
Commission Meeting

of

NEW JERSEY GENERAL AVIATION STUDY COMMISSION

LOCATION: Committee Room 16
State House Annex
Trenton, New Jersey

DATE: May 28, 1998
1:30 p.m.

MEMBERS OF COMMISSION PRESENT:

John J. McNamara Jr., Esq., Chairman
Abraham Abuchowski, Ph.D.
Linda Castner
Jack Elliott
Philip Engle
Peter S. Hines
Wesley W. Jost
Suzanne Solberg Nagle
Joseph Odenheimer

ALSO PRESENT:

Theodore H. Matthews
(representing John J. Haley Jr.)

Stephen M. Ketyer, Esq.
Secretary



Meeting Recorded and Transcribed by
The Office of Legislative Services, Public Information Office,
Hearing Unit, State House Annex, PO 068, Trenton, New Jersey

JOHN J. McNAMARA JR., ESQ (Chairman): I'm Jack McNamara. It is May 27 -- is that correct? May 28, and I should like to call to order the meeting of the New Jersey General Aviation Study Commission.

The purpose of the meeting today is to review the comments of the commissioners on the second draft-- I'm sorry, I believe it is on the third draft of our report to the Legislature and the Governor.

I should mention that I have received favorable comments from a majority of the commissioners already, including Mr. Jost, Mr. Odenheimer, Mrs. Nagle, Mr. Abuchowski, Mrs. Castner, and Mr. Telling, myself, and Assemblyman Bagger. They, as I stated in my letter-- There were some substantive comments made on the draft which were not supported by a majority and therefore, in accord with my notice on the second draft, would not be incorporated in the third draft, but would be discussed at this meeting and that's what we're here to do today. Hopefully, it is within the scope of our business today to vote on a final draft for submission to the Legislature. I don't mean to-- That comment is made, subject to the comments that we're going to hear from various commissioners who have substantive comments to make. And if we do so and we are convinced by any of their comments that a revision should be made in the third draft, that it may be possible to adopt that as our final report subject to some revision, to honor those comments.

Is there any-- Before we go further, does anyone think that the Chairman is off base on recommending this procedure to follow at this point?

(no response) Okay, then, let that be our procedure.

And the commissioners who made substantive comments on the third draft or on the second draft which were not included in the third draft were Commissioners Elliott, Hines, and Engle. I was trying to get them in alphabetical order. I'm sorry, Elliott, Engle, and Hines. They-- I think that unless somebody has a better idea, we will just start by

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asking Commissioner Engle -- I'm sorry -- Commissioner Elliott to make his comments for the record.

MR. ELLIOTT: My feelings--

MR. McNAMARA: Jack, before you start--

We also received a letter from a -- one of our ex-officio commissioners at the Department of Transportation. And finally, I would like to ask for those comments to be made on the record by Ted Matthews.

Is that fair enough, Ted?

MR. MATTHEWS: That's fine.

MR. McNAMARA: Okay, go ahead.

MR. ELLIOTT: My feelings on the 7500-foot recommendation-- I think that when the League of Municipalities reads this, they will not read 7500-foot runway. They would read jetport. They will immediately inform all of the host communities that the State Aviation Study Commission is recommending a jetport in every county. I think that you will see headlines saying the State Aviation Commission is recommending jetports in every county. It is my feeling that the uproar this would create could destroy everything else we've done. And I think this is an excellent report with a lot of very good recommendations in it. I also feel that there really is no demonstrated need for 7500-foot runways now or in the immediate future.

I think the most urgent need is to preserve airports. That should be our major concern. There are three currently threatened. And we haven't paid enough attention to saving these airports. We've devoted too much attention to putting a jetport in every community. We have numerous airports in this state today which can handle jet traffic but don't have any or have very little. Allaire has a 7500-foot runway and very little jet traffic.

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Trenton can handle business aircraft, but there is not a great deal of traffic going in there. R. J. Miller was built years ago to handle jet traffic and a bare minimum of jet traffic ever goes in there. Cape May can handle jet traffic but not much goes in there. Millville can handle jet traffic, but the only jet traffic that goes in there is traffic going for service to Millville.

Now I want to tell a little story here. Some years ago -- 30 years ago, people in New York had a vision somewhat similar to this 7500-foot recommendation. Build it and they will come. And they built it. They built an airport to hold not only business aircraft, but that could take airline traffic with a 6300-foot runway. The building -- the main building -- when you enter it, the main room is big enough to hold thousands of people. I was at the opening of that airport 28 years ago. They flew up an aircraft -- Gulfstream I from Washington with all the top FAA officials and with some Congressman, and there were a lot of other VIPs who made speeches about how this was going to attract tourists. It was going to bring industry. It was going to do the most marvelous things in the world. That was 28 years ago. I was at that airport yesterday. The airport is Sullivan County Airport in New York and it's almost a deserted airport. I was there to talk to somebody preparing for aerobatic competition. And the reason that they were there is that there is an aerobatic box over that airport which must be opened by Traecon (phonetic spelling) before they use it. But the reason you could have an aerobatic box there is that there is absolutely no traffic. And this was the same kind of vision as the 7500-foot runway.

I don't think there is a demonstrated need. I think there is a tremendous risk in coming out with something that will be interpreted as a jetport in every community, especially in view of the reaction of the host communities and the people who live in these

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areas. And I don't think we want to do anything to stir them up. And in my opinion, this will stir them up. I think there ought to be a proposal in there for saving airports, and I have talked to our Chairman about that.

But those are my comments on the 7500-foot runway for the moment. Later on I would like to talk about a recommendation that would prevent the closing of airports in the state.

MR. McNAMARA: All right, now. We will receive those as your comments on the 75 -- on the model airport at 7500 feet and on the proposal for a proposition for locating an airport in each county. Correct?

MR. ELLIOTT: That's correct.

MR. McNAMARA: Okay.

Mr. Ketyer, our secretary, would you please sit in the secretary's seat?

And, Steve, would you also please pass out those--

MR. KETYER: I think they're in your briefcase.

MR. McNAMARA: I don't think so.

DR. ABUCHOWSKI: Are we open for discussion, or are you discussing--

MR. McNAMARA: We're just-- Okay. Let me just hold these for a minute.

I just want to clarify Jack's-- Commissioner Elliott's comment is primarily based-- Is it right, Jack, that you were afraid that with these two propositions the Commission's report -- it is going to be received with such excitement by various parties such as the League of Municipalities and the municipalities and various others that the balance of the report would be lost for the riotous reception? Is that really it?

MR. ELLIOTT: Yes, that's--

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MR. McNAMARA: You're concerned about the criticism that we'll be subject to.

MR. ELLIOTT: It is my feeling that there is great risk in this proposal and little immediate benefit or even benefit looking 10 or 20 years down the line.

MR. McNAMARA: Okay.

Phil, I am going to bypass you and come to you later.

MR. ENGLE: Go ahead.

MR. McNAMARA: Commissioner Hines, I know you have a concern about this also. Do you have something to add to what Commissioner Elliott has just said?

MR. HINES: Is this on or off? (referring to PA microphone) I can't tell. Am I on?

MR. McNAMARA: I don't think you're on. (confusion with microphones)

MR. HINES: Okay, I got it now.

MR. McNAMARA: Point of order. Did you receive, on your record, everything Mr. Elliott said?

HEARING REPORTER: Yes I did.

MR. HINES: I think this is an outstanding document. And I think it is going to be a reference document for many years to come, not only in this state, but in other states as well.

However, this idea of a 7500-foot runway located in every county -- not only that airport to have a 7500-foot runway, but also to retain airports with 4500 feet and the smaller airports as well. I think it's asking too much for any legislator to accept. I think besides the legislators, as I told you before, Mr. Chairman, that this document -- that item in there, this item of a 7500-foot runway in every county, is asking for political suicide.

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With everything else that is good about this report, I don't feel that is necessary. What should dictate the length of the runway and where it's located are economic, demographic, and geographic concerns. That should dictate where an airport should be located and how long the runway should be. 7500 feet is not a practical length. Too many business jets today can operate on much less.

To throw a 7500-foot runway on to the table for people to pick at I think would just turn everything away from what's good in this document to this one item which is very bad and would be looked at as creating a jetport in every county. And that's not our intent here. It never was our intent. And yet we keep on insisting on putting it in.

So I feel that, with the document including this particular recommendation, it is not something that I can readily approve.

MR. McNAMARA: Thank you, Mr. Hines.

Commissioner Engle.

MR. ENGLE: Thank you, Mr. McNamara. The-- My feeling on it-- I echo both Jack and Pete's sentiments about the quality of the report. My problem again gets down to the 7500-foot runway. Number one, I don't believe and I have never believed in build it and they will come. Besides Sullivan County, if people look again going back 30 years, Stewart Airport was a monstrous master plan. It was like 10 volumes, gold and leather bound, on how that was going to be the major jetport for the New York metropolitan area. Stewart has very little traffic.

I feel that the -- besides raising the public ire, the cost to put this 7500-foot runway in at each airport -- at one airport in every county would be wasteful. My feeling is that we should develop a very strong State airport system plan, and that system plan will identify certain key airports in the state where you have the demographic requirement for

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the longer runway. And those runways will be enhanced to take care of safety and your corporate aircraft that are attracted to the larger metropolitan areas. And I am not just talking New York City or Philadelphia. I mean, you know, your Trenton, going down into South Jersey -- the Millville area, etc. Not just to build it and they will come. Monmouth with Allaire--

These airports are underutilized today. To put 7500 foot on more airports in the state, to me, would be just wasteful.

MR. McNAMARA: Thank you, Commissioner Engle.

That's the pro, I believe-- Are there other people -- other commissioners who would like to join in on the theme of these comments?

MR. JOST: Mr. Chairman, I have not a comment on the 7500 foot, but on the advisory committee. Should I bring that up now?

MS. CASTNER: Can we stay with the--

MR. McNAMARA: Let's stay with just two -- we're just on two propositions here, 7500 feet and an airport in each county.

DR. ABUCHOWSKI: I'd like to say a few words.

MR. McNAMARA: Commissioner Aubchowski.

DR. ABUCHOWSKI: It seems to me that there are a number of issues being discussed under the 7500-foot runway, one being build it and they will come. I don't think that's the issue of build it and they will come. I think what we're trying to do is not preserve the airport system in this state, but improve the airport system in this state for the future. I don't want to see 3000-foot runways all over the state. That isn't going to help too many people. We want to make sure that appropriate airports exist throughout the state. I think that the language in here says we're feasible to put in that type of an airport,

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and so it's up to some future study to decide whether one in the entire state is plenty or two, three, five, or twenty-five.

I don't think it should be up to us. We're simply stating-- I think-- The way I read it is that where appropriate-- Why don't you try to put in an airport of size to handle the types of airplanes? With regard to the jetport, short of shutting down every airport in the state, no community will be happy. So therefore, worrying about how unhappy the community is going to be, to me, is irrelevant. Once they're unhappy, they're unhappy. It doesn't make any difference. Let's get them real unhappy if we're going to get them unhappy.

So I think our duty here is to put on paper the kinds of recommendations we believe will enhance and improve the airport system in New Jersey for the next 50 years. That's what I think the document attempts to do. It doesn't mandate a 7500-foot runway in every county. It suggests that 7500 feet is the appropriate length.

I will say that I have seen more G IIs and G IVs go into Allaire than I have seen into Solberg. And I've seen more G IIs go into Millville than I have seen into Solberg or Somerset. So the very fact that those runways are that length indeed allows those kinds of aircraft and those kinds of aircraft businesses to exist at those airports. We do not expect and I do not expect and I doubt any of the commissioners realistically expect that when you put an airport of that size down anywhere that jets of all sizes will come flocking in. I don't expect that to happen at any place. But it will accommodate those jets and it may accommodate businesses that may service those jets. And certainly the avionic shop at Allaire is welcome to people with these large airplanes so they can get their equipment fixed. And air work down in Millville -- same thing.

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So I guess I tried to touch on all these issues that are really around the 7500-foot runway. The local communities, the size of the runway, the mandate--

That's it.

MR. McNAMARA: Before I recognize Commissioner Castner, I just want to, first of all, thank you, Abe. I want to just point out that we have Commissioner Elliott and Commissioner Hines bringing -- challenging both the length of the runway and the model airport and the location of the model airport in every county. We have Commissioner Engle challenging only the length of the runway in the model airport. Commissioner Engle is -- believes that we should have a State airport system plan of some sort. And I guess your feeling is having one in every county is better than having no plan at all.

DR. ABUCHOWSKI: I don't disagree with that. I think we should have a state airport system plan. And I have no--

MR. McNAMARA: Well, let Jack-- We'll come around another time.

DR. ABUCHOWSKI: But I don't disagree with what-- You said I disagree with that. I don't.

MR. McNAMARA: Okay.

Commissioner Castner.

MS. CASTNER: This was one of the points that I argued heavily with Jack -- on the whole issue of mandating that there was an airport and that the length was 7500 feet, and I did write this in that thing with the tourism-- I don't think Jack is disagreeing at all that there should be a plan, and I don't think anybody here has a position of disagreement with the plan. I have real concern with the 7500 feet. I agree with the three criteria for improving airports, and that may not end up 7500 feet, it might end up 7600 feet.

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MR. McNAMARA: Would you refresh our recollection? What three criteria?

MS. CASTNER: Geographic--

MR. HINES: Economics and demographics.

MS. CASTNER: Economics and demographics.

What we are trying to do is create a plan for an airport system that takes those three things into account in each county, and that would then result in a description of how the airport that is there or the one that's going to be created would proceed. That is a better recommendation than throwing out that 7500 feet. But I also have to say I normally have to agree with Abe's philosophy. But you change your seat with me for one weekend, as an airport owner, and I would never say let's get them really mad.

When somebody calls me and says your little Cub or a little Aeronca, with no radio in it, flew the pattern short and they see my little red mule flying out across the runway, that pilot knows he screwed up in the pattern, and he is going to be told to do it right because I do care that my neighbors know that we are running a safe, efficient airport for the types of airplanes and aircraft that are there. And I don't want them as mad as hell at us. I want them looking at our recommendations in a way that shows concern for home rule but equal concern for the transportation system requiring a plan, and airports are part of that plan.

DR. ABUCHOWSKI: Don't misconstrue what I said. My point was not whether I want -- or expect the local community to get mad at the airport as a function of their practices, whether airplanes fly correctly or make noise or anything like that. We're talking about whether the local communities will be mad or not mad as a function of the recommendations of this particular document. I think that anything in this document is going to get them mad, short, as I said, of closing down all the airports.

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There's no way this document can be written so that the local communities will come out and praise us or praise airports or love airplanes. So therefore, one has to take the position that it is a foregoing conclusion that they're going to be upset with this document.

MS. CASTNER: I don't think you're right.

MR. HINES: No, no. That's not right.

MS. CASTNER: I disagree.

MR. HINES: I disagree with you.

MS. CASTNER: If someone comes to the airport and we can take them up in a Cub ride and show them wind drift and everything -- and where their house is and how it can affect them, that is a much more friendly neighbor to deal with.

MR. McNAMARA: Please let Commissioner Abuchowski finish his comments.

DR. ABUCHOWSKI: I agree with all that. I think that we are getting away from the issue of all the findings and recommendations in here and how we're going to make them palatable. You have communities that we have dealt with here as a Commission that simply refuse to listen to the commonsense approach of how we are trying to make airports safe, not that they aren't safe and quiet and everything else. The people who are against airports are simply against airports. I mean, there's not necessarily a rational reason, and we understand that. And it is those people that I do not believe this document will appease. I think they will always be the way that they are.

Again I think what we are trying to do as a Commission is to create the kind of document that will fulfill the needs of New Jersey in the future with regard to an air transportation system within the state. I think that's exactly what we are trying to do.

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MR. McNAMARA: For my-- One comment to that I'd like to make is-- We have a statutory duty. What we have to do is just what is written in the statute. That's the law. And I would like to just read, for the record and for our own recollection, what the law is.

"It shall be the duty of the Commission to study the role of general aviation in the State's transportation system. Of particular importance in this study shall be the role of general aviation airports as reliever airports in the State's airport system; the closure of general aviation airports, and the ways to reburse that trend; the integration of the State's airport system plan with the State's general transportation master plan; and the relation between municipalities in this State and the general aviation airports located in, or adjacent to, municipalities.

"In addition, the Commission shall focus on the proper mix of private and public facilities in the area of general aviation. The feasibility of direct State intervention through out-right purchase of private facilities, of public-private partnership for the purchase or any other arrangement which will facilitate the preservation or expansion"-- I'm sorry, "facilitate the improvement of the system of general aviation airports."

That's the law. The law says it's our duty. These things that we are addressing are not the creations of any one of these commissioners. They are the creations of the Legislature. We either address them or we don't do our duty. Now if we address them and if we come to some conclusion about them that's based on facts that we've determined through study and we make recommendations that are based reasonably on those facts, we cannot be concerned about political suicide, about criticism, or anything else. I think that we-- That is not a luxury that is allowed to us. That's allowed to the elected politicians or

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other people, but not to us. We just have to learn what the facts are and tell the legislature what we've learned.

Commissioner Hines.

MR. HINES: Jack, nothing that I just heard here says that we have to come up with a length of runway, item one. Item two, the only justification for 7500 feet that I have seen in this entire document, is for the landing of the large business jets. There is no other justification in here for that. Why is it so necessary that we stipulate a particular length of runway? The document is too good to allow something like this, in my opinion, to stay in. There's nothing here that says that-- There's no other supporting data for that 7500-foot length other than a large business jet that I read in this thing. Am I wrong or right?

MR. McNAMARA: That's the basis for it.

MR. HINES: That, to me, is not sufficient support for stipulating 7500 feet in this document.

MR. McNAMARA: There is that, Commissioner Hines, and our own studies which indicate that if you have a runway that is greater than 2000 feet, less than 3000 feet, the mean economic impact of that runway in New Jersey will be \$2.2 million and it will create 27 jobs. If you have one that is greater than 7000 feet, the mean economic impact of that will be \$244 million plus and more than 3000 jobs. And you would say that maybe you're looking at not enough airports. However, we correlated, on Page 127 of the third draft, the lengths of runways between -- for every 1000 feet and we noticed a correlation between the economic impact of the increased length of the runway and -- .94-- This is highly statically significant. This means 94 percent of that economic impact is explained by the length of the runway.

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We had an almost identical economic impact or correlation for jobs created. At each 1000 feet a .94 correlation, from 27 jobs up to 3000 jobs. For example, at 4000 feet it became \$6.7 million and 83 jobs, at 5000 feet-- I'm sorry, check that. At between 3000 feet and 4000 feet it was \$6.7 million and 83 jobs; between 4000 feet and 5000 it was \$19.6 million and 241 jobs; between 5000 feet and 6000 feet it went to \$170 million-- I'm sorry it went to \$85 million and 1000 jobs, and so on. Between 6000 feet and 7000 feet it was \$200 million and more than -- and almost 2500 jobs.

So it's very-- It's one thing to look at this scenario at a time of peak economic activity and very low employment, but we're talking about a State transportation system. That's what our duty is. And we have to make some recommendation for even the bad times. And that-- Those jobs, of course, come from employers. And those employers operate business aircrafts. Some of them operate large business jets. We don't tell them with respect to any other type of capital equipment. For instance, we don't tell them with respect to their computers or their packaging machines or their printing presses that you could only use these at 90 percent of capacity and in certain weather on certain days of the year. Why should we, as a state, say to these businesses that we're trying to keep in our state and to attract to our state that they can only use their aircraft at a certain percentage of capacity on certain days of the year?

Mr. Hines and then Mr. Engle.

MR. HINES: Okay. Mr. Chairman, I am sorry, but the rationale escapes me here -- that was just used. There are probably communities in this state that a 3000-foot runway would generate an economic impact that relative to the overall economy of that particular community, you would have just as much impact as a 7500-foot runway in a county or a locality that could support a 7500-foot runway.

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MR. McNAMARA: There's nothing in our studies--

MR. HINES: What you're suggesting--

MR. McNAMARA: There's nothing in our studies--

MR. HINES: Just let me finish.

MR. McNAMARA: --that indicate that.

MR. HINES: Wait a second here. What you're suggesting here is that putting a 7500-foot runway in every county will generate the economic impact that you just read for a 7500-foot runway.

MR. McNAMARA: What I am saying--

MR. HINES: Is that what you're saying?

MR. McNAMARA: What I am saying-- I think that that's not an accurate reading of what I have said.

MR. HINES: Well, that's--

MR. McNAMARA: I said that there is a direct correlation between economic impact and length of runway.

MR. HINES: But, Mr. Chairman--

MR. McNAMARA: We've demonstrated that.

MR. HINES: That's possible, Mr. Chairman, but the impact that you read for the other length of runways, as well, had an economic impact in those various communities. Some communities and some counties may only support the length of runway that you've read. The 4000-foot runway, 3000-foot runway, or what have you, and generated an economic impact that you read. That may all be accurate. But to say that a 7500-foot runway in that same general area would increase that economic impact by the numbers you just read, I think, is irrational. I don't think I could possibly agree with that. It's possible

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that if you had the conditions to support a 7500-foot runway, it would generate that economic impact. But don't just automatically say it would. I just don't understand it, Mr. Chairman.

MR. McNAMARA: Mr. Engle.

MR. ENGLE: Number one, this chart is very misleading. You say there are two airports with runways greater than 7000 feet with a total economic impact of \$489,526 million whatever, for a mean of \$244 million. Well, when you have one airport that is \$246 million, which is Teterboro and that's because it was in proximity to New York City, that leaves you \$3 million for the other airport with the runway over 7000 feet. It just don't work. It's very misleading.

MR. McNAMARA: You're reading the wrong column.

MR. ENGLE: No I'm not.

MR. McNAMARA: Yes you are.

The mean economic impact is \$244 million.

MR. ENGLE: Right.

MR. McNAMARA: The total impact is \$489 million.

MR. ENGLE: And Teterboro, according to the economic study, was \$486 million.

MR. McNAMARA: Okay, \$486 million, and what was the other airport?

MR. ENGLE: I don't know what the airport is. It is probably Millville. But this says -- according to this, it will be \$3 million.

MR. McNAMARA: That I don't think, mathematically, makes the thing misleading. We just analyzed the airports as they were.

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MR. ENGLE: Yes, but that-- The argument that is being used is the 7 -- greater than 7000 feet will create this much.

MS. CASTNER: You just said that Stewart won't.

DR. ABUCHOWSKI: No. I disagree that that is the argument that is being used. It's clearly not the argument that is being used. What it is saying is that the existing 7000-foot airports are generating that kind of funds. It is not saying that if you go out and build ten 7500-foot airports, that it will generate that.

And also, I keep hearing the word mandating. There is no mandate here for a 7500-foot airport in every county. In fact, it says that "where feasible." And what it says is exactly what you're saying, Commissioner Hines, which is that if the local community has the infrastructure and the need for an airport of that size, it should have it. And it will generate that kind of impact. Surely in a community where it is a completely rural community that does not require, or have any need for this type of an airport, is going to get one. I mean, we agree with that.

I think all we are trying to say here is that to have a few more-- If we can get them into the state airports with 7500 feet, it may not be bad.

MR. HINES: Can I respond to that?

MR. McNAMARA: I would like to just take a different tact on this whole discussion.

We have, sitting at this table, the people who have worked the hardest, I suppose, on the problems of general aviation in the State of New Jersey for the longest years and we're in a-- The tone of the debate has become divisive. I just would, maybe, like to switch it around and ask you people --

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Commissioner Hines, what system plan do you think we have in effect today?
Would you agree with me if I said that there was really none?

MR. HINES: No disagreement there at all.

MR. McNAMARA: Why is that? Why is it that the Department of Transportation and Division of Aeronautics can't come up with something? We know they have plans, but as we say in this document, they're pretty much go-no-where plans that always say we have to preserve what we have. And then, historically, we loose an airport a year. And as Commissioner Elliott has just pointed out, three others are teetering on extinction as we speak.

MR. HINES: This report, if taken seriously and without the 7500- foot runway, I believe, would provide for the Division of Aeronautics and Department of Transportation. If not they directly, through some kind of Commission to do a State airport plan that makes some sense. If that Commission or whatever is created--

MR. McNAMARA: Let me just focus on that because that's where I wanted to go. What in this report, if we take out an airport in each county and a model airport-- What in this report will make the Division of Aeronautics come to make some plan?

MR. HINES: The information is there. If they want to put a-- If they recommend that -- the Division of Aeronautics wants to put a 7500-foot runway -- or that Commission, whichever is created, wants to put a 7500-foot runway, they have the statistics and the data to support it. But let them do it. Let the Commission put that 7500-foot runway in a particular location. Let's get it passed the Legislature. And that's what I am afraid of. That this report will not go passed the Legislature with that recommendation standing.

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MR. McNAMARA: What does this report have to do with going passed the Legislature? I don't understand that. I mean, don't we just submit it to the Legislature?

MR. HINES: I believe we do, yes. But for them to take this seriously and enact some legislation to create a State Airport Planning Commission-- I think this would give them the input to do it if they can accept the document in a form that they can accept.

MR. McNAMARA: Let me share with you the comment of Commissioner Bagger. I told him-- He told me that the report-- He echoed everyone's comments. "The report," he said, "is an excellent report. I said to him, "I would like to ask you about just two areas that certain commissioners have -- don't agree with." And those were these two areas: 7500 feet and an airport in each area. He said, "I have no problem with the 7500-foot model airport." He said, "That's just a specification and you demonstrate your reasoning for that at some subsequent time, that reasoning can be adopted or some other reasoning could be adopted and some adjustment made. That's just a specification." He said "The hot button" -- those were his words, the hot button -- "is the airport in each county. I said, "Would you be in favor of taking that out?" He said, "No." He said, "I just think that that's going to cause comment."

MR. HINES: So his recommendation is to leave both in.

MR. McNAMARA: That's right. He was not supporting leaving them both or taking either one out--

MR. HINES: Associating 7500--

MR. McNAMARA: But the reason I make that comment is your concern about its reception in the Legislature and he is our legislature (*sic*)-- he's at least our Assemblyman and a name to this commission. It wasn't a concern of his.

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MR. HINES: Why can't we just leave the 7500-foot runway associated with the model airport that you specify here in the document. Just leave it associated with that, without saying a 7500-foot runway in every county. If there is a location that can accommodate that transportation center with a 7500-foot runway, God bless everybody, let's put it there.

MR. McNAMARA: So what you're saying is do design a model airport, do -- specify our reasons to accommodate the modern business fleet on -- essentially what he's saying. And we're assuming a 95 degree day represents all the time. So do accommodate the modern business fleet at gross weight all the time in the design of the model airport, but then say-- Don't say locate the model airport in each county.

What would we say-- Phil Engle said to me -- and interrupt me if I quote you incorrectly, Phil. He wasn't all in favor of the airport in each county in the beginning either. And then on reflection, he said, "We really don't have, and never have had, good planning. And we need a strong plan. And that at least gives DOT a place to start making a strong plan."

Am I quoting you correctly?

MR. ENGLE: That's right. But again I put the emphasis on the development of a strong State airport system plan, integrating that into the State transportation plan and the State development and redevelopment plan.

MR. McNAMARA: Right.

I'd like to share with you some comments-- I'm the President of the Council on Aviation and Creditation, and there's a gentleman who is the Executive Director of that and also of the University Aviation Association who is a Professor of Emeritus at Auburn where he taught aviation management for 20 years. He was on the board selected by NASA

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to study the state of Virginia and determine how a general aviation system would help the state as a whole essentially to develop economically.

This board was put together by NASA and it was different people. Not all of them were aviation people -- various economists, businessmen, and so on. And they-- I showed Professor Kideley (phonetic spelling) a copy of the third draft for his technical review, and he said to me that it is remarkable how close we came to applying all the principals of the book that was written by NASA for developing an airport system in a state. He said, "It's almost as though you read my book and applied every principal in it."

The comment he made, that I thought would be well to share with you, among others, was the-- He also commented on the airport in each county. I can't say that he indorsed that as the right method; although, he didn't challenge that as the right method either. But what he said was, "I call that--" And this ought to make you smile, Pete, "I call that the Norm Crabtree concept." Norm Crabtree-- Pete's from Ohio originally, and Norm Crabtree was the director of the Division of Aeronautics in Ohio. He was, I guess, somewhat of an independent fellow, and it was Norm Crabtree who had the concept to, without FAA assistance, put an airport in each county. He said to the road department, "Just go build me a county road a mile long over there." He did that in each county, and that caused problems later on because, not being built to FAA specs, they didn't have the weight-bearing capacity to accommodate the aircraft that could have been accommodated by the lengths. But that's the Norm Crabtree concept that was used in Ohio. Then he said there was the Ace-Around Tree (phonetic spelling) concept which was used in Alabama. And that was an airplane in flight would never be more than 25 nautical miles from a lighted land airport. There is the FAA concept which Phil Engle has suggested from time

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to time. It is that no airport would be more than 30 minutes traveling time from city center. They-- I just want to make sure I am giving you all the concepts here.

What he did say about the county -- the airport in each county as he said-- Originally, he said that could be a lot. He said, "How many counties did you have?" And I said, "We have 21, and it's possible that it would not be feasible to locate these airports and every one of them." He said, "Well, if it's less -- if it's 20 or less, maybe it's not such a bad approach to it."

My point that I am making, I am sure you all see, is that there is some concept that we can come up with to deliver to the Department of Transportation, such that we would locate an airport every so often -- every some way. I had lunch with Crocker Snow (phonetic spelling), the famed Director of the Division of Aeronautics of Massachusetts and the Chairman of the study commission -- the National Aviation Study Commission during the Nixon administration. He told me that the concept in Massachusetts was that a single engineered plane at 8000 feet would always be within gliding distance of an airport. By the way, I had mentioned the Alabama -- the Ace-Around Tree concept was 25 nautical miles from a lighted land airport. It was a lighted land airport with a runway length of at least 5000 feet.

Now, in North Carolina and South Carolina they pretty much have adopted the Ace-Around Tree concept and they have an airport in each county. They have adopted the Norm Crabtree concept. They-- Now, we also know that in North Carolina they have -- they're developing, very aggressively, their transport system which I believe has-- I don't know the length of those runways, but I believe it's a 7000- or 8000-foot runway, and they are coming to New Jersey and inviting businesses in New Jersey to locate there. As we watch the general aviation turbine fleet increase at a rate 500 per year, we know that we're

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going to have 5000 additional aircraft in the next 10 years. We have 200 of them in the state now. If that happens and things hold-- We, by the way, have less than 2 percent of them in New Jersey. We're not attracting them as other states are. We would have 400 turbine aircraft in the state at that time in 10 years. And we are talking about planning for a time that is 50 years from now. And we know, every one of us, that if we don't land bank for what our future needs will be, we will not have done our job as planners because that land will be as difficult to get in New Jersey in 50 years as it would be today in Montclair.

We don't have to go far. We go to the development and redevelopment plan to see that in 20 years we're going to need 1.3 million additional jobs. We're going to have 2 million more people in our population-- Actually more than 2 million more. And that's just 20 years from now when we're going to have those needs. So I don't think it's incorrect for us to be thinking in terms of accommodating business, making airports that business aircraft can use, and making them according to some plan where they're located in some place, and delivering that concept to the New Jersey DOT and then let them take it from there. Or let the legislature take it. I think we have to make some -- design some model airport and design some system. If we're wrong, we won't be all that wrong. If we're criticized, we'll at least have done our job honestly and thoroughly and reasonably. Those are my comments.

Mr. Elliott.

MR. ELLIOTT: Mr. Commissioner, I have comments on three statements you made. One of them was the statement about the economic impact and its relation to the length of an airport. We have ample evidence of the economic impact in relation to the length. We have it at R. J. Miller. It's been there for years and has very slight economic impact. We have it at Sullivan, which has been there for 28 years at 6300 feet and has

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virtually no economic impact. We got it at Stewart, as Commissioner Engle pointed out, and there is very little economic impact there. I don't think there is, in reality, the relationship that there is in theory.

Number two, as far as an airport within gliding distance of 8000 feet-- In New Jersey I think there are very few places, in a single engineered plane, could not reach an airport from 8000 feet.

Number three, I think that when you compare Ohio, Georgia, North Carolina, and South Carolina with New Jersey, you're comparing apples and oranges. And to get to Mr. Crabtree's suggestion-- At that time there was unlimited land and the people of Ohio wanted airports and they wanted it to the extent that they put up the money to buy the land if he agreed to put down the runway. That is an entirely different condition of what we face here in New Jersey. The residents in New Jersey are not going to buy land to put down airports. So to compare that with what happens here in New Jersey -- there is no comparison.

MR. McNAMARA: Jack, just a quick question. You're comparing apples and oranges. We compare Georgia, South Carolina, North Carolina-- Alabama, I guess, is what you mean. Alabama, North Carolina, South Carolina -- to you that's apples and oranges. But comparing New York and New Jersey--

MR. ELLIOTT: It's also--

MR. McNAMARA: --apples and oranges.

MR. ELLIOTT: Sure. They have the land--

MR. McNAMARA: So the comments about Sullivan and Orange counties are--

MR. ELLIOTT: They've had very little economic impact. And to say that if you put down a 6300-foot runway, it's going to create this many jobs and produce this

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much economic impact, the evidence is against it. It's not necessarily going to happen. We don't-- I don't see the evidence that's going to happen.

MR. McNAMARA: You still can see that R. J. Miller has, at least, something in the nature of \$7 million to \$8 million worth of economic impact.

MR. ELLIOTT: I'm not sure we have that much economic impact.

MR. McNAMARA: You do.

MR. ELLIOTT: So having the longer runway did not create an additional economic impact.

MR. McNAMARA: That I would agree with -- in the one case of R. J. Miller. But if we go to Millville--

MR. ELLIOTT: Millville's traffic -- its turbine traffic to one company there which--

MR. McNAMARA: What difference does it make if it's one company or half a company?

MR. ELLIOTT: It has not attracted industry is what I am trying to point out.

MR. McNAMARA: If it has a \$185 million worth of economic impact--

MR. ELLIOTT: But it's been there for years, and it has not attracted any industry to the area.

MR. McNAMARA: --1500 jobs, and it's doing that with a 6000- foot runway, what difference does it make whether it is one company or not?

MR. ELLIOTT: Well, the point is that it's going to create an economic impact by attracting industry. What industry has it attracted?

DR. ABUCHOWSKI: Air work.

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MR. ELLIOTT: The airport is there because of the runway, period. It's one company and--

DR. ABUCHOWSKI: What would happen if Noble (phonetic spelling) had a 3000-foot runway? Would--

MR. ELLIOTT: You couldn't have a 3000-foot runway.

DR. ABUCHOWSKI: So my point is just the opposite. If air work is gone, you've lost the jobs. You've lost the economic impact. The very fact that that airport is there is why air work is there, and that's why all those jobs are there.

MR. ELLIOTT: That's fine. I don't disagree with that at all. But if you put a longer runway somewhere else and you don't have an air work that has agreed to come in there, I don't agree that you're going to be attracting industry.

DR. ABUCHOWSKI: I agree with that point, but that is not what the document said. The document does not say that you can plop an airport that is 7500 feet any where you want and it will bring in people. That's not what the document said.

MR. ELLIOTT: Then why have 7500 feet in the report?

MR. JOST: May I suggest something?

MR. McNAMARA: Yes, Commissioner Jost.

MR. JOST: May I suggest a wording change? The State must develop a plan as part of the State airport system plan "wherein an all-weather airport is located in each county, where feasible, to accommodate every aircraft in the business fleet." Now we've said the same thing, but we have eliminated the 7500 foot because the figures will show what size airport that they need. The State should-- The rest of it's okay. The recommended weight-bearing limitation will be set to exclude heavy, airline-type traffic.

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And let it go at that because the facts and figures for that airport -- for business-type aircraft will determine what size -- whether you need 7600 feet or 7200 feet.

MR. McNAMARA: What Commissioner Jost is referring to is a rewritten Executive Summary--

MR. JOST: The one we got today.

MR. McNAMARA: --which was distributed.

I would like to allow about 10 minutes to read this new Executive Summary. I can tell you, and correct me, Mr. Secretary, if I am wrong, that there are no changes to it. You will notice that it begins on Page 15. There are no changes to it prior to findings and recommendations.

Is that correct, Mr. Secretary?

MR. KETYER: I believe any changes we made were minor and cosmetic before that point.

MR. McNAMARA: Okay.

MR. KETYER: No substantive changes.

MR. McNAMARA: So if we started at Findings and Recommendations on Page 16 and read from there, the--

And let me tell you why we did this. Because I had a long, harrowing conversation with Commissioner Elliott last night, who I respect profoundly. And when I disagree with him I don't sleep well. And in not being able to sleep, I therefore got up.

And by the way, Jack, after having spent the night -- having dinner at the Newark Museum with the wife of your editor--

MR. ELLIOTT: It was not particularly favorable towards aviation, in my opinion, and I don't know--

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MR. McNAMARA: --whose father flew with Pan Am, whose uncle flies with another airline, whose other uncle was a military aviator, who respects and loves aviation--

MR. ELLIOTT: Who respects and loves--

MR. McNAMARA: --and didn't know who you were. (laughter)

And I said to her, "Well then, you must read Jack Elliott's column every week." And she said, "Who's Jack Elliott?" And I said "You don't know?" I said, "He's the fellow that did -- our 7000 aviators in New Jersey that live to get his column every week. They probably buy your paper just to read that column." I said, "It's about the most wonderful thing in aviation." I said, "Just this past week was about a blind man flying." And she said, "Really, well, I clip the cooking -- the recipes and send them to my father every week. I am going to have to clip those and send those articles from Jack Elliott's column along with the recipes."

So having done you that favor, I then came back and couldn't sleep because I was distressed about our phone call. I got up about 5:00 this morning and started to toy with a rewording of this. Stephen Ketyer arrived about 8:30 a.m. and brought some sense to the project. And we came up with this which possibly will address the concerns that you have and the concerns that Commissioner Hines has.

Did you have a chance to read it?

MR. ELLIOTT: No.

MR. McNAMARA: Why don't we do that?

MR. ELLIOTT: Which specific-- Are you talking about Page 18, or not?

MR. KETYER: Really the whole thing--

MR. McNAMARA: I would say read from Page 16 to the end.

MR. KETYER: Mr. Chairman, may I speak with you for a moment?

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MR. McNAMARA: Pardon me. You want to talk to me?

(Commission members read pages)

MR. McNAMARA: Have we all read it now? (positive responses)

Okay. Now, Commissioner Jost directs our attention to Page 20 and suggests under Item 1 that it read, "The State must develop a plan, as part of the State airport system plan, wherein an airport is located in each county, where feasible"--

MR. JOST: Correction. In all-weather airports. I would like to put the all-weather airport in.

MR. McNAMARA: Okay, and "all-weather airport is located in each county, where feasible, with runway that will accommodate every aircraft in the business fleet." Or should we just strike all-weather and leave in there all weather conditions?

MR. JOST: No. I think an all-weather airport sounds better.

MR. McNAMARA: All right. And then a--

MR. ENGLE: That has a slightly different meaning. All-weather could mean -- well, you have IFR, or you have IOS. All-weather conditions mean you're counting for 95 degree days just as you are for 59 degree days. So sticking it in at that point changes the meaning of what was intended, which is to say that you want to accommodate what was originally intended. It was that you want to accommodate the business fleet under all weather conditions. Not that the airport itself is an all-weather airport because as far as I am concerned, Solberg is an all-weather airport, if I can shoot a VOR.

MR. McNAMARA: Okay.

MR. JOST: Okay. I agree with that.

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MR. McNAMARA: It will read, "Wherein an airport is located in each county where feasible with a runway that will accommodate every aircraft in the business fleet in all-weather conditions."

What did you say after that, Wesley?

MR. JOST: That the-- I would eliminate the weight-bearing capacity because the -- that would accommodate every aircraft in the business fleet automatically since it's going to be 100,000 pounds or 102,000 pounds or whatever. Then I would--

MR. McNAMARA: How about striking the--

MR. JOST: Well, I was striking "in a 5000-crosswind runway" but--

MR. McNAMARA: Strike the crosswind -- the 5000-crosswind but then say, "But with a weight-bearing limit or a weight-bearing capacity limited to"--

MR. JOST: No. No. Go to the next paragraph. We go to the next paragraph to the little dot where it says, "The recommended weight-bearing limitation would be set to eliminate airline-type heavy aircraft thus protecting the communities from the noise associated with scheduled airline service."

MR. McNAMARA: I'd like to leave in, if we could, the 100,000 pounds because we've done the research on it and that is the line that, as you can see from our appendix--

MR. JOST: Jack, you say that when you say that the airport will accommodate every aircraft in the business fleet, in fact, you're saying even more than that. It could accommodate a 200,000 pound--

MR. McNAMARA: Yes, but that's a problem. You see, the problem is every aircraft in the business fleet could be a Boeing business jet. It would be 165,000 pounds.

MR. ELLIOTT: That's right.

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MR. McNAMARA: That's not what I am proposing. I don't think that would be a reasonable proposition. That's airline service and I don't think we need to--

MR. ELLIOTT: Then you lose airline-type aircraft.

MR. ENGLE: Take the number out.

MR. ELLIOTT: I think the number shouldn't be there.

MR. JOST: I think the number will raise a problem.

MR. McNAMARA: Okay.

DR. ABUCHOWSKI: You have 100,000 pounds in here twice.

MR. McNAMARA: What?

DR. ABUCHOWSKI: You have 100,000 pounds in here twice.

MR. McNAMARA: They're saying take it out in both spots.

DR. ABUCHOWSKI: That's okay.

MR. McNAMARA: Okay. So--

MR. JOST: But exclude airline-type heavy aircraft. Okay?

MR. McNAMARA: So the recommended weight-bearing limitation at-- Strike out 100,000 pounds. It is intended to exclude airline-type heavy aircraft thus protecting communities from the noise associated with scheduled airline service.

MR. JOST: I think so.

MR. McNAMARA: I've got a general consensus floating around the table. We're all doing the wave over here.

MR. HINES: I have two comments real quick. With scheduled airline service-- Why not define that a little more to major airline service? In other words, what about a commuter service in some of these areas? They don't want that either?

MR. McNAMARA: I--

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MR. ELLIOTT: Airline service is open to any interpretation.

MR. HINES: I know, but an airline-- If you're eliminating--

MR. McNAMARA: See, that was a nice thing about 100,000 pounds. With 100,000 pounds, you actually do exclude the 737 and the A-320, and they are the smallest airline transport aircraft and everything greater or larger than they are. You do not exclude some of the regional turboprops that are used. Those are some of the Saabs and Fairchilds, and so on, that would be more in the nature of 50,000 pounds. So you would have regional-- You could have regional turboprop service. You wouldn't have regional jet service, I don't believe.

MR. ENGLE: Jack.

MR. McNAMARA: Yes.

MR. ENGLE: My feeling on the 100,000 pound is to eliminate it. Number one, right now your Gulfstream V's maximum gross weight is at 82,000 pounds. The maximum gross weight on the Global Express -- they still haven't determined it. The last I have heard it was about 92,000 pounds.

MR. McNAMARA: Those are the two heaviest.

MR. ENGLE: Those are your two heaviest business jets. Where does it go from there? The next generation is going to be keyed up. The gross weight is going to be keyed up. You don't want that 100,000 pounds in there.

I agree with what Commissioner Jost said. Just exclude airline--

MR. HINES: All airlines?

MR. ENGLE: Airline types.

MR. HINES: Are you also suggesting--

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DR. ABUCHOWSKI: Or even if-- Instead of just saying airline type, say certificated airline type.

MR. ELLIOTT: Better yet--

DR. ABUCHOWSKI: Because then you get into 121, as they are your certificated carriers. And it doesn't account for your 135 -- your commuter operators.

MR. HINES: Either way, but I think you should leave the option for scheduled commuter service.

MR. ELLIOTT: The way that Commissioner Engle stated does leave it open.

MR. HINES: As long as it leaves it open for commuter service it's fine.

MR. ELLIOTT: I agree with that.

MR. HINES: I have another quick comment on the paragraph that we're recommending changing, and that is, why are we so wedded to every county?

MR. McNAMARA: I think we're going to address that. I don't know why we are so wedded to every county. Let's-- Let me promise that we'll get back to that. We're just really talking about a model airport at this minute. And I guess Commissioner Jost was proposing that there be one in every county.

Is that correct?

MR. JOST: Where feasible.

MR. McNAMARA: Where feasible.

MR. JOST: And that answers your question, Commissioner, in that if is not possible in a county, then we don't have one.

MR. McNAMARA: The reason I am wedded to it, Pete, is not because it's the Norm Crabtree concept, but because it is some concept. And it is the concept of the states

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that are doing the best with their airport systems and especially the states that are the most threatening to the State of New Jersey with their airport systems.

I guess somebody would say -- I asked somebody-- I said, "What county would you exclude?" Talk about controversial. "What county would you exclude? If you are out there building airports, which one do you think shouldn't get one?" They-- Obviously the-- I suggested that Hudson County might be too developed to build one, and Commissioner Engle told me that he thought he could find a spot there. So the conversation is never ending.

In the last three and a half years since we got this job, I have flown up and down the State of New Jersey, and I am really astounded at how much open land there is everywhere in the gateway section, as they describe it in the development and redevelopment plan, that starts from Weehawken and emanates out, in a great semicircle, up to the Hudson. You fly over that and-- Of course, I have to do it from looking down from 8000 feet on a clear day, but the-- You see amazingly large open areas. I can't sit here and say that I have done a survey and that I can exclude any county from having an airport. I do believe that if we get into a recession or depression, having an airport will be important to certain counties to keep their people employed and off the breadlines.

MR. ELLIOTT: Every county except Hudson has an airport. I think it is our major responsibility to preserve those airports and to see that they don't go. And as I suggested to you on the phone last night, I think there ought to be a recommendation for legislation to prevent them from going, and I think I outlined it to you. In the case of Bayer Field (phonetic spelling), one man -- the mayor-- One man can destroy an important part of the State's airport system plan and an important part of the State transportation

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infrastructure. I think we should suggest to the Legislature that no airport, whether publicly or privately owned, can be closed without the permission of the State Legislature.

MR. McNAMARA: Okay. Now--

MR. ELLIOTT: Spread the responsibility over the Legislature, not one man.

MR. McNAMARA: We're getting into a different topic and we have to get into this. Are you satisfied with each county? Are we, as a group, satisfied with each county?

MR. ENGLE: Jack, one thing before we go on-- I would like to hear from Ted Matthews. We're talking about a State system plan and what the DOT has had in the past, what they have now, and what they're looking to have. And I would like to hear from Ted Matthews before we go further on it.

MR. McNAMARA: Ted, I want you to know that with your new title comes a lot of baggage. I didn't want to hang it on you. But yes-- I know you have some comments. And if you have any comments on this, we would appreciate them.

MR. MATTHEWS: Sure. I have been sitting quietly because I wasn't sure, as ex-officio member, when it is appropriate to comment or not -- to comment here around the Commission.

We already have in place a State airport system plan, which I am sure the Commission is aware of. It is also quite old and outdated. Many of the -- great deal of the information that is in there has changed radically over the last six years since it was last--

MR. McNAMARA: And it's been denounced by the most recent director of the Division of Aeronautics, prior to you, that's not to be relied upon. It's desperately in need of revision.

MR. MATTHEWS: Very much so. Those discussions have been ongoing within DOT. We recognize the fact that it needs to happen. The discussions here today

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and the recommendations coming out in the Commission's report will just make it that much more evident that we need to proceed with an update of the State airport system plan. I would recommend that we schedule it for next year, when we have the recommendations of the Commission.

As ex-officio member, it's not my place to suggest or -- but I can certainly comment. The better plans that I've seen come out of the Department of Transportation are those that are mandated by the Governor or by the State Legislature. If in fact, the Governor, through executive order or through some other mechanism, is to say that the Department of Transportation shall update or develop or renew the State airport system plan with an eye toward -- and then specify, as specific as she or the Legislature would care to be, on those items that the Commission and others would recommend be taken into account. And further specify that similar to the makeup of the Commission here, there be a technical committee established or a committee to assist us in putting this together, that consists of members of the commission, of the Aviation Advisory Council, general public members, or whatever, so that the next system plan, as you point out, isn't just a collection of facts and figures which are done in accordance with the guidelines or the guidebook or which is published by the FAA and republished every couple years -- rather it's a very real document that takes into account the kinds of issues that you're discussing here. The cans, the can'ts, the whys, the why nots.

Again, my comment would be that we need to move ahead in the direction that the Commission is leaning -- from what I am hearing said around me at the table here today -- to renew this system plan and to do it in a way that the Commission says it should be done.

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MR. McNAMARA: Thank you very much. I should just mention in passing, that the Commissioner of Transportation wrote a letter which I have discussed with Commissioner Matthews. Essentially, what he said is that he doesn't want to mow the lawn, but he still wants his allowance. I told Commissioner Matthews that I have nine children and I know how to deal with this. It was a suggestion that there may be some difficulty mowing -- for the various airports in the state -- mowing the grass. And you'll note that that language has been changed in the record, which doesn't exclude the possibility of mowing the grass, but it makes that language more general.

On the issue of real estate taxes, as I explained, that is a fundamental problem that is being suffered. We have determined that is a fundamental cause of airport closure. It is, pretty much, a resolved issue already.

Now, on the issue of when you can interrupt and speak, as an ex-officio commissioner, you have the right to argue but not to vote. Those being the limitations, you should interrupt and speak often and loudly.

MR. MATTHEWS: Thank you.

MR. McNAMARA: Okay. Are there other--

MR. ENGLE: Excuse me, you have a question.

MR. McNAMARA: Oh, excuse me, Commissioner Nagle.

MS. NAGLE: I haven't spoken yet, but I did want to formally say that I thought the report was excellent.

Just a few personal comments-- On February 3, 1941, Readington Township gave my father the permission to operate a commercial airport. Today, Readington Township doesn't consider us a commercial airport. They refer to us as a transient use as a recreational airport, as a country airport. And my family, through the help of Jack

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McNamara has managed to keep 721 acres available for Solberg Airport. In your report you talk about 800 acres. That's even better. I think it's important that we talk about these things, that it is specifically mentioned that-- I agree with Jack that it's important to have as long a runway as we can, not only for landing, but more importantly for takeoff in case of an engine failure.

I can understand that the community would be upset with 7500 feet, since we just proposed 5500 feet or 5600 feet, and we know the reaction we got. So possibly it is prudent not to mention that specifically. Possibly it is not needed in every county. That is why we said where feasible. I have a suggestion. Instead of saying in every county, possibly mention driving distance. What is the-- That is what I mentioned to Jack Alcott. What is a reasonable time for people to have to drive to go to an airport? Is it 25 minutes? Is it 30 minutes? That is something to consider. If the other states are talking about in every county, then I think it's important that we mention that that Ohio and North Carolina have deemed this the method and possibly we can duplicate what our sister states are doing. And that would give more weight to what we're saying.

The other comment is just a specific question. Are we eliminating the crosswind runway? I think that is important.

MR. JOST: No. Actually it would be covered under the model airport, but it wouldn't be specifically mentioned in this particular paragraph.

MR. McNAMARA: Suzie, are you done?

MS. NAGLE: Yes.

MR. McNAMARA: Thank you.

Mr. Secretary.

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MR. KETYER: I have, based on the comments, a rough draft -- if I could read it, and it would account for the crosswind runway as well.

MR. McNAMARA: Okay.

MR. KETYER: “The State must develop a plan as part of the state airport system plan wherein an airport is located in each county, where feasible, with a runway of sufficient length to accommodate every aircraft in the business fleet in all-weather conditions and a crosswind runway approximately two-thirds the length of the main runway, each with a weight-bearing capacity limited to exclude airline-type heavy aircraft thus protecting communities from the noise associated with the scheduled airline service.

The State should incorporate, in this plan, facilities for an intermodal transportation system suitable for the year 2050. Each intermodal transportation station should accommodate an airport, a rapid mass transit interchange, and a carpool facility.

Number two. The State must identify land in 1200-acre parcels in each county, where feasible, to bank for future intermodal station development. This land banking should be compatible with open space preservation and airport zoning.”

I wish, also, to just point out one more thing. That at the bottom of the finding, on Page 19, the last sentence quantifies this entire discussion with the words “These recommendations are made for long-term State planning purposes.

MR. McNAMARA: Thank you, Mr. Secretary.

I think it is a very important point that we sometimes lose sight of. We’re thinking that we are recommending that each county get an airport tomorrow. And that’s not the case. We’re recommending that a plan be started, hopefully tomorrow, that plans for the location of transportation facilities for the year 2050. We know very well that if we don’t start making that plan and then take steps to implement that plan in the year 2050,

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we're not going to have the real estate resources available to accommodate a transportation system, or it's going to be extremely expensive to acquire them.

Commissioner Matthews, are you raising your hand?

MR. MATTHEWS: No, I am sorry.

MR. McNAMARA: Sorry.

Commissioner Hines.

MR. HINES: One comment and I will get off it. I have spoken enough already though. I asked about why we are wedded to the county concept, and the reason I say that is because I envision the State airport system plan to be a living body. It continues to go down the road looking ahead 10, 20, 30 years all the time as to what is going to be needed or where it is going to be needed. I think it is rather restrictive to specify by county. There are airports around the country that are considered tricity airports, tricounty airports, bicounty airports, that kind of thing. It doesn't mean that we have to have a intermodal transportation center in one specific county. It could encompass a corner of two or three counties. That would serve, as I said before, the demographic and economic needs of that particular area -- general area. That's my point. I think this is rather limiting here, the way we're putting it.

MR. McNAMARA: This is a good point, Pete. That's the reason I mentioned the different methods that were used to create a system plan. The problem with-- If you are saying, "What do you use to define the model airport?" I would say, you define the aircraft -- your critical aircraft-- For us that's the entire business fleet. You define your environmental compatibility and you define you economic viability. All of those things are a function of land. They-- If you were going to define where to locate an airport, the -- you would say, well, ideally, you would locate it wherever you want it in the State of New

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Jersey, which, for 300 years has responded strongly with economic activity anywhere it had a transportation facility. You would want to locate an airport wherever you wanted economic activity or wherever you wanted to maintain economic activity. The--

New Jersey is such a small state, and we have such a high density of population that you can pretty much come to the same conclusion simply by saying put one in every county. There is no county in the state that doesn't have a center of economic activity. There are a lot of counties in the state that don't have airports that are going to retain the businesses that are located in those counties and that will not invite in new businesses. We are looking at, as I said before, 1.3 million new jobs before 2010 -- 2015 -- maybe it's 2017. Whenever it was-- Was it 25 years out was the economic development and redevelopment plan from 1992?

MR. MATTHEWS: Yes.

MR. McNAMARA: Okay. So it's 2017. Essentially, in the next 19 years, 1.3 million new jobs.

Commissioner Abuchowski.

DR. ABUCHOWSKI: Perhaps both sides could be accommodated by saying that we're in an airport-- Instead of using the word located, which seems to be the difficult word, to change that to serve. You want to serve each county with an airport. And if so being you can have a tricounty airport and serve three counties.

MR. ENGLE: Serving each county.

MR. JOST: Yeah, that would do the trick.

MR. McNAMARA: Pete.

MR. HINES: That would work.

MR. McNAMARA: Mr. Secretary, wordsmith.

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MR. KETYER: Noted.

MR. McNAMARA: If you work on that--

MR. KETYER: There's just one thing. What was the result of the 100,000 pounds, Mr. Chairman?

MR. McNAMARA: It was deleted.

MR. ENGLE: In this proposal, we're going to vote on this as a proposal, and then we'll vote on the whole report.

MR. McNAMARA: Jack Elliott has a concern that even municipally owned airports can be closed at the whim of a politician. And I believe that's the last item to be addressed that I am aware of.

Commissioner Elliott, will you address that?

MR. ELLIOTT: Yes, I think we should make a recommendation that would prevent a single politician from having the power to destroy an important part of the State's transportation system. We should turn that responsibility over to the State Legislature so we therefore spread out the responsibility. It isn't a single person who has the right to close an airport. The Legislature has to approve it.

I would recommend such that we -- recommend to the Legislature such that a bill be drafted saying that before any airport which is a part of the State airport system plan can be closed, that closing must be approved, in as much as it's an important part of the state transportation system -- that closing must be approved by the Legislature. I don't think you can close a railroad without going through a long process, and I don't think one mayor can arbitrarily close a highway, a major throughway. I don't know why he should have the right to close an airport.

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MS. CASTNER: Jack, you've built a problem with this side of the table.
(laughter)

MS. NAGLE: Are you talking about municipally owned or privately owned?

MR. ELLIOTT: Either one, either one. I don't think any airport--

MS. NAGLE: Well, in the plan we talk about the State having right of first refusal.

MR. ELLIOTT: That's fine, I approved of that.

MS. NAGLE: So doesn't that help? Isn't that the same thing?

MR. ELLIOTT: No, because Mayor Whelan has said he is going to close it. And he can close it because he owns it. But if you had a clause saying you can't do that unless the Legislature approves, it would take the power away from him and put it on the Legislature.

MR. McNAMARA: I would like to interrupt right here and just ask-- It's somewhat unfair, but I would like to ask-- I have given enough legal opinions from this chair, and unfortunately, there is another guy here who can do just as bad a job.

I would just like to ask you, Steve, for your off-the-hip impression.

MR. KETYER: My knee-jerk reaction is that that really can't be done. It would involve almost a taking without a benefit.

MR. McNAMARA: So wait a minute. What you're saying is that it can't be done unless--

MR. KETYER: In terms of the Legislature--

MR. McNAMARA: Unless it's done as part of a quid pro quo arrangement.

MR. KETYER: In terms-- The right of the first refusal was on the right track. That was the right way, and I think that's perfectly feasible.

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In terms of the Legislature telling a municipal official what he can and cannot-- In other words, you're saying you can only close a municipal facility with State approval. Well, it's possible because municipality is not in and of itself a separate and sovereign entity. It receives its power under the municipal-- It receives its power by grant of the State. The Home Rule Act is a creature of the Legislature. And what the Legislature gives, conceivably, the Legislature can take away. So whether you can craft, in the time that schedule that the Chairman and the rest of the commissioners have agreed to, the time frame left for this, and whether any one of us can noodle it out--

MR. McNAMARA: Well, I-- What we're saying is this-- What we have-- See if I address the comments that are going to be made. We have a right of first refusal that would be implemented-- First of all, the airport owner would agree to a time the airport owner accepts aid. It would be a condition of accepting aid. So this has got to be at a future time. Then, if that airport owner would seek to change its use that's the second step. The State would have the option to purchase the airport at the fair market value.

MR. KETYER: My--

MR. McNAMARA: The problem with that arrangement is that then the Department of Transportation or the Commissioner of Transportation can decide -- let it close. And what Commissioner Elliott is saying is that if you leave up to a Commissioner of Transportation, you may be no better off than leaving it up to the local mayor, present commissioners accepted. They-- And you would have greater servitude, or the Legislature would have greater servitude, that these airports wouldn't be lost if it had to make the final determination whether or not an airport would be closed.

Now this would make receiving grants and aid very honourous. Commissioner Castner says we just wouldn't take it because it's--

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MS. CASTNER: Stealing.

MR. McNAMARA: You actually couldn't say to a private airport owner that can't close their airport, especially if you're not willing to purchase it.

MR. KETYER: Are we talking about the situation at Bader (phonetic spelling), or are we talking about the situation of a private owner because they are two completely different situations.

MR. McNAMARA: All right.

MR. KETYER: The Bader situation--

MR. McNAMARA: Let's address it just to the publicly owned, public use airport.

MR. KETYER: Fine.

MR. McNAMARA: Fair enough, Jack?

MR. ELLIOTT: Fair.

MR. KETYER: That's a different thing. The only guidance that I can point you to right now is in the Burbank decision from 1973 where Chief Justice Rehnquist wrote in a dissenting opinion that a municipality in a public -- municipal or governmentally owned airport that is opened by the municipality can be closed by the municipality, following the logic that the municipality never has to open it in the first place. And that dissenting opinion, though not controlling, seems to be coming around more and more in the Federal cases. The good stuff is in the decision in the 6th Circuit is a good example of that, where they did not permit landing on a lake. The community did not permit the sea landing. So I would say that it's-- Right now, I think the Legislature-- Looking at the hierarchal differences-- In other words, how does a municipality get its power to do these things? It get those grants from the State. The Home Rule Act may be strong, but it

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doesn't, as I have argued, create a separate sovereign entity. There's only two entities in the United States, and that is, the United States and the individual states.

MR. McNAMARA: I would like to take a straw poll. If we made a recommendation-- We certainly have trouble making a finding. We were familiar with Linden's situation and with Bader's situation, and we almost lost Linden because of a local politician wanting to close the airport. It was actually a happenstance that we wasn't successful. And now we're faced with Bader where, again, a local politician would like to close the airport which we agree are State assets. These are publicly owned airports. We don't have a problem, I guess I am saying, making a finding that these publicly owned airports are in peril of being closed at the whim of a local politician. And we have already seen with Linden that the subsequent politician whims in another direction. So we don't have a problem making a finding. Perhaps we could make a recommendation that a municipally owned airport, which accepts State aid, cannot be closed except by act of Legislature.

Now that's your proposal, Jack. It has, I would say, a publicly owned airport, which accepts State aid, cannot be closed except by act of the Legislature. I don't know that that will cover Bader or Linden, but it may cover another public -- unless they accept State aid in the future. I don't think that we can recommend an ex post facto--

Yes.

MS. NAGLE: I make a suggestion that-- I don't know what you mean by State aid in your thinking with the State block grant and any money that passes throughout the State. It would be easy for a municipality to give up its 5 percent -- I mean to pay the other 5 percent. I think it should say State or Federal aid.

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MR. McNAMARA: Well, we are one sovereign. The Federal government is another sovereign. I don't think we can legitimately ride as a third-party beneficiary on there and enforce that contract that way. I think we would be taking--

MS. NAGLE: Okay. So it's five cents on the dollar then. That's what it's costing us.

MR. McNAMARA: Well, I think that if an airport such as Bader were to make a decision to take Federal aid, that would be a decision to stay open for another 20 years. If they were going to do that, they will also accept State aid, I am sure.

MR. ELLIOTT: It's not a factor because they're not going to accept any aid.

MR. McNAMARA: And that being--

MR. ELLIOTT: My only concern is preserving that airport, if there is a way to preserve it at this point. I think that it could be a tremendous benefit to that area, which is a growing area. It could attract-- For example, AOPA is going to bring in hundreds of airplanes there in 1999. There could be other events that would attract hundreds of aircraft and have a tremendous economic impact on that area if the airport is still there. My question is, is there any way that we can make a recommendation that would preserve that airport and keep it from being closed at the whim of one man who is, admittedly, strongly antiaviation?

That's my concern. Keeping it open.

MR. McNAMARA: Commissioner Matthews, are you anxious to comment on this? (laughter)

MR. MATTHEWS: Anxious is one of those relative words.

No. I don't quite know how you would do it. I keep relating back to railroads, number one, is from experience and, number two, because there are a lot of parallels there.

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In railroads we do, in fact, have the right of first refusal in any abandoned rail line in New Jersey even though a railroad falls under the jurisdiction of the -- it used to be the Interstate Commerce Commission and is now the Surface Transportation Board. In terms of abandonment of railroads, the Surface Transportation Board rules hold sway and you have to go through a very long, cumbersome process before you can abandon a railroad. That's because the Federal government issues what they call a Certificate of Convenience and Necessity. That means you are a public utility and you have certain responsibilities to the public, and therefore your responsibility to the public is to continue to operate until we agree with you that it's not economically feasible and then we release you of that obligation.

I don't quite know what the parallel is here other than there's a publicly owned airport -- and now I am getting into dangerous ground of getting into your field, Mr. Chairman, I apologize for that, in terms of the law. But if you have a publicly owned airport which was, in the case of Bader, given to you by the Federal government, it would seem there should be some way to indicate that you can't simply give that up without some form of hearing or some form of action or approval by the public--

MR. McNAMARA: You don't think that's inappropriate? I don't think it's inappropriate, especially not the way you phrased it. The-- I don't believe Bader was given to us by the Federal government, but the Federal government did give funding to Bader to improve it. Actually Bader -- Mr. Bader was a man who collected the cinders out of the hotels in Atlantic City and he would dump them out there and it got to be known as Bader Field. Afterward it became the sight of the airport. He became the mayor, so there we had a mayor who wanted an airport.

A straw poll, just by a show of hands. Should we make a finding -- add a finding and a recommendation under the section that -- without further discussion --

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without adding or changing the document at all, but just talking about the Executive Summary because the data is already included in the document -- a finding that publicly owned airports are in peril, sometimes because of political conditions -- temporary political conditions -- and then recommend that no publicly owned airport, which has accepted State aid, be allowed to close without an act of the Legislature?

MR. ELLIOTT: That exists now, Mr. Commissioner.

MR. McNAMARA: What's that?

MR. ELLIOTT: That exists now. If you accept State aid, you accept a 20-year period of which the airport must be maintained. We have that now. They can-- That airport, supposedly, has to stay there until 2002.

MR. McNAMARA: Right.

MR. ELLIOTT: And then he close it. And he says he is going to close it before, which he can do by returning the balance of the money, which at that period, would not be very great.

MR. McNAMARA: What's your recommendation?

MR. ELLIOTT: Well, that's a tough one.

MR. McNAMARA: Thank you.

MR. ELLIOTT: I think that the powers should not rest with one person. There should be a group, whether it be the Legislature or the Department of Transportation, to hold a hearing on the closing and come up with a decision as to whether it would do harm to the State's transportation system to close that facility or not. If they agree that it would harm the State's transportation system there ought to be some mechanism by which you prevent it.

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MR. McNAMARA: I guess we could say that -- this is a high flyer -- but assuming that Atlantic City accepts State aid on a daily basis, any city or any municipal entity which accepts aid from the State, not close its airports unless the proposal to close the airport has received the approval of the Department of Transportation.

MR. ELLIOTT: Would there be a period associated with that? In other words, by 2002 they can close -- they have no more obligation.

MR. McNAMARA: They-- Why would there need to be a period? The period would be forever.

MR. ELLIOTT: In perpetuity.

MR. McNAMARA: Right.

MR. ELLIOTT: It never--

MR. McNAMARA: They never close. If you're a municipality receiving State aid, you can't close your airport unless it's approved by the Department of Transportation.

MR. ELLIOTT: Without a review by the Department of Transportation.

MR. McNAMARA: Right.

MR. ELLIOTT: And they should have final authority. I wouldn't go with that. If it's legal, I don't know. Mr. Ketyer could tell whether he doesn't think that's--

MR. KETYER: No, no, no. I was shaking my head because it's not something I can give-- It's not an opinion I can give you off the top of my head. I would have to research it and think about it.

MR. JOST: It would sure slow them down now, wouldn't it? (laughter)

MR. McNAMARA: Commissioner Matthews.

MR. MATTHEWS: Can I ask the question, is there a parallel, do you think, in the public utilities statutes in the state?

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MR. KETYER: There is, but airports are not a public utility. There is, in fact -- that would be, in many respects, if had that kind of public utility language, we wouldn't be fighting over what it means for you to have supervision over aeronautics, which is a divisive and painful and an all fought over term and nobody knows what it means. That is half the problem of what is going on. I don't know. What keeps repeating in the back of my head is that he is still an elected official and--

MR. ELLIOTT: You still--

MR. KETYER: --if there are people in his community who disagree with his wanting to close an airport, they would have expressed that. And one would presume he would prevail to political pressures. I just hear that answer coming through.

MR. ELLIOTT: There's more than one issue though.

MR. KETYER: It's not just one man. You're talking about a municipal elected official.

MR. ELLIOTT: But there are more than one issue when a man is reelected. They're not reelected on a single issue. There could be other issues that got--

MR. KETYER: Oh, I agree. But I think there is also a question of-- Should it be treated like a public utility, in that only the Commissioner of Transportation is in a position to make a final determination on the impact of the loss of an airport on State infrastructure? So I think that is a very good point. Can we legally find a way to do this? I don't know. I can't give you--

MR. ELLIOTT: I understand that, but I feel strongly that we -- if there were a way to do it, we should try and find it. We should try to save our airports by every means possible. To me, Bader is an important asset to that community. As I said before, hundreds of airplanes are going to come in 1999 for one convention. And there could be

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many conventions that would be attracted. Tourists can be attracted if it were promoted and if the airport were a serviceable facility, which it is not now.

MR. KETYER: Well, I bring you back to some of the earlier findings. Simply saying that N.J. DOT should be a stronger force in the determination of establishment, funding, and now you're suggesting closure. So what you're suggesting, Commissioner, may fit in to make the circle a full circle.

MR. ELLIOTT: That may very well be.

MR. KETYER: The fact of the matter is, proceeding in this way where you have individuals or small communities determining what airports will live and will die, they would end up in an effective balkanization of our air transportation system in this state. I think, again, the key to that is asking the Legislature, because the courts have sort of guessed at it, to finally come down and say, "What is supervision over aeronautics mean vis-à-vis the Commissioner of Transportation? What does that phrase mean?"

MR. McNAMARA: Listen, I am going to have to interrupt here for a second. But I didn't get my straw pulled. Did we agree that we would make a sort of recommendation that a township receiving State aid in any form would not be allowed to close an airport without a review of the action by the Department of Transportation?

Commissioner Hines.

MR. HINES: Yes, I agree to it, but what's that last word you used -- without review? I don't know whether review is strong enough. Without the approval.

MR. McNAMARA: Okay, without approval of the Department of Transportation.

Commissioner Nagle.

MS. NAGLE: I approve of that.

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MR. McNAMARA: Commissioner Castner.

MS. CASTNER: I believe it should be reviewed.

MR. McNAMARA: Commissioner Abuchowski.

DR. ABUCHOWSKI: I approve.

MR. McNAMARA: Commissioner Engle.

MR. ENGLE: I agree.

MR. ELLIOTT: I approve, but it raises a question in my mind.

MR. McNAMARA: Wait a minute--

MR. ELLIOTT: On the books, he would never have taken any money. And you would not have accomplished anything by this.

MR. McNAMARA: It's not the airport, Jack. It's all of Atlantic City.

MR. ELLIOTT: I approve.

MR. McNAMARA: Commissioner Odenheimer.

MR. ODENHEIMER: I agree. And I do approve of the key, though, is that the Department of Transportation is the vital link in helping make that determination so that you don't have municipalities concerned that some other body would have a problem with them closing something else totally unrelated to airports. How much control are we going to give the Legislature in our municipality? That's why, I think, the key is to keep the Department of Transportation's decision as the final part of that request.

MR. McNAMARA: Okay. So DOT approval.

MR. ODENHEIMER: Yes.

MR. McNAMARA: Commissioner Matthews, any comment?

MR. MATTHEWS: No.

MR. McNAMARA: No comment.

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All right. Now that that is approved, that will be changed.

MR. KETYER: If I could read--

MR. McNAMARA: By the way-- Before we get to that, I would just like a voice vote in general for the changes we made with respect to the Executive Summary on the fourth recommendation which we worked before which Commissioner Jost proposed. All in favor of that? (affirmative responses) Okay, that's unanimous.

MR. ENGLE: Will that also include into the body of the text the changing of the model airport?

MR. McNAMARA: No. The model airport, as Commissioner Jost pointed out, will remain described.

MR. JOST: It should remain a model airport. It doesn't--

MR. ENGLE: No, changing the specification for it that are in the text.

MR. HINES: We have to change the specs. We have to change the specs.

DR. ABUCHOWSKI: Why?

MR. McNAMARA: Why?

MR. ELLIOTT: Why do we have to change them in the text?

MR. ENGLE: It's ineffective if you don't. You're not consistent.

MR. ELLIOTT: You still haven't accomplished anything. They can still print headlines that say commission report calls for jetports in everybody's backyard. You haven't changed anything. I think that Commissioner Jost worded that superbly, but it has no effect if the body of the text says that we're going to put a jet -- we want to put a jetport in everybody's backyard.

MR. ENGLE: That's right.

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DR. ABUCHOWSKI: Doesn't the body nearly have a finding? I thought the body really reflects the recommendations. So if we say-- If the findings are that this what we think is a typical airport, why can't we leave it as that?

MR. ELLIOTT: I think the 7500 foot is like touching a raw nerve. It's going to explode and destroy what is, in my opinion, a excellent report, and I agree with what Commissioner Hines said. This will be a resource for this State and maybe other states for decades to come. It is a thoroughly researched and excellent report. I don't see why we should take a risk of destroying all of the tremendous work that has gone into it, all of the good work that has gone into it by hanging out a red flag in front of the people of the state.

MS. CASTNER: Jack, can I selfishly ask for a vote because I have people waiting downstairs that are going to kill me.

MR. ELLIOTT: Okay.

MR. McNAMARA: I want to point out that Commissioner Engle has two concerns remaining. One, he is afraid that the-- Excuse me, my mind has gone off track. He is concerned about not taxing -- with real estate taxes, privately owned, publicly used airports. And he is concerned about a threat to the concept of home rule by having the Department of Transportation review applications for airport improvement ab initio.

I am going to allow Mister -- Commissioner Engle a few minutes to address these two in his own words, and then we're going to vote on the document. The--

Go ahead.

MR. ENGLE: Okay. My concern with the tax issue is whether it is revenue generation on the airport. For instance, Allaire charges a landing fee on the runway. Why shouldn't that be taxable? Where there is a tie-down area on a ramp, that is an aircraft parking area. That should be taxable. The same as it is on a public airport. On a public

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airport, the entity pays rent on those areas. At Teterboro they pay rent on the ramp areas. They're not free areas that people can just use. If they are the runways, the taxiways, the safety zones, public terminals, I totally agree. But as soon as they come into the revenue generation, that's where I feel -- that's where the municipal taxes should start.

Home rule. I feel that what we have now with the commissioner is the best that we can look at. My feeling is that we should strengthen the appellate authority of the commissioner. So that-- I believe Commissioner Elliott had a suggestion for a specific timetable. But rather than have home rule just totally -- the total slap in the face of home rule by taking all the powers away from the municipalities-- I don't agree with that.

MR. McNAMARA: Let me just respond to both of those comments. First of all, if we make those changes, we make a profoundly substantive change in this document, which we will not be able to do today. We will not be able to adopt it today. This document has been approved with both of those concepts as part of the issue of real estate taxation. It is one we have already found to be one of the paramount killers of airports in the State of New Jersey. When we did our study-- When Jack Elliott's committee did his study and he made his report, on the record it indicates that the major complaint for closed airports was real estate taxation. There have been proposals that profit-making, or revenue-making, areas be exempted. We have, and we have already voted on it once, adopted -- and we had two meetings to get to this. On Page 19-- I am sorry, on Page 17 we probably have spent, at least, the time of three full meetings coming to this point on this tax proposition. And we've provided that we are exempting municipal property taxes on all public-used portions of privately owned airports including runways, taxiways, ramp, and parking areas for aircraft and automobiles, terminals, and land required as a safety buffer for future development.

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Subject all other lands and improvements used or reserved for general aviation purposes to a State property tax and a uniform statewide rate and exempt them from municipal taxation. Lands and improvements not used or reserved for general aviation purposes should remain subject to local property taxes. We have been over this and over this and over this, and we have voted on this. I don't think it is appropriate to raise it at this time.

Commissioner Elliott.

MR. ELLIOTT: Mr. Chairman, under the first bullet, I think the addition of two words would take care of Mr. Engle's concern. Exempt from municipal property taxes, all public use, nonprofit portions -- add the word nonprofit, and I think that serves its purpose. Just adding two words.

MR. McNAMARA: You know and I know that you can charge-- There is a big difference between revenue and profit. And who is going to determine whether a runway makes a profit?

MR. ELLIOTT: They got nothing to do with the profit.

MR. McNAMARA: And all the money that is charged for it goes to the maintenance of the--

MR. ELLIOTT: That has nothing to do with it.

MR. McNAMARA: --airport anyway.

MR. ELLIOTT: Revenue generating, okay?

DR. ABUCHOWSKI: Everything is revenue generating now-a-days.

MR. McNAMARA: Let me tell you that we have voted on this, and I don't think that it's really appropriate to bring this up again; although, if I get a majority of the commissioners here who vote for bringing it up at this time, I will. We have voted on this

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after considerable deliberation. This was the provision that Fred Telling took back, rewrote, and I believe in the course of doing that, he spoke with many of you. He certainly was here and heard all of these comments before and brought this back, and then we voted on it. This is the one area of this-- Actually, we voted on all of these points, but this is the one area that we really have had a vote on in respect of this commissions work.

Let me address-- First of all, let me ask how many here are in favor of reopening the issue with respect to the amendments that have been proposed to the New Jersey Tax Act?

MR. ELLIOTT: Does it have to be reopened? Can't we just make amendments with one or two words? Why does it have to be reopened?

MR. McNAMARA: Because I think that--

MR. ELLIOTT: We voted on it.

MR. McNAMARA: By making-- We do have areas that are, for instance, storage areas and hangers -- these are revenue generating.

MR. ELLIOTT: Yes.

MR. McNAMARA: These are taxed. You're not going to achieve anything more by adding new words.

MR. ELLIOTT: No.

MR. McNAMARA: They are provided for right now. The only thing you're talking about is taxing the runways and the ramps where there might be a parking charge.

MR. ELLIOTT: That generate revenue.

MR. McNAMARA: Do you know what you're doing? You are adding \$10 million to the tax base or \$7 million to the tax base of an airport. Why would you want to do that?

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MR. JOST: And they don't generate that much revenue to begin with.

MR. McNAMARA: They don't generate that much revenue.

MS. CASTNER: That's why it's humorous. It's humorous.

MR. McNAMARA: Yes.

MR. ELLIOTT: You can almost forget making revenue.

MR. McNAMARA: Who cares? He might get a penny or more extra in his life.

Okay. Let's go on.

Do you want to withdraw this?

MR. ENGLE: I'll withdraw it.

MR. McNAMARA: Thank you.

Let's go on to home rule. The reason that we have recommended that application for airport improvements be made directly to the Department of Transportation-- The reasons are legion but not least in -- among them is that we surveyed all the neighboring municipalities to airports. I believe it's close to 70 percent of them complained that -- let's see if I can get it up so we can get this absolutely right -- complained that they were not given equal treatment.

Abe, can you pull that up? You're the one who collated this.

Question 28 was one of the questions. Applications for the development of the airport-- Let's see -- 27 -- okay, 27. The views and concerns of my municipality respecting proposed airport improvements should be given the same weight of those of the host municipality; 79 and one-half percent of the community's neighboring airports were in favor of that. Applications for the development of the airport should be made to a State agency like the Department of Transportation, where the host and neighboring

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communities will be given equal consideration when expressing their views and where the zoning ordinances of each municipality would be given equal weight. Seventy-two percent -- wait a minute -- 62 percent of the neighboring municipalities were in favor of that. Only 16 municipalities were not in favor of it. Only 16 percent were not in favor of it.

The concept of taking applications to the Department of Transportation for improvements in the airport zone or for improvements on the airport is one that addresses the needs of neighboring municipalities, airport owners that can't get a fair hearing in their own municipality, and-- And also, in a sense, that just the needs of -- and certainly the needs of the transportation system. These airports are just going out of business because they are -- they feel unfairly treated by their host municipalities. That's the response to Mr. Engle's -- Commissioner Engle's proposition.

Do you want to make some rebuttal?

MR. ENGLE: I-- Jack -- Commissioner McNamara, if that was explained more fully in the recommendation in order to meet those requirements, I could buy it.

MR. McNAMARA: Good, because it is. All we have to do is read.

MR. ENGLE: Now wait.

MR. McNAMARA: Okay. I would like to direct everyone's attention to Page 17. Finding, the confusing and occasionally hostile municipal regulatory environment that operators of privately owned, public use airports face as a major impediment to the improvement of such airport facilities and makes it increasingly difficult to assure safe airport operations. Popular opposition to airport improvements often result from unreasonable peers and sometimes by intentional dissemination of misinformation. Sometimes municipal boards reviewing applications for airport improvements do not make a positive effort to discover the truth respecting the impact of the proposed improvement.

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Airport owners complain they are not give a fair hearing. Neighboring municipalities complain that their concerns are not given equal consideration by the host municipality and that a state agency, like N.J. DOT, should review these applications ab initio. There are numerous instances of expensive litigation arising from the ambiguous phrase supervision over aeronautics used to describe the powers of the Commissioner of Transportation. The private airport owner has not established effective lines of communication with the community.

Fair enough? Want to withdraw it?

MR. ENGLE: That's in the new version?

MR. McNAMARA: Yes.

MR. ENGLE: I didn't see it in the old one.

MR. McNAMARA: Mr. Commissioner--

MR. ENGLE: No. I will withdraw it.

MR. McNAMARA: Okay, that's withdrawn.

MR. ELLIOTT: There is one word that I think would be improved if it were changed. In the second line, which says, "Sometimes municipal board reviewing applications for airport improvements did not make a positive effort to discover the truth." I think it would be a little softer to say to discover the facts than to say the truth.

MR. McNAMARA: All right. Does anybody have any problem with that? (no response)

We've come a long way in three and one-half years. Some of us have gone through life-threatening illnesses, some of us have lost loved ones, some of us have expired as did Senator Haines. What we have done, I think, is going to have, in this document, an effect on the State of New Jersey and the air transportation system for years to come. It's

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been reviewed, technically, by AOPA, NBAA, MIT, and as I mentioned earlier, Professor of Emeritus, Gary Tideley. Every single one of them has commented that this is a landmark document. It's the effort of all 16 of us, and I thank you all for your contributions to it.

I now will accept a motion to adopt the report of the New Jersey General Aviation Study Commission created under Public Law 1993, Chapter 336 by the New Jersey Legislature.

MR. ELLIOTT: I have one question, Mr. Chairman.

MR. McNAMARA: Is it a question on this motion?

MR. ELLIOTT: Did we decide on the 7500 foot in the body of the report?

MR. McNAMARA: Yes we did.

MR. ELLIOTT: Are we taking that out or leaving it in?

MR. HINES: We're going to take it out, aren't we?

MR. McNAMARA: What is the decision?

MR. ELLIOTT: I think we're taking it out.

MR. ENGLE: We can make it read the same as the--

MR. KETYER: Can I just make a--

MR. McNAMARA: Okay. We were advised to taste and-- To that effect, for the record, we were revised to that effect--

I have-- Commissioner Nagle has moved the acceptance of our report--

MR. ENGLE: Second it.

MR. ELLIOTT: I would second it.

MR. McNAMARA: Commissioners Engle and Elliott have second it -- vied to second it -- I would like the record to reflect.

All in favor? (affirmative responses)

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Let the record reflect that the report of the New Jersey General Aviation Study Commission was accepted unanimously.

Before our business is finished today, we are still a commission until 30 days after this report is delivered. I will, of course, have to, with the Secretary of the Commission, determine a way to revise this report and give you an opportunity to review it. That review is going to be subject only to objections within probably 24 hours or 48 hours. If you cause this Commission to reconvene, there better be a good reason.

The Commission will reconvene one further time. I plan to call a meeting for our sunset, and I hope that that meeting -- I hope you all approve and will come to that meeting in Far Hills, New Jersey. And perhaps we'll be able to have a meeting that we will all enjoy.

Commissioner Abuchowski.

DR. ABUCHOWSKI: Just one question. What are the constraints that we are under with regard to public relations interviews and things like that?

MR. McNAMARA: After-- Commissioner Telling has acquired a program for releasing the document and developing some public relations, and so on. I would have to say that I cannot close this meeting without, by the way, saying that I am sorry that Fred Telling isn't here. Fred Telling has put, at our disposal, the resources of Physer (phonetic spelling) and really made possible the logistics of getting this report put in the form that it's in. He has-- He is quite an expert in these matters, and he's got a program that--

DR. ABUCHOWSKI: What constraints are we, as commissioners, under?

MR. McNAMARA: I think we are under no constraint after we deliver it. But prior to delivery, I think, mum's the word.

MR. ENGLE: I agree.

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MR. McNAMARA: Okay?

DR. ABUCHOWSKI: Sounds good.

MR. McNAMARA: I'll accept a motion to close this meeting. Oh wait, I don't have to do that, I am the Chairman.

This meeting is adjourned.

(MEETING CONCLUDED)