four (4) entities which provide coverage for specific engineering services used by the PDA for its projects.

Duprey also inquired into item 6; Brean indicated this is part of PDA's marketing of Allegiant flights out of PSM as its value aligns with the demographic who utilize the flights.

Duprey asked of item 8; Brean stated Fortnam is an air development consultant who has a unique background. Fortnam worked with Pan Am, has been influential in PDA's original deal with Allegiant; and maintains PDA's relationship with Allegiant. Lastly, Fortnam understands the unique air service PSM has to offer and assists in acquiring new air services that would be a good fit at PSM.



Duprey inquired of item 10; Brean indicated there are TSA requirements that need to be met. In working with the current vendor, who provides proprietary information, this entity allows compliance and provides unique and independent software technology.

**B. Approval:**

**1. Pease Development Authority – Operations Vehicles**

Director Fournier moved the motion and Director Levesque seconded that the Pease Development Authority Board of Directors hereby approves of and authorizes the Executive Director to purchase three (3) 2024 Chevrolet Silverado 1500 police package trucks from McMulkin Chevrolet, of Nashua, NH in an amount not to exceed \$55,290.00 per vehicle (total of three vehicles not to exceed \$165,870.00); all in accordance with the memorandum of Ken Conley, Maintenance Manager, dated March 5, 2024.

In accordance with the provisions of RSA 12-G:8 VIII, the Board justifies the waiver of the RFP requirement as the vehicle will be purchased under the State of New Hampshire's Vehicle Procurement Contract with McMulkin Chevrolet.

Discussion: Duprey stated the waiver is because this purchase would be under the state vendor agreement.

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

**X. Signs:**

**A. Approvals:**

**1. 249 Corporate Drive LLC- Ovik Health**

Director Levesque moved the motion and Director Lamson seconded that the Pease Development Authority Board of Directors hereby approves the signage proposal of 249 Corporate Drive LLC, on behalf of Ovik Health, located at 249 Corporate Drive; all in accordance with the memorandum of Michael R. Mates, P.E., Director of Engineering dated February 12, 2024.

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

**2. 231 Corporate Drive LLC - Ethos Veterinary Health LLC**

Director Conard moved the motion and Director Lamson seconded that the Pease Development Authority Board of Directors hereby approves the signage proposal of 231 Corporate Drive LLC, on behalf of Ethos Veterinary Health LLC, located at 231 Corporate Drive; all in accordance with the memorandum of Michael R. Mates, P.E., Director of Engineering dated February 29, 2024.

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

**XI. Executive Director:**

**A. Reports:**

**1. 2024 Modified Meeting Schedule**

Brean spoke to the request to modify the meeting scheduled and indicated the April and October Board meetings would be on the third Thursday of the month, while the remaining Board meetings would be held on the second Thursday of the month respectively.

Levesque indicated that the Port Committee meeting has been rescheduled to April 2, 2024.

**2. Golf Course Operations**

Scott DeVito (“DeVito”), Pease Golf Course (“PGC”) General Manager, spoke to a mild winter, allowing the driving range to be open as of Friday, March 15th with 18 holes being open as of Friday, March 29<sup>th</sup>. On Monday, March 18th, the new tee time system will be going live which will allow season pass holders the ability to schedule tee times. DeVito indicated the maintenance seasonal staff are onboarding and working on tee projects on the Blue Course.

Grill 28’s numbers were down for January and February; they have brought in a new management team and event coordinator; its season moving forward looks good.

Duprey asked of PGC’s seasonal employees’ rate of pay; DeVito indicated outside staff start at \$9/hr with an approximate \$1 increase after two or three months. The Clubhouse staff mentor employees who can sometimes transition inside to positions which results in an increase in pay. Brean indicated the staff DeVito referred to are Junior staff. DeVito indicated the employees who manage the golf shop are approximately \$15/hr., as staff welcome the part-time abilities and perks provided.

DeVito indicated the course opened roughly the same time last year (last week of March) but the weather didn’t cooperate; Brean indicated there were approximately fifty-eight (58) rain days last year.

**3. Airport Operations**

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

Brean indicated PSM is stronger than it was at this time last year. There has been a slight decline in travel, mostly due to troop flights and weather events. However, load factors during the February school vacation have been up as well as those for April vacation.

Brean also provided the Board information regarding parking revenues being strong due to the school vacations; fuel flowage fees received from DOD and general aviation flights and the competitive pricing at the airfield; and rental concession fees from passengers utilizing the services at the airport.

Brean further spoke to maintaining PSM’s load levels as there are many options in the surrounding area that offer flight transportation. Further, it is anticipated that PSM’s civil air fleet/charters will have an uptick this summer as Bangor Maine will be having work done to its runway.



Lamson asked of seasonal flights to Savannah; Brean stated that was a seasonal service several summers ago. Air carriers currently do not have the resources to do extra seasonal routes; the service to St. Pete/Tampa/Clearwater route will be returning shortly. Further, Allegiant is in the process of training its pilots and crews on the 737 aircraft, resulting in modifications to its schedules. Further, Lamson noted a reduction in noise with newer aircraft.

**c) Noise Line Report**  
**(i) January and February 2024**

Brean indicated for the months of January and February, there have been no noise reports.

Duprey asked of the Terminal work being performed by Hutter; Brean stated the work is underway with the foundation being complete, steel is going up and it is on schedule. Duprey stated the project had been delayed to provide the Governor with information of the needs to upgrade building at the airport as well as an upgrade of the antiquated electrical system.

Duprey also spoke of the potential for additional air service at PSM. Brean indicated that Spirit Airlines vacated Manchester Airport and Breeze Airways (“Breeze”) is now providing service out of Manchester. Brean spoke to Breeze being a strong air service and its desire to be in several northeast hubs. Further, he indicated Manchester will be a good fit for Breeze as it expands its service in the area.

Duprey stated that all of PDA’s Board of Directors have a statutory responsibility for the community, region, and state. Speaking to the modernization at the Manchester Airport which was supported by a municipal bond, falling on the City of Manchester’s taxpayers. There has been a reduction in use / service over the last ten years at Manchester Airport. PSM is sensitive to its services, so it does not cause a negative impact to the Manchester Airport.

**B. Approval:**  
**1. Seventh Amendment to By-Laws**

Director Fournier moved the motion and Director Conard seconded that **WHEREAS, the Pease Development Authority (“PDA”) has duly enacted By-Laws in accordance with the provisions of NH RSA 12-G:8, XIX; and**

**WHEREAS, in accordance with Article III, Sections 3.9.1.1; 3.11; and 3.11.1 of said By-Laws, the PDA Board of Directors deems it desirable to increase the spending thresholds of the Executive Committee and the Executive Director when entering into agreements and/or contracts for the benefit of PDA without seeking Board approval; and**

**WHEREAS, the PDA Board of Directors seeks to clarify the role of the Audit Committee under the By-Laws;**

**BE IT RESOLVED, the PDA Board of Directors amends the By-Laws as follows:**

- a. Article III; Section 3.9.1.1; increase the monetary amount referenced from \$10,000.00 to \$25,000.00;**

- b. **Article III; Section 3.11, shall increase the monetary amount referenced from \$10,000 to \$25,000.00;**
- c. **Article III; Section 3.11.1.1 shall increase the written amount from Ten Thousand to Twenty-Five Thousand and the monetary reference from \$10,000.00 to \$25,000.00;**
- d. **Article IV; Section 4.2 shall change the reference from “Finance Committee” to “Audit Committee”.**

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

**XII. Division of Ports and Harbors:**

**A. Reports:**

- 1. **Port Advisory Council Meeting Minutes of December 13, 2023**
- 2. **Port Advisory Council Meeting Minutes of January 10, 2024**

Geno Marconi (“Marconi”) Director of Ports and Harbors indicated the Board had in its packet the minutes of the Port Advisory Council meetings of December and January; the minutes have been provided so the Board is aware of the Council's activity.

- 3. **Commercial Mooring Transfer – Campolini to Gauron of Steaker Charters, LLC**
- 4. **Commercial Mooring Transfer – Carbonneau to Lantagne**
- 5. **Commercial Mooring Transfer – Felch to Moge**
- 6. **Commercial Mooring Transfer – Gauron to Campolini**
- 7. **Commercial Mooring Transfer – Tontine Fishing, Inc. to Krajewski**
- 8. **Commercial Mooring Transfer – Kirland to Kirkland**
- 9. **Commercial Mooring Transfer – Lang to Lang**

Marconi spoke to Commercial Mooring Transfers above and stated DPH sees a lot of these transfers typically at the beginning of the year.

**10. USACE Navigation O&M And Civil Works Project Updates NH**

Marconi spoke to the materials provided in the packet as being a review of the projects in the State of NH waterways by the US Army Corp of Engineers. Marconi stated by statute, DPH is the designated state project partner. Marconi spoke to the various projects: Newington Reach Maintenance Dredge - being done every couple of years, as it doesn't take long, utilizing a self-propelled dredge for 60,000 cubic yards; Hampton Harbor Jetty - being a difficult project due to an area of protected dunes and use of cranes; Isles of Shoals Breakwater project (between Appledore and Cedar Island; Cedar Island and Smuttynose Island; Smuttynose Island and Malaga Island); and a Section 107 Feasibility Study. With respect to the Section 107 Feasibility Study, Marconi stated the USACE had requested approximately \$518,000.00 as a cost share for the study. DPH does not have the funding to contribute to this study. USACE indicated UNH's program is not compatible to perform tasks; in the past UNH's contribution has helped to reduce the cost of projects.



Duprey asked how many boats utilize the Hampton/Seabrook harbor; Marconi stated he did not know that immediate answer. Duprey asked if there were any commercial fishermen out of that Harbor; Marconi affirmed. Marconi explained that the USACE has been provided with information concerning commercial moorings and pier use permits for the area.

Duprey inquired into the Isles of Shoals Breakwater projects; Marconi indicated the USACE is required to maintain that area. Further, a lot of the projects, such as these, have been authorized by Congress for continued maintenance of proposed designations.

Levesque asked how fees will be obtained to pay for projects, with DPH revenues down 19%. Further discussion involving Lamson and Levesque spoke to the use of the area by fishermen, whom they both support, and who unfortunately may be impacted. Also spoke to the recent storms that have impacted the Seacoast area and the need for infrastructure improvements at the facilities. Marconi stated the state legislature placed the responsibility on DPH to partner with USACE on behalf of the state. He does not believe however the legislature thought DPH, an agency of the state, would have to generate a revenue stream to support the various projects that are federal / public waterways within the State of NH. The waterways are utilized by all individuals, coming from all over, and it would seem unfair for one group to have to support the projects.

Duprey spoke to looking ahead to item 12 and the limited revenue that is brought in against future budget projections. Further, for improvements to the infrastructure, it will be necessary to look to the government to provide funding for projects which are utilized by all (industrial, commercial and recreational users, etc.). Therefore, it may be appropriate when approving a DPH budget, that language is included to reference a contingency of support by the legislature / governmental bodies. There may be significant budget restrictions on capital future projects if there isn't a new revenue source, or appropriations received from the legislature, for proposed projects. Brean stated the CIP would reference those projects that would be grant funded etc.

Parker stated it would be helpful to understand how USACE develops its price points; how it qualifies as a service provider to the states; and why it is like this. Believes there had been a movement to have some federal agencies to be self-supporting, not in all aspects but a good share of them. Marconi indicated a cost / benefit analysis being performed by the USACE before it delves into the project.

Lamson spoke of the various sized vessels that go into the Main Terminal and suggested viewing vessels as they arrive and are docked at the terminal; area residents should be proud of the terminal and its offerings. Marconi indicated there would be a heavy lift ship coming into the terminal in the next few days; since the terminal project is complete, DPH has received more inquiries for larger vessels.

Lamson spoke of an upcoming retirement of an individual from the Cornell – Shoals Marine Lab group; Marconi stated Ross Hanson is the last Cornell employee who works at the Cornell – Shoals Marine lab out on the Isles of Shoals. Marconi further stated that 99% of the Shoals Marine Lab is now under the University of New Hampshire.



## **11. Post Storm Report regarding Rye Harbor and Hampton Harbor Facilities**

A PowerPoint was displayed on the monitor at the Board meeting; Marconi spoke to the damage done at the various facilities as a result of the recent storms. Marconi spoke of the impacts to the facilities and equipment, as well as the needed repairs. Marconi indicated the change to the tides over the years as the cause of the significant impacts received. During the most recent storm, at one point the high tide height was approximately 4+ feet above high tide.

Levesque asked when DPH anticipated repairs may be completed to the Rye recreational fuel, gangway and ramp areas, which were damaged due to the storms. Marconi spoke to DPH's anticipated plans / temporary repairs to have these areas at Rye up and running so they are functional as soon as possible.

Duprey spoke to climate change and the rising water / tides, of the need to raise the vital areas at Rye harbor (office, parking, restrooms, shacks etc.) as a means of reducing some of the damage. Marconi spoke of the immediate need to increase protection at the harbor facilities. The shacks are privately owned; notification to the shack owners could be provided concerning the need to raise the elevation of the shacks with engineering standards. Duprey spoke of the various visions for the facility and whether or not individual shacks would be utilized in the future or a retail building, depending on GOFFER funding.

Also, the Board was informed DPH submitted requests for FEMA assistance for repairs due to the storms; waiting to hear whether Rockingham County will be awarded any federal funding.

Duprey spoke further of a retail area, instead of individual shacks, at the harbors with an elevated rise to help minimize damage due to storms. By doing this, DPH would have control over the appearance / regulations and increase the rate paid by the various entities who would enter into usage agreements for space as a way to recoup expenses.

*Levesque departed the meeting at 9:44 a.m. and returned at 9:45 a.m.*

Levesque spoke to the needed clarification regarding the shacks that have been placed at the harbors. Duprey stated by having a retail area under the control of DPH would allow for control of appearance and an increase of fees for rental space.

Lamson spoke of the area at the harbors that have wetlands and the need to be compliant with wetland regulations.

Duprey affirmed and stated there is interest in the state to make the harbors more attractive for multiple uses, open to retail operations, and all environmental regulations to be complied with.

Levesque asked if the hole in the Portsmouth Fish Pier Building had been the result of a storm; Marconi indicated it was not. Rather, the building is old and in poor condition.

## **12. Division of Ports and Harbors Capital Improvement Plan - Budget Projections**

Materials regarding the draft DPH Capital Budget were reviewed by the Board.



### 13. Main Terminal – 555 Market Street – Replacement of Truck Scale

Marconi stated the truck scale at the main terminal is ten (10) years old, it was put in on short notice as the original scale failed. The current scale is an above-ground scale and due to the immediate need of replacement, was not the quality that should have been utilized. The lead time on a new scale would be roughly eight (8) to ten (10) months; would like to go out to bid on it to obtain pricing. This would be paid through a yearly revenue stream already in place.

Levesque inquired of the Commercial Mooring Transfer to Tontine referenced above and spoke of the load of the mooring; asked if a 50' boat could be utilized at the mooring. Marconi indicated if there is a change of vessel on a mooring permit, notification needs to be made ahead of time to DPH; if room at the location, DPH can make accommodations.

Levesque spoke to item 12 and reference of an outlay in the future of a conditional service of dock at the Isles of Shoals; Marconi indicated this would be where the Thomas Laighton is located.

#### B. Approvals:

##### 1. Hampton Harbor – Addendum #4 to Special Use Permit to Facilitate the 2023 Hampton Beach Jetty Repair

Director Lamson moved the motion and Director Conard seconded that the Pease Development Authority (“PDA”) Board of Directors hereby authorizes the Executive Director to enter into Addendum #4 regarding the previously approved Special Use Permit (“SUP”), as amended, from the Department of Natural and Cultural Resources, Division of Parks and Recreation (“Division”), regarding access to Division property by the US Army Corps of Engineers (“ACOE”) in connection with the ongoing Hampton Beach Jetty Repair; substantially in accordance with the memorandum from Geno J. Marconi, Division Director dated February 22, 2024 and the draft Addendum #4.

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

##### 2. Luciano’s Excavation, Inc. – Extension to Right of Entry – Hampton Harbor Jetty Repair Project

Director Parker moved the motion and Director Conard seconded that the Pease Development Authority Board of Directors hereby authorizes the Executive Director to retroactively approve the Right of Entry extension request of Luciano’s Excavation, Inc. for work associated with the Hampton Harbor Jetty Repair project; for the period of March 2, 2024 through May 17, 2024; all in accordance with the Memorandum of Geno J. Marconi, Director of the Division of Ports and Harbors, dated February 21, 2024.

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

##### 3. Acceptance of the ARPA Applications and Expenditure of Grant Funds regarding the Portsmouth Fish Pier and Rye Harbor



Director Conard **moved** the **motion** and Director Parker **seconded** that **the Pease Development Authority (“PDA”) Board of Directors hereby approves of and authorizes the Executive Director and Division Director on behalf of the Division of Ports and Harbors to apply for, accept and expend the American Rescue Plan Act (ARPA) Grant(s) for which Portsmouth Fish Pier and Rye Harbor are deemed eligible. This approval includes the authority to execute any and all documents necessary or appropriate to accept the ARPA Grant(s) on an expedited basis and to use said grants for any purpose which the revenues may be lawfully used; all in accordance with the memorandum of Geno Marconi, Director of Ports and Harbors, dated March 4, 2024.**

**Discussion:** Duprey stated he would prefer that it be applied for and accepted, but not expend the funds until it is determined what will be built and how the facilities will be utilized. Marconi spoke to funds received by NOAA for a concept study. Duprey wanted to know what would be proposed for the locations prior to, rather than after the fact; doesn’t want funds expended without prior approval.

Conard asked of the requirements for the ARPA funds; Blenkinsop deferred to Anzalone regarding the funding requirements. Anzalone stated her understanding is ARPA wants to know what the funds would be spent on.

Duprey indicated with Anzalone’s response, he is amenable to leave “and expend” in the motion, but there is a clear understanding, of all, that the funds will not be expended until the Board is informed on what is recommended for the facilities.

Conard inquired whether the funds have to be obligated by December of 2024; Blenkinsop affirmed and added clarity to this motion and in general, the authority PDA has to enter into contracts and obligate funds, staff is required to bring before the Board any contracts which obligates PDA funds over \$25,000.00.

Duprey stated where these are both assets of state, the state’s interest serves that of the entire state, and not that of just Rye Harbor or the area residents.

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

#### **4. Bauer Construction Co., LLC – Extension to Right of Entry – Rye Harbor**

Director Fournier **moved** the **motion** and Director Lamson **seconded** that **the Pease Development Authority Board of Directors hereby authorizes the Executive Director to approve the Right of Entry extension request of Bauer Construction Co., LLC for work associated with a project replacing several privately owned seawalls on Harbor Road; all in accordance with the Memorandum of Geno J. Marconi, Director of the Division of Ports and Harbors, dated February 26, 2024.**

**Discussion:** Fournier asked if this were in relation storm damage; Marconi indicated it was not.

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



## 5. Rye Harbor – Replacement of Recreational Dock Gangway

Director Levesque **moved** the **motion** and Director Fournier **seconded** that the Pease Development Authority (“PDA”) PDA Board of Directors hereby authorizes the Executive Director to negotiate and enter into a contract with Riverside and Pickering Marine Contractors for replacement of the recreational dock gangway at the Rye Harbor Marine facility in a total amount not to exceed \$50,000.00 from the PDA-Division of Ports and Harbors Harbor Management fund; all in accordance with the memorandum of Geno Marconi, Director of DPH, dated March 4, 2024.

Further, in accordance with the provisions of RSA 12-G:8 VIII, the Board justifies the waiver of the RFP requirement based on the following reasons:

1. The recreational dock gangway at the Rye Harbor Marine Facility was storm damaged beyond repair in January and requires immediate replacement;
2. The gangway is integral to the operations of the Rye Harbor Facility and a delay in replacement will impede the recreational and private interests that use the facility and access the harbor; and
3. Riverside and Pickering Marine is a local marine contractor currently under contract with the Division to conduct repairs at the Portsmouth Commercial Fish Pier.

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

Anzalone spoke to the draft DPH Capital Improvement Plan (“DPH CIP”) in the Board materials; indicated at the next board meeting (April 18<sup>th</sup>) there would be a request for approval of the DPH CIP. Levesque indicated it should be brought to the Port Committee in the first instance. Anzalone stated a small change to the upcoming submission would be a language change pertaining to the Functional Replacement of the Barge Dock being referenced as expansion (pg. 2), will be changed to infrastructure. Anzalone stated an expansion is not occurring, but rather would be bringing the DPH area back to where it was; language modification would be done to provide clarity. Marconi stated the replacement is being done to make DPH whole for what was lost during the construction of Sarah Mildred Long Bridge project.

Duprey spoke to the draft DPH CIP reference of \$604 [\$604,000 in internally funded projects]; Anzalone stated it is anticipated over the next several years a positive cash flow will be generated to allow for funding of these projects.

Duprey stated it would be helpful at the next meeting (April 18<sup>th</sup>) if information was provided on where it is anticipated the cash flow would be generated from.

Lamson asked for clarification regarding grant applications; Duprey stated the Board should know of grant applications prior to them being applied for, prior to a decision being made to bind PDA to the funds. Lamson spoke to the variety of grants available and her concern of having staff wait for a Board meeting in order to apply for a grant. Duprey spoke of staff informing the Board of potential grant applications and that because it is applied for it doesn’t mean the grant needs to be accepted. The Board has the ability to accept grants, not staff; a determination needs to be made on whether or not it is in the best interest of PDA to accept any grants.

Fournier spoke of placement on the agenda a reference to potential grant applications as being informational. This doesn't mean the Board has to ultimately accept the grant if awarded; Duprey affirmed. Fournier clarified that acceptance of a grant would require approval by the Board; Duprey affirmed and further expressed a desire to know in advance so the Board is not surprised. Brean also indicated the CIP does indicate grant and non-grant related projects.

**XIII. New Business:**

**A. Report:**

**1. Lonza – Iron Parcel – Naming of three Private Roadways**

Brean spoke of the coordination with the City of Portsmouth, Lonza and E911 to obtain names for the three (3) new roads established as part of Lonza's second phase of its project being associated with this project (Innovation Drive, Technology Way, and Harvest Way).

**XIV. Special Event:**

**A. Report \*:**

**1. Cisco Brewers – Special Event / Concert – Thursday, June 20, 2024 –  
CORRECTED DATE**

Brean updated the Board concerning the date correction to reflect the proper date of June 20, 2024.

**XV. Upcoming Meetings:**

Port Committee	April 2, 2024 @ 8:30 a.m.
Finance Committee	April 15, 2024 @ 8:30 a.m.
Board of Directors	April 18, 2024 @ 8:30 a.m.

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

**XVI. Directors' Comments:**

Conard spoke of the reconstruction of Corporate Drive being performed / overseen by the City of Portsmouth which will commence this month.

Brean extended appreciation to the GOFFER office for the funding opportunities that have been applied for regarding a couple of projects.

Duprey spoke to a recent bill in legislation on the composition of the PDA Board and how it is now inexpedient to legislate. There have been a couple of issues regarding different uses at Pease, when Directors had been told how to vote by their appointing authority. Beyond the various requirements associated with grants etc., being compelled on how to vote is contrary to enabling legislation and all decisions are based on three separate constituencies (adjacent communities, the region, and the state of NH). Further, it is inappropriate to tell any Director how to vote. It has been suggested, to strengthen enabling legislation, to make clear that anyone appointed cannot be ordered how to vote on a matter before the Board. It is important that PDA does the best it can keeping the three constituencies in mind and not allow appointing authorities to direct Directors on how to vote.



Brean spoke to PSM being utilized for flight exercises overseas and as support to aircrafts.

**XVII. Adjournment:**

Director Lamson moved the motion and Director Levesque seconded to adjourn the Board meeting. Meeting adjourned at 10:25 a.m.

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

**XVIII. Press Questions:**

No questions from the press.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Paul E. Brean', with a large, stylized initial 'P'.

Paul E. Brean  
Executive Director

