

**DANBURY AVIATION COMMISSION**  
**MEETING MINUTES**

**RECEIVED AND FILED**  
TOWN CLERK'S OFFICE  
DANBURY, CONN.

APR 23 2013

Danbury Aviation Commission -- 7:00 p.m. at 8:30 AM  
Danbury City Hall: 155 Deer Hill Ave., Danbury, CT 06810  
Third Floor / Room 3C / Tuesday, April 16, 2013 at 8:30 AM

*Eric A. Koback*  
Town Clerk

01 Meeting Called to Order By Chairman Ashkar.

02 Roll Call:

Present: Commissioners Ashkar, Oppermann, Baker, Zilinek, Tamburri, Omasta

Absent: Frizzell, Lee

03 Motion made to accept the regular meeting minutes of March 19, 2013 as written by Commissioner Oppermann seconded by Commissioner Zilinek and unanimously approved.

04 Liaison Report:

Commissioner Oppermann read into minutes Liaison Report dated April 16, 2013, copy attached.

Motion was made to accept liaison report as submitted by Commissioner Zilinek, seconded by Commissioner Baker and unanimously approved.

05 Administrator's Monthly Report:

Mr. Estefan reported the Air Traffic Control Tower closure was put off until June 15, 2013, and don't know the outcome. There is legislation in US Senate and US House to continue the contract tower program. If the tower does shut down, the ASOS equipment might be removed which is owned by the National Weather Service and the FAA. The FAA will cease funding the ASOS so we don't know if it will be staying or going.

Motion was made by Commissioner Oppermann to accept Administrator's Report, seconded by Commissioner Zilinek, and unanimously approved.

Motion made by Commissioner Zilinek to open Public Speaking, seconded by Commissioner Oppermann, and unanimously approved.

**Public Speaking:**

Mr. Chris Orifici/Westconn Aviation stated there are a lot of uncontrolled airports that have ASOS and asked who funds that. Is it the federal government or is it the weather service and why would we lose ours. Mr. Estefan responded that it could be through the AIP Program or the community is responsible or the national weather service deems it is important to have it at those airports. Mr. Estefan stated the PCLs are presently in the tower and am getting a price quote to move them out of the tower and if the tower closes, the electricity will be turned off and we won't be able to get to the PCLs.

Mr. Wayne Toher/Reliant Aircraft suggested we should talk about funding it ourselves otherwise we will be totally out of business and Reliant will be out of business. Mr. Estefan advised we are waiting for the maintenance contracts from the FAA on the equipment and we can then see how much it would cost.

Motion was made to close public speaking by Commissioner Zilinek, seconded by Commissioner Oppermann, and unanimously approved.

**Old Business**

*Business Aircraft Center, request to lease additional 2 acres of land adjacent to current ramp space, letter attached dated February 22, 2013*

Mr. Estefan read into minutes letter dated February 22, 2013, copy attached. Mr. Estefan advised Attorney Pinter reviewed the lease agreement which does not have an option in it, it's listed, but they are not leasing it currently and there is a provision in the lease to go after this requested parcel. The planners that this document were sent to said there is about room for 16 aircraft in that location. If the Commission wishes to go forward to negotiate this request, I suggest you put the subcommittee back on the table and negotiate a price with the Silvestros. Chairman Ashkar asked for recommendations from the subcommittee which Commissioner Baker stated after reviewing the lease we are not inclined to be in favor of leasing the additional land to that lease due to the current lease you have has no option in the lease.

Attorney Pinter stated the lease is from 1981 that has an attachment to this lease that describes the proposed property but there is no option with that because an option would have to be a definite term that you would lease the property at a fixed price, fixed period of time which doesn't exist. The lease does mention the parcel but it doesn't mention it in the way an option would mention it. Also that lease has been a subject of a number of modifications by arbitration or other action resulting in a rent structure that is very perverse and difficult. It is not a good recommendation for the committee to the commission to consider enlarging that difficulty rather than reconsider the entire package and join the base lease with this lease, reconfigure the package to bring the lease into modern times and in conformance with the standards and other lease structures. The commission could consider leasing the parcel to Mr. Silvestro, but there is no option. Mrs. Silvestro requested Attorney Pinter read the exact verbiage in the attachment; however, Attorney Pinter did not have at meeting. Chairman Ashkar reiterated that this Parcel 2 is to be leased under the same lease agreement with Parcel 1, that the entire package should be renegotiated and resubmitted as a total lease for Parcel 1 and 2. Attorney Pinter stated that was what the committee discussed at their meeting. Mrs. Silvestro stated we don't want to renegotiate the lease we have in place. Attorney Pinter stated you can offer to Mr. Silvestro they enter into negotiations for the overall package or you can negotiate not under an option theory but negotiate a lease for Parcel 2 at a rate different from the original lease or leave the parcel as it is. Mr. Silvestro stated we want to put 16 tie downs on this Parcel 2 which we will pave at no cost to the city which means less maintenance for the city but we are not renegotiating any lease. Commissioner Oppermann stated we need to put a value on this Parcel 2. Chairman Ashkar suggested Commissioner Baker and Commissioner Tamburri meeting with Mr. Silvestro to discuss further and report back at next meeting.

*Motion Simulations – Operation of business without proper permit*

Mr. Estefan read into the minutes Subcommittee Report dated April 16, 2013, copy attached. Commissioner Baker stated the subcommittee met with Attorney Pinter where they went off the Attorney Biraglia's letter that was sent to Mr. Estefan and we did not agree with its premise. Mr. Sean Walsh/Motion Simulations stated he is unprepared and my attorney and myself were not advised that we were on the agenda and did not know there was a meeting tonight. Chairman Ashkar advised we will table this matter till next meeting.

**Motion was made by Commissioner Oppermann to table Motion Simulations till May 21, 2013, seconded by Commissioner Zilinek, and unanimously approved.**

*Executive Air Service, LLC – Request to install Solar Panels on roof of 53 Miry Brook Road, letter attached dated February 21, 2013*

Mr. Estefan read into the minutes letter dated February 21, 2013. Mr. Estefan advised he checked the lease with Attorney Pinter to see if the lease can be extended 11 additional years. Attorney Pinter advised he has not examined the lease in detail and have not looked at other issues related to this matter which includes whether they owe any fees, taxes or other fees and need to look at the lease with particulars as to whether the lease is limited to what the operator can do and we would have to see if the FAA's review of the use of the facility for this purpose. Chairman Ashkar advised he doesn't see a problem installing the solar panels except if there is a reflection from these panels. Mr. Michael Safranek advised he spoke to someone who wants to install solar panels at the mall and after extensive study on Part 77 and looking into the FAA has discounted that and Denver Airport has an entire hangar with solar panels. Chairman Ashkar also stated they want to extend the lease to 2038 which I'm not sure we want to do that without renegotiate. Attorney Pinter advised it is not unusual to have the business extend the lease when doing major renovations such as solar panels to amortize expenses. Commissioner Baker stated Executive has 14 years to go on their present lease which is long enough to amortize the expense of the panels. Attorney Pinter advised he will give the commission a report at the next meeting.

**New Business**

*Danbury Airport Business Association, letter dated April 9, 2013, copy attached.*

Mr. Estefan read into the minutes letter dated April 9, 2013. Chairman Ashkar advised that this commission has a limited function; we can't plan aviation programs and tell the city how to run its budget. Mr. Chris Orifici/Westconn Aviation stated we don't want to see the airport task force report be put on the shelf. Mr. Estefan advised the task force report is on the city's website. Mr. Estefan advised he has taken a copy of the task force report and sent it to the Master Planners, McFarland/Johnson and to the FAA. The Master Plan that will be coming up for the update that document will be included in the review and be shared by everybody. Mr. Robert King/Aviation Task Force stated there are some things in the report that pertain directly to the Commission such as leases and things like the Air Show should be brought to your attention. Mr. Estefan asked when the DABA want to meet to discuss the Air Show. Mr. Estefan also suggested when the

funds are available for the Master Plan he wants the chairman to select a committee to review the master plan update. Mr. Estefan advised the Master Plan governs capital programs, financials, etc. Mr. King stated the present Master Plan has not been followed; Mr. Estefan stated that's your opinion we have followed the Master Plan. Mr. King stated we hope the new Master Plan will be followed as not is the case with the present plan. Mr. Craig Dohme with Aircraft Owners and Pilots Association stated the Aviation Task Force was done extremely well and one of the things many municipalities don't do is look at the airport as another agency of government where in fact it is an asset or business to the city. Commissioner Oppermann stated the task force did an excellent job. Mr. Orifici requested a couple members of the Commission be appointed to liaison in planning with the Air Show in which he suggested Commissioner Omasta be part of this committee as well as Commissioner Tamburri. Mr. James Cordes/Chairman of Task Force suggested we don't wait until the new Master Plan is completed to get going on some of the issues brought up in the report. Mrs. Lynn Waller asked where the money is coming from the fund Master Plan; Mr. Estefan said majority will be federal monies. Commissioner Tamburri stated the Aviation Commission responsibilities were developed in 1947. Someone stated that Mr. Estefan mentioned something about "taking you out of your building" which building are you referring to, the cinder block building or which building. Mr. Estefan stated the Mooney building. Someone stated that in a meeting I asked you would you be willing to give up that building and you replied yes. It is consistent with the master plan the Maintenance and Administration be housed under one roof. Mr. Cordes replied that in some discussions with the FAA they acknowledged that there might funding to build a combined building that houses the administration and the maintenance into one. Chairman Ashkar asked if anyone on the commission that is opposed to any items that are in that task force report; there was no show of hands. Mr. Chris Orifici requested a subcommittee be put together for discuss the plans for the Air Show; Chairman Ashkar replied it was not necessary. Mr. Estefan requested Commissioner's Oppermann and Tamburri be appointed as a subcommittee. Mr. Estefan advised if both commissioners attend a meet together, they must notify administration so we can post on line.

Commissioner Tamburri requested everyone to send letters to Washington and the FAA regarding the closure of the Control Tower.

Mr. Wayne Toher/Reliant Aircraft asked if it was really necessary to have a new Master Plan completed. Mr. Estefan advised we have expended all of the projects that we could fund in the present plan and we need to go back, look at the forecast, bring them up to date, look at the financials and look at the capital improvement programs. We have two runways that need to be brought up and put down again and we have two taxiways that need to be done that is the remainder of "Charlie" and "Bravo North". If we don't do this master plan we will not get FAA funding.

**Motion was made by Commissioner Oppermann that the DABA letter dated April 9, 2013 other than Item 3 be tabled as New Business until May 21, 2013, seconded by Commissioner Zilinek, and unanimously approved.**

**Motion made to adjourn by Commissioner Zilinek, seconded by Commissioner Oppermann, and unanimously approved.**

DXR Commission Liason Report, Apr. 16, 2013

To: Danbury Aviation Commission Members.

April 4, 2013

I met with the Danbury Airport Aviation Association (DABA) at there first meeting. Approximately 13 members were in attendance. I do not have a roster or a listing of officers. I am sure that will be forthcoming along with minutes at future meetings. Unless they desire to keep their meetings informal.

Much of the meeting was about having an airshow at DXR and the pluses and minuses involved with that . The consensus was that a car show / aircraft static display be focused on this year 2013 and a expanded full airshow be planned for 2014. Plans and methodolgy for this will be presented to the aviation commission at a future Danbury Aviation Commission meeting.

The Danbury Airport Task Force report that was completed more than 6 months ago was discussed. Since I was unaware of this, have nothing to say until I read it.

To gain further recognition for the Danbury Airport, it was suggested that a name change be entertained. Two examples are: 1. "Danbury Executive Regional Airport" (DXR)  
2. "Fairfield County Executive Airport"

I feel that DABA is a positive step for DXR and expect many good ideas will come forth for the benefit of DXR and the members of DABA.

Very truly



Thomas Oppermann, Danbury Airport Commissioner / Liason



(203) 748-7000  
(203) 790-9000 fax  
81 Kenosia Avenue  
Danbury, CT 06810

February 22, 2013

Paul Estefan  
155 Deer Hill Avenue  
Danbury, CT

Mr. Estefan:

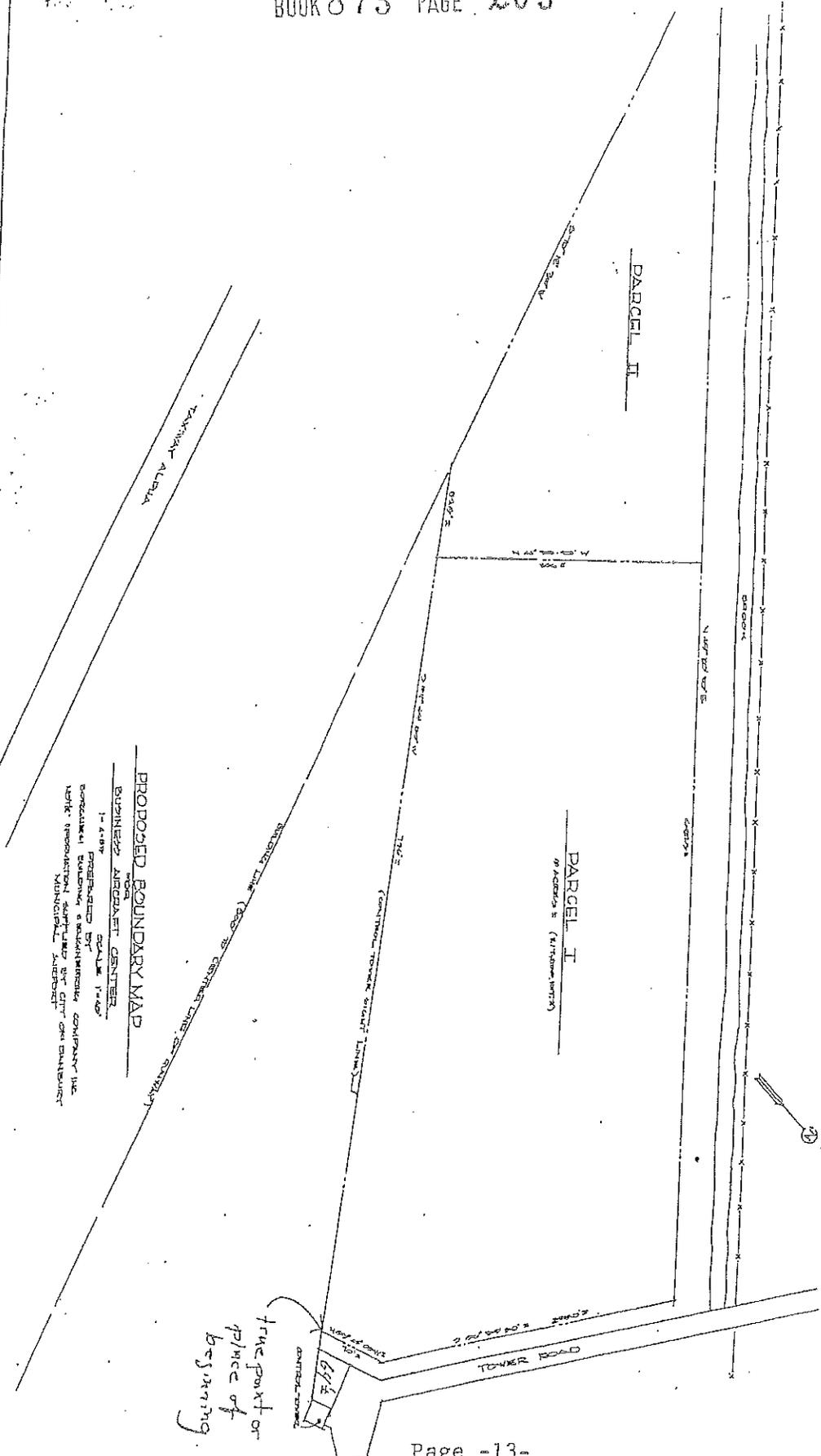
I would like to request to be put on the agenda for the upcoming Aviation Commission meeting. I would like to exercise my option for 2 acres to the west to park aircraft on Parcel II as seen in attached diagram labeled Proposed Boundary Map for Business Aircraft Center.

Please contact Lynda Silvestro at 203-966-5466 to confirm that this has been placed on the agenda.

Best Regards,



Santo Silvestro, President  
*Managing Member, Business Aircraft Center*



PROPOSED BOUNDARY MAP  
 BUSINESS AIRPORT CENTER  
 SCALE 1"=400'  
 PREPARED BY  
 CONSULTING SURVEYING & ENGINEERING COMPANY INC.  
 1014 N. MOOREHEAD BLVD. SUITE 200  
 ANCHORAGE, ALASKA 99503

DXR Commission Sub-Committee Report, Apr. 16, 2013

Re: Motion Simulators, LLC.

April 15, 2013 Aviation Commissioners, Oppermann and Baker met with Paul Estavan and Les Pinter as advertised, to discuss and determine the legalities and solutions to the problems concerning Motion Simulations, located at 45B Miry Brook Rd. Mr. Sean Walsch the principal in that business.

March 23, 2013 Tom Oppermann visited with Mr. Sean Walsch at Motion Simulations.

March 27, 2013 Tom Oppermann and Paula Baker met with Sean at Motion Simulations.

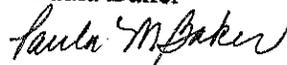
We visited with Mr. Sean Walsch the principal of Motion Simulators LLC. . Located at 45B Miry Brook Rd. Danbury, CT. 06810. These premises are adjacent to DXR and have deeded access to the airport proper. We believe all is in order with the deed and no one disputes this. So what is the problem, unfortunately there are a number of them.

1. Motions Simulations has been advertising that they give flight instruction in an aircraft at DXR. Without the appropriate permit this is illegal. They have been asked to cease and desist. To my knowledge their website no longer advertises this. If they do not advertise as giving flight instruction in an aircraft but still do this covertly, this is illegal. All the problems concerning this would end if Motion Simulations purchased a permit for \$7500.00 to give flight instruction at DXR. Technically they require FBO status which would mean an additional permit. The least expensive of these is "Fuel" which is \$1900.00. The Aviation Commission has the authority to waive the \$1900.00 permit fee and the other requirements for Category "B". They have been requested to pay the permit fee in excess of 2 years and have not complied but given flight instruction in airplanes at DXR. At this point they are at least \$15,000 in arrears. If they continue doing business as a "off airport" ground school and flight simulator business, then there is no problem and a permit is not required.

Mr Les Pinter agrees with the above paragraph and that Mr. Sean Walsch is in violation of the DXR Minimum Standards.

2. Referring to the letter from the Airport Administrator Paul Estefan dated February 19, 2013 addressed to Duncan Dayton, Highcroft Racing. Mr. Dayton is the owner of the building that Motion Simulations, LLC. leases space from. This letter refers to the open gate and the vehicle that entered the airport and was fortunately stopped by a snow bank. After which he was removed by the police. Mr. Walsch was the person who stopped the driver and then called to police. The driver was then removed by the police. If it wasn't for the snow the vehicle could have been a safety hazard and could have created much damage. What can be done about this? The gate must be closed at all times, in a manner similar to all other airport access points. The method and whom will bear the cost for this will have to be decided by Mr. Dayton and Mr. Walsch. This should be addressed with the utmost priority since it is a airport safety issue. This puts in jeopardy the federal funds we receive. As a last resort the Aviation Commission could condemn a section of the property and install a fence.

Very truly Commissioners, Thomas Oppermann and Paula Baker



Executive Air Service, LLC  
53 Miry Brook Rd  
Danbury, CT 06810

Phone (203) 778 1150  
Fax (203) 413 2941  
Email [rnizan@gmail.com](mailto:rnizan@gmail.com)

February 21, 2013

To: City of Danbury Department of City Building and Aviation Commission  
From: Executive Air Service

**Renewable Energy Solar Panels**

As part of Public Act 11-80 signed into law by Gov. Malloy on July 1, 2011, the state of Connecticut directed CL&P to launch a 22-year program that encourages investment in renewable energy projects, including projects that use solar photovoltaic panels.

Executive Air Service proposed solar panels on the roof of 53 Miry Brook and this proposal has initially been awarded by CL&P to participate in the program.

The cost of installing solar panels on the hangar roof will be approximately \$170,000 for Executive Air Service, a significant investment, and an extended lease will enable Executive Air Service to receive the benefits of the investment over the projected 25-year lifespan.

Therefore Executive Air Service, LLC would like permission to install the solar panels on the roof and to extend the lease to 2038. Executive Air Service and/or the installer will acquire all necessary building permits from the city, and will provide stamped approval from an engineer for the solar panel array.

This investment will increase the value of the city building.

Yours,  
  
Ran Nizan

Executive Air Service, LLC

# DANBURY AIRPORT BUSINESS ASSOCIATION

Mr. Paul Estefan

Danbury Airport Aviation Commission  
Wibling Rd  
Danbury Municipal Airport  
Danbury, Ct 06810

April 9, 2013

Mr. Estefan

Please accept this letter on behalf of the Danbury Airport Business Association (DABA) as our formal request to be placed on the April 2013 Airport Commission Agenda. The Airport Task Force Report was released last month. We would like an open discussion with the Airport Commission and the community on what action they plan to take in order to pursue the goals and objectives outlined in the report. The Task Force was organized by the mayor in order to assess the airport and make recommendations for improvement and growth. DABA hopes to work with the city and the Airport Commission to take a pro-active approach on implementing the Task Force recommendations that will lead to the betterment of the airport.

DABA would like to request that the following items be placed on the April agenda and for the Airport Commission to report back on its intended action.

1. Task Force Report Page 5

The Task Force has identified \$360,000 per year in land use income opportunities and an additional \$150,000 of revenue in cost reduction opportunities associated with the use of the former Mooney Hangar, for a total of over half a million dollars.

DABA would like to recommend some ideas to the Commission that could possibly generate the revenue stream identified by the Task Force. We would also like to hear any suggestions the Airport Commission might have to offer on this topic.

2. Task Force Report Page 5 & 6

The Task Force recommended a regional marketing plan with an aggressive marketing effort throughout Fairfield County that would yield immediate returns. They have found the airport uniquely qualified to provide excellent services to Fairfield County's aviation and travel interests.

DABA believes a good way to initiate this effort would be with a rebranding of the airport. This could begin with renaming the airport to "Fairfield County Executive Airport." or "Fairfield County Airport." This would help create awareness and a new image consistent with the demographics outline on page 3 of the Task Force Report. County and executive airports typically have enhanced and superior aviation services. Danbury Airport currently matches the service levels of these county and executive airports and should present that image to the community.

3. Task Force Report Page 6

According to the report, the airport is underutilized as a community asset. It also states that the area would benefit from community related activities that can be safely accommodated at the airport.

DABA, partnered with a commission appointed committee, would like to begin the process of planning to hold a fly-in for September 2013, as well as a full airshow in either the spring or fall 2014. The 2014 airshow planned will follow all ICAS and EAA guidelines. These types of events are consistent with the Task Force recommendation that the airport engage in collaborative aviation activities. These events will not only be geared towards advancing aviation in general, but will also allow the businesses at and around the airport to promote their products and services.

4. Task Force Report Page 6 & 21

The Task Force suggested that an Airport Business Plan be drafted in order to include established goals and objectives. This plan should include a five-year forecast for revenue, expenses and capital investment.

DABA would like to establish a mechanism as part of a business plan that will ensure excess annual funds generated from community related activities are set aside for capital investment into future events. DABA would like for the plan to include separate accounting for the airport general revenue. DABA would also like to have input on future planning of capital investments as part of the business plan.

DABA is pleased with the speedy action that has been taken to fill the seats of the Airport Commission as recommended by the Task Force. We would like to keep the momentum going and see the aforementioned areas of the Task Force Report acted upon in the same manner.

There are several other areas of the Task Force Report on which we will be presenting at upcoming meetings. Thank you in advance for your consideration.

Sincerely,

The Danbury Airport Business Association

Wayne Toher	Reliant Air
Chris Orfici	WestConn
Thomas Torti	Westconn
Ran Nizan	Executive Air Service
Alan Speakmaster	Master Aviation
Curtis Brunjes	Curtis Aero
Gus Gettas	Curtis Aero
Colin Milligan	Epic Blue
Rip Qiunby	Ackema
Bernard Paquette	US Flight Aircraft Maintenance
Michael DeMarchi	Centennial Helicopters
John McCartney	Mayor's Task Force (invitee)