

DANBURY AVIATION COMMISSION MEETING
SPECIAL MEETING
MINUTES

Danbury Aviation Commission -- 7:00 p.m.
Danbury City Hall: 155 Deer Hill Ave., Danbury, CT 06810
Third Floor / Room 3C / Thursday, February 25, 2010

01 Meeting Called to Order at 7:50 p.m. By Chairman Ashkar.

02 Roll Call:

Present: Commissioners Ashkar, Zilinek, Baker

Absent: Frizzell, Oppermann

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CITY CLERK - J. J. BROWN

2010 MAR -2 A 11: 39



New Business

Danbury Aviation, Change of Permit

Mr. Estefan read into the minutes letter dated February 1, 2010 from Mr. Santo Silvestro, Danbury Aviation (copy attached) and suggested the Aviation Commission approve this request.

Motion was made by Commissioner Zilinek to accept the transfer of Permit B (Charter-Rental-Instruction) to Permit D (Maintenance-Repairs), seconded by Commissioner Baker, and unanimously approved.

Business Aircraft Center, Assignment of Lease

Mr. Estefan read into the minutes letter dated January 21, 2010 from Mr. Robert B. Zohn, Business Aircraft Center (copy attached) and added that this subject was previously scheduled for the January meeting which was tabled to today's meeting.

Attorney Larry Pereira spoke on behalf of Business Aircraft Center regarding the assignment of the lease and the underlying permits associated with the lease to Yankee Tango, LLC and request this action be approved. Attorney Albert Barr representing Yankee Tango, LLC stating that they have satisfied the requirements of financial ability and operational ability to assign this lease. Attorney Barr added that Mr. Silvestro had spent \$17,000 and received FAA approval to obtain the additional four acres that have been discussed previously, however, economy took a down turn and will follow through with this purchase when economy turns.

Attorney Robert Yamin, representing the City of Danbury, led discussion on the effect of the arbitration that had taken place, commitment to purchase the additional four acres, and to re-examine the lease. He added that Attorney Pereira has supplied copies of the proposed Assignment of Lease and the Consent and an escrow will be added to the Assignment of \$50,000 to allow the City to audit the lease payments retroactively to six years by the Finance Department. Attorney Yamin requested the Assignee to be a signatory as an acknowledgement of this transaction.

Chairman Ashkar stated there were four choices to this transaction: 1. consent to the Assignment without reservations; 2) forward to the Common Council for approval; 3) consent to the Assignment with reservations; and 4) go to arbitration.

Motion was made by Commissioner Paula Baker that the Assignment of Lease be granted with the contingencies to have the right to audit for last six years, an escrow account be created with \$50,000, to agree to the Consent as revised by the Commission and all attorneys, and have the Chairman of the Aviation Commission be authorized to sign all documents on behalf of the Commission, seconded by Commissioner Zilinek, and unanimously approved.

Motion made to adjourn, seconded, and unanimously approved.

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BY FAX AND MAIL

February 1, 2010

Mr. Paul Estefan and
Danbury Airport Commission
P. O. Box 2299
Danbury, CT 06810-2299

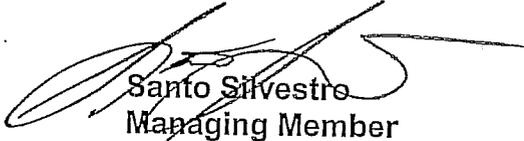
Re: Trade of FBO Permits

Dear Mr. Estefan:

Danbury Aviation would like to trade in their Charter Rental and Instruction Permit (Permit B) and replace it with a Maintenance Repair Permit (Permit D). Therefore, we would like to request that we be added to the agenda for the next scheduled Aviation Commission meeting on February 16, 2010.

Thank you in advance for your cooperation and that of the Commission.

Sincerely,



Santo Silvestro
Managing Member

SS:ljs



January 21, 2010

Mr. Paul Estefan
Secretary, Danbury Aviation Commission/Airport Admin.
P.O. Box 2299
Danbury, CT 06810-2299

By Hand and US Mail

Re: Assignment of Lease

Dear Paul,

Good morning. Please be kind enough to convene a special meeting of the Aviation Commission this month to review the above-noted issue.

Thank you in advance for your cooperation and that of the commissioners.

Sincerely
BUSINESS AIRCRAFT CENTER, INC.

A handwritten signature in black ink that reads 'Rob'.

Robert B. Zohn
President

cc Les Pinter