

David Gruber

9:22 am on Friday, July 20, 2012

No, Mr. Boleis, we did not lose them all. Because we were able to show that the town was making false submissions to the FAA in order to be able to get money for projects in violation of the Town's adopted airport plans, the FAA agreed to shorten the term of its control of East Hampton Airport by 7 years, from 2021 to 2014. When the FAA control expires, the Town would be able to control airport access -- hours of operation, types of aircraft, and numbers of operations -- to control noise. This is exactly what the East Hampton Aviation Association is trying to prevent. It wants to do everything possible to frustrate local control by taking more FAA money

David Gruber

9:25 am on Friday, July 20, 2012

In simple terms, the town won by again lying to the court. It has learned through experience that it can get away with it. The town lied in 1998 when it told the FAA that its 1996 runway-widening plan had been adopted. It lied again when it claimed the it was not implementing the never-adopted plan while simultaneously telling the FAA that it was, as it had to to get FAA money. The court bought the lies and the project went forward.

In 2001, the town doctored, as in altered after the fact, the adopted 1990 airport layout plan so that it would enable the upgrade of a parking apron to jet standards. The court bought the lie and the project went forward. Subsequently, a federal grand jury subpoena brought the true 1990 plan to light, but it was too late.

In the current case, the town in its EIS used the FAA's noise methodology to conclude that there is "no significant noise outside of the airport itself." Of course, this is a fairy tale. The town argued to the court that this was technically justified and the court's opinion upholding the plan specifically relies on this. Meanwhile, outside of the courtroom, in April of this year, the town's own aviation law expert, Peter Kirsch, was telling the board in public that the FAA's noise method was too insensitive to be applied meaningfully at a small airport such as East Hampton, that any study using the method would find no noise at all, as it did, and that any such study was, in Kirsch's words "a waste of time."

David Gruber

9:49 am on Friday, July 20, 2012

An Article 78 proceeding, the way in which town actions must be challenged in court, is a strange duck. It relies only on the documents submitted by the own. There is no testimony, no taking of evidence. The town has learned by experience that it can exploit these limitations by saying whatever it wants with impunity, even while it is contradicting in court claims that it makes to the FAA or the public.

In the past, the town was finally trapped by its lies which is why the FAA entered a settlement with the Committee to Stop Airport Expansion. Unfortunately, in both cases the projects had already been completed. The town will be caught in its latest lies, but, as before, it will likely be too late to stop the current round of airport improvements while absolutely nothing is done to protect the community from noise.

I think the Town of East Hampton, with its brazen falsehoods, has convincingly proven that it will not and cannot be policed by the courts. I am certainly disappointed that this is how the system works (or rather fails to work), but I have learned the hard way that when public officials are determined to act badly, the only real solution is to throw them out. The answer now must be political, to elect Town Board members who will assert local control over East Hampton Airport for the benefit of all the people, not just a handful who fly their own jets and helicopters at all hours, when and where they want.



David Gruber

11:17 am on Friday, July 20, 2012

Sorry, solusipse, but you are ill-informed. The Town falsely represented to the FAA that its 1996 airport widening plan had been adopted. It falsely represented to the courts that it was not implementing the very same plan based on which it was getting money from the FAA. In 2001, having no adopted plan to support its jet apron project, the town doctored the real 1990 plan and submitted the doctored plan to the FAA. It took a federal grand jury investigation to find the real plan and show that the town had submitted a doctored version. None of that is a "technicality."

It is a normal function of local government to balance competing land uses. We regulate noise in almost every other way: jetskis, nightclubs, parties. No one says, "You moved near the water, you have to live with whatever noise other people want to make on the water. You moved near a nightclub, you have to live with whatever noise other people make in that nightclub." There is no reason for the Town not to regulate its own airport in the same manner, except that doing so means giving up FAA subsidies.

The only people who benefit from the FAA subsidies are the users of the airport. It makes it cheaper for them. The subsidies do not save the East Hampton taxpayers a dime.

As for the secondary economic benefits of the airport, that is a myth. The Town Code calls for a cost/benefit analysis (to put an end to the myth). The Town didn't do it.

Why are lies needed to defend the airport?

David Gruber

11:19 am on Friday, July 20, 2012

What motivation for the Town? Is it surprising that people with a lot of money can suborn government to their own ends? In America? In 2012?

David Gruber

11:28 am on Friday, July 20, 2012

Tell you what, Kaprelian and preliator, you and your rich aviation buddies pay me back the money it cost me (no charge for the time and effort) to prove that the Town of East Hampton was defrauding the federal government by obtaining FAA money on false documents, and thereby also cheating the East Hampton public of the truth about the airport, and I will be pleased to sell and move elsewhere.

Some things are a matter of principle, such as that the government should not lie to the public. Seems that is not a principle that is well-accepted here in East Hampton. That's a shame.



David Gruber

11:54 am on Friday, July 20, 2012

Yes, peliator, we proved that the Town was submitting false documents to the FAA, in 1998 and again in 2001. As a matter of principle, of course, would you care to pay me the costs of so doing? Somehow I doubt it.

In the recent case, the Town tells the court that its noise analysis, using the FAA's 65 DNL standard, is justified, while the Town's aviation law expert, Peter Kirsch, states publicly that no competent noise analyst would rely on 65 DNL at East Hampton Airport and that any such study would be "a waste of time."

My costs far exceed any possible benefit to me personally even if the airport were magically to vanish. I have undertaken that expense because I believe that government should be honest and public policy should be made on the basis of honest accounting of cost and benefit. What do you believe in? Winning by any means, honest or not?

David Gruber

12:11 pm on Friday, July 20, 2012

Mr. Kaprelian, if the fate of the airport were to be decided by referendum, majority rule, I would be quite content with the outcome. Instead, it is decided by a Town Board that is subject to the laws of the State of New York, including the environmental disclosure laws adopted by the democratically elected state legislature to protect the public and to ensure that the majority knows what its representatives are doing and can hold them politically accountable. That too is part of democratic governance -- affording the public the information it needs to make decisions.

The East Hampton Town Board repeatedly evades those disclosure laws with false documents. It thereby undermines majority rule. That is the whole point. If the East Hampton Town Board made honest disclosure and then decided to build JFK in East Hampton, I might disagree with the wisdom of the decision, but I would not spend a dime arguing about it in court.

I am, however, convinced that the courts cannot police the Town and ensure its compliance with the law. Eventually the Town is trapped by its deceptions, but it is always after the fact. I expect that will be the case this time too. The solution is to elect Town Board members who will act to regulate the use of the airport. I think this is what is going to happen. When it does, I am sure you will be very pleased with the democratic outcome. Right?

David Gruber

4:20 pm on Friday, July 20, 2012

Well, you see, solusipse, I have never worked for or at Goldman Sachs. I barely know anyone who has. A certain local aviation association that shall remain nameless has made it a practice over the years to invent all kinds of absurd stories about me. The one I like best is about developable real estate that I am supposed to own somewhere "near the airport." Total fabrication. I am also supposed to have been in trouble under the securities laws and left the country one step ahead of the law (but I am right here in East Hampton). Total fabrication. I got a good laugh out of that one. I believe I told one of the fabricators, or at least circulators, of that particular lie where to have the FBI get in touch with me.

As for the expiring grant assurances, the same aviation association, and for quite a while the town and its lawyers, were claiming that the agreement between the FAA and the Committee to Stop Airport Expansion, providing for the expiration of the relevant assurances on December 31, 2014, was unenforceable or didn't have that consequence or whatever else they like to make up on a given day. Peter Kirsch liked to claim that it didn't matter whether the assurances expired because ANCA, the Airport Noise and Capacity Act, would still apply to East Hampton Airport.

Recently, however, in a letter from the FAA to Congressman Bishop, the FAA confirmed that the assurances that interfered with local control will expire in two years and ANCA will no longer apply.

David Gruber

4:27 pm on Friday, July 20, 2012

I don't lie, solusipse. Not necessary. As Harry Truman is reported to have said, "I don't give 'em hell. I just tell the truth and think it's hell."

This business about noise complaints coming from only a few people is another fabrication. There are thousands of complaints a year from many, many people. The remarkable thing is that they keep calling and complaining although the Town made it clear a long time ago that it does absolutely nothing with or about the complaints. For a couple of years now, the Town also no longer logs the ones that come from outside of the Town of East Hampton, although the East Hampton Airport generates noise elsewhere too. I guess that helps to reduce the volume of complaints they have to report.

David Gruber

6:26 pm on Friday, July 20, 2012

Solupsise, the FAA agreed in the settlement that the assurances that limit the towns's ability to control airport access will no longer be enforced by the FAA after December 31, 2014. The Committee had standing to bring the action or it would have been thrown out. The town could have intervened if it had chosen to do so, but it didn't. Probably because it was caught so red-handed submitting false documents to the FAA that anything it might have said at that point would only have made matters worse.

In its letter to Congressman Bishop, the FAA acknowledged that those assurances would be of no further force or legal effect after December 31, 2014. It further agreed with the position taken by the Committee, contra the position taken by Peter Kirsch and the Town, that the Airport Noise and Capacity Act would also no longer apply to East Hampton after that date. If that doesn't fit your definition of "expired," you are welcome to your idiosyncratic view of the world. It satisfies any meaning of expired that I know of.

The myth that the airport has any important impact on the economy of East Hampton is a myth. There are approximately 100 families that fly small aircraft out of East Hampton, 100 families and their guests that commute by helicopter, and 100 families and their guests arriving by jet, less than 1%. The number of passengers arriving here by air in a full year is trivial. If the airport were not here, the mansions on the beach would not stand empty.



David Gruber

6:43 pm on Friday, July 20, 2012

The Town Code requires any EIS about the airport to include a cost/benefit analysis precisely so that phony claims about the economic benefits of the airport could finally be laid to rest. Needless to say, the Town ignored this requirement of the law.

Even if the economic claims were true, that is no reason why the Town Board should not be making the decisions about how much airport use is too much compared to the purported economic benefits. You do a cost/benefit analysis so that you can make that decision rationally. The Town will not undertake that analysis, as required, because airport interests know perfectly well that the myth of economic benefit will be exploded.

Even more important, if there is local control, then you can change your decision, to allow more or to allow less, based on experience. With the FAA in control, it is all one way -- unlimited airport access.

The Town of Southampton has a curfew on its municipal heliport. Recently, for the first time in many years, property values in Southampton have risen above those in East Hampton. Maybe they are onto something. It used to be that East Hampton was more conscious of the environment than Southampton, and our higher property values reflected that. Now Southampton is doing a better job than we are and it shows.

David Gruber

6:51 pm on Friday, July 20, 2012

What are you talking about, DasK? It is not the very small number of people who use the airport who are complaining about it. It is the rest of us who have our homes and gardens invaded by their noise. I should have added that more than half the East Hampton Airport users are not East Hampton residents. So, we impose this mess on ourselves for benefit of 150 East Hampton residents.

We could have a small, local airport for local hobby pilots. No one would care. Until the 80s when jets starting coming in, there was no issue. Now we have an even worse problem with helicopters. None of this is necessary for the economy of East Hampton. It is just the 1% who can afford to spend thousands of dollars on a single trip here imposing on everyone else for their own convenience.

No matter what one thinks about the benefits or costs of the East Hampton Airport, it should be subject to the local control of our Town Board. Then we can have more airport use or less airport use as the people of the Town wish. The airport users want the decisions about our Town to be made in Washington by the FAA because that is to their selfish advantage. East Hampton should make the decisions by its democratic processes, not the FAA.

David Gruber

8:05 pm on Friday, July 20, 2012

There are approximately 30,000 operations at East Hampton in a year, that's half arrivals, half departures. There are not many people arriving this way because we are not talking about commercial passenger aircraft that carry a lot of people. These are light aircraft, business jets, and helicopters that carry only a few people but still make plenty of noise.

These 30,000 operations produce, literally, millions of events per year in which noise in excess of the local noise standard, 65 decibels, is projected across a residential boundary. The airport is overwhelmingly the largest source of noise in East Hampton, but without bringing very many people at all. The number who arrive by air in a year is a fraction of the number who come here on a single summer week-end. And the idea that these people would not come if they had to come by road is silly. All the houses would still be full and all the guests would still be here. It is purely a matter of the convenience of a few, at the expense of many.

But the point is not that my particular view of what is too much noise should prevail. The point is that the balance between noise costs and social and economic benefits should be determined by our local government, not by the FAA that doesn't give a damn about anything other than aviation. Then we can have as much or as little regulation of air traffic as necessary to achieve that balance. The only obstacle is the FAA money.

David Gruber

8:09 pm on Friday, July 20, 2012

And the number of households who make use of the airport is quite small, roughly 150 from East Hampton and another 150 who live elsewhere, mostly Southampton. Thus, a very few people are producing all this noise. A few benefit, while many are burdened. That is just the sort of imbalance that local government is meant to redress. It is the reason why we have zoning laws, noise ordinances, and all the other local rules that balance competing uses -- except in the case of the airport where we cede local control for FAA money that does not save the taxpayers anything. It makes the airport cheaper for people who are already wealthy enough to own their own aircraft. Some of the jets landing at East Hampton are worth more than the entire airport infrastructure. They can afford to pay the costs of the airport so that we don't have to take FAA money.

[Reply](#)

David Gruber

9:58 pm on Friday, July 20, 2012

The 1989 Airport Master Plan called for an airport that was not designed for business jets on the grounds that this would be "incompatible with the character of the community."

The new airport master plan provides for a 56% growth in total aircraft operations over its 20-year span, including a 78% growth in helicopter traffic and a 367% growth in jet traffic. See Table 2-20, Twenty Year Forecast, on page 28 of the adopted FGEIS. As this is a generic environmental impact statement, it will now be the basis for any infrastructure changes that do not increase traffic beyond those forecasts. Additional environmental analysis of future infrastructure will not be based on traffic impacts or noise, but on any peculiar impacts to vegetation and the like. This plan is FINAL for the next 20 years with respect to all of its traffic and noise implications. The plan is a plan for significant growth in air traffic and noise. That is what matters.

I did not say that the FGEIS is a lie. The FGEIS takes care to state its conclusions and the data on which its conclusions are based. The lying is in the Town's court papers. This is just what the Town did in the 1998 case and the 2001 case -- lied in its court papers in defense of seriously flawed compliance. It took until 2005 to establish the Town's deceit and obtain relief in the form of the FAA settlement. But the Town won both the 1998 case and the 2001 case on the basis of lies. Now it has accomplished the same thing.

David Gruber

10:24 pm on Friday, July 20, 2012

Are you just making up the facts yourself, factchecker, or just repeated the falsehoods routinely circulated by a certain local aviation association?

The 1989 Airport Master plan adopted as the critical design aircraft was the Twin Otter, a 12,500 pound aircraft. The adopting resolution of the Master Plan specifically rejected upgrading the airport to business jet standards.

The 1990 Airport Layout Plan was signed by Deputy Town Supervisor Pat Trunzo and submitted to the FAA (conditionally approved by the FAA in 1990) as specifically authorized by the Town Board by a December 1989 resolution. It was completely consistent with the adopted 1989 Airport Master Plan in all respects, including the critical design aircraft and pavement strengths consistent with that aircraft type.

In 1990, by letter, the FAA requested that the Town upgrade the design pavement strengths to 60,000 pounds and business jet standards. The Town never did so as this would have been inconsistent with its adopted 1989 Airport Master Plan. Indeed, from 1989 until the present plan, no new master plan or airport layout plan or amendment was adopted and no environmental analysis performed.

David Gruber

10:30 pm on Friday, July 20, 2012

In 2001, the Schneiderman administration sought FAA money to upgrade a parking apron to business jet standards, 60,000 pounds. There was no airport layout plan on file with the FAA that would support this for the obvious reason that any such plan could never have been adopted without first amending the 1989 Airport Master Plan on the basis of a new environmental impact statement.

The Schneiderman administration, claiming that it could not find an actual signed copy of the 1990 Airport Layout Plan, purportedly "re-executed" what it claimed to be a true copy. It was not a true copy. The design strength of pavements had been increased to 60,000 pounds so that the Town could get FAA money.

Pat Trunzo informed the Town Board that the plan had been altered in a manner inconsistent with the copy in his records and with the adopted Master Plan. Moreover, the history of the correspondence with the FAA made it absolutely certain that the document had been altered. If the ALP submitted by Pat Trunzo per the Town Board had already stated 60,000 pounds, then the FAA could hardly have been writing in June 1990 to request a change to 60,000 pounds, now could it?

Town Attorney Eric Bregman publicly called Pat Trunzo a liar. Subsequently, a federal grand jury was convened and subpoenaed the Town. The true signed copy of the 1990 ALP was found in the files of the airport manager at the airport. Apparently, the Town in "searching" never looked there.

David Gruber

10:33 pm on Friday, July 20, 2012

The true ALP was exactly as Trunzo had told the Town Board and provided only for pavement strengths consistent with the 12,500 pound Twin Otter. But by the time the deceit was discovered, the apron project had already been completed.

It would appear, factchecker, that you have no idea at all what you are talking about. Would you care to elaborate on the history to which you allude of a false document signed by Pat Trunzo (the person to whom you are obviously referring)? Or would you like to apologize?

David Gruber

10:38 pm on Friday, July 20, 2012

One more thing, factchecker. In the course of the latest suit, several requests were made for preliminary injunctions to prevent the Town from implementing the new master plan before the lawsuit was decided. It is necessary to do this because the courts have previously ruled that, unless a litigant in an Article 78 proceeding requests such preliminary relief, it will be denied any remedy even if successful on the merits and/or denied the right to appeal.

I happen to think this is a foolish rule on the part of the courts, because it makes it necessary constantly to ask for preliminary relief or risk losing a case for failure to do so. However, that is the law. It would be irresponsible of an attorney in any such case to fail to ask for such relief. Having done so diligently, we can be sure that, if this case is ultimately decided in favor of the Committee, the court will not be able to deny a remedy on the grounds that the Committee failed to ask for a preliminary injunction.

David Gruber

10:50 pm on Friday, July 20, 2012

You really cannot stop making this up, can you factchecker?

I did not say above that we won a lawsuit against the FAA. I said this:

"Because we were able to show that the town was making false submissions to the FAA in order to be able to get money for projects in violation of the Town's adopted airport plans, the FAA agreed to shorten the term of its control of East Hampton Airport by 7 years, from 2021 to 2014."

Absolutely true. As for the proceeding that was settled being a "backroom deal," the falsehood regularly circulated by the aviation association of which you are no doubt a member (you parrot all their propaganda), the proceeding was an administrative proceeding before the FAA, a public case. Nothing hidden, nothing private. The Town could have requested to intervene as a party in interest. It never did so. Not my problem.

The actual settlement, shortening the FAA's grant assurances, was strictly to the benefit of the Town of East Hampton and the people of East Hampton. It shortened by 7 years the period of FAA control over our airport. The settlement imposed no cost, duty, or liability of any kind on the Town of East Hampton.

It was to the benefit of East Hampton unless you believe that FAA control of our local airport is a good thing. It would cost the taxpayers of East Hampton zero to retain local control. FAA money makes the airport cheaper for airport users. It does not save the taxpayers a dime.

11:06 pm on Friday, July 20, 2012

No, factchecker, I did not recruit Bill McGintee into politics. When I ran for supervisor in 2001, Bill McGintee ran against me as a third party candidate and likely cost me the election. I certainly didn't recruit him to do that. Nor did I give \$40,000 to his campaigns. That would have been an illegal campaign contribution.

And yes, factchecker, I do intend to exercise my democratic right to try and elect Town Board members who will assert local control over East Hampton Airport -- over the hours of operation, aircraft types, and numbers of operations -- finally to solve the noise problem.

Is there supposed to be something wrong with that? Aren't we all allowed to work for candidates who will do what we think is best? Isn't this how the people achieve the community they want? You can try an elect whomever you want. God bless. This is a democracy. At least the last time I checked it was.

David Gruber

11:21 pm on Friday, July 20, 2012

Yes, Mr. Kaprelian. You are exactly correct. There is a lot more than an airport at issue. The more serious problem is a long history of official deceit regarding this airport. When I was asked by Pat Trunzo to assist him in this matter in 1998 (the original lawsuit being his), I started reading documents and was quickly astonished at what I thought was clearly a case of government corruption.

It is ironic, don't you think, that the false documents submitted by the Town to the FAA in 2001 were for the purpose of obtaining money with which to settle the Sound Aviation lawsuit over the Town's granting of a hanger lease to Ben Krupinski, the low bidder, rather than to Sound, the high bidder. Sound also accused the Town of corrupt behavior. The jet parking apron was its price for settlement.

Perhaps you would care to explain just why it is that East Hampton must consistently resort to falsification of documents and facts in order to avoid leveling with the public about the consequences of its policy of unlimited airport access?

David Gruber

3 hours ago

Again, factchecker, you don't know the facts. Do you ever actually check any?

The 1989 Master Plan Update, as on file with the FAA, states in section 5.4: "Runway 4/22 is proposed to be closed in five years with the remaining 10/28 and 16/34 providing 98 percent wind coverage."

However, the 1990 Airport Layout Plan does not show 4-22 being closed. It shows it narrower and shorter. Narrower because as originally built, 100 feet in width, it exceeded the technical requirements for the secondary runway, and shorter because the runway end was too close to obstacles.

So, your accusations against Pat Trunzo, of taking some unauthorized action, are, as usual with you aviation types, a fabrication.

As for my contributions to the East Hampton Democratic Campaign Committee, they support 15 or 16 candidates for office. Would you care to tell us the contributions of Ben Krupinski, who operates an FBO at the airport, to the Republican campaign, both in his own name and those of companies that he controls?

David Gruber

3 hours ago

Neither factchecker not anonymous seems to understand that one of the major functions of local government is to establish rules for competing uses of land that balance the interests of multiple parties and the environment.

Factchecker seems to think it devious and inappropriate that the size of the airport, in terms of amount of traffic we accommodate, should be determined politically. Of course it should, and on the basis of the full disclosure of facts required by our environmental laws. The aviation association and factchecker want management of the airport to be removed from local control and conducted by the FAA. Of course, the FAA policy is that the airport must accommodate all air traffic, 24 hours a day, 365 days a year, which means no solution to noise at all.

Airport interests want to remove the airport from local control. No matter how the town deceives the public, that can never finally happen. In the end, even if it takes a while, the public will prevail. If more people in East Hampton want the airport regulated to balance air traffic demand AND the interests of people in the quiet enjoyment of their homes, that is what is going to happen. It is called democracy, factchecker. Time you get used to it.

The notion that those who are afflicted by airport noise have a duty to refrain from politics to achieve their goals is, frankly, ridiculous. Despite all the dishonest behavior by the Town, ultimately the public will prevail.

David Gruber

2 hours ago

What would you call it, factchecker, when the Town conducts its environmental noise analysis based on 65 DNL concludes there is no significant airport noise, defends this to the court as technically appropriate, and then the Town's own expert states publicly that no competent expert would rely on 65 DNL and any such noise study would be a "waste of time" because it can only find "no noise?"

I would say that the Town knows perfectly well that its EIS noise study is worthless, the argument made by the Committee, and succeeded, again, in pulling the wool over the eyes of a court.

So what? People get away with lying in court all the time. Perhaps you will explain to us how public officials knowingly "complying" with the environmental laws with a report they know and admit (outside of court) to be "a waste of time" is not lying?

Give it a go, factchecker.

David Gruber

1 hour ago

In 2003, the Town got away with too with regard to the phony 1990 ALP it had submitted to the FAA. When Pat Trunzo, the man who had overseen the preparation of the 1989 Airport Master Plan and 1990 ALP, signed the 1990 ALP, and submitted it to the FAA spoke to the Town Board saying its "re-executed" copy had been altered, then Town Attorney Eric Bregman publicly called Trunzo a liar.

I still find this astonishing. Trunzo was the only person in town with the direct knowledge of the events of 1989 and 1990. He was speaking from his own documentary record. Yet Bregman, who had no personal knowledge of any of the relevant events was calling Trunzo a liar.

Trunzo of course submitted all his evidence and his affidavit to the proceeding in NY Supreme Court. But he court accepted the town's claims, although there was absolutely no evidence to support them (how could there be?), and the record of correspondence with the FAA was directly contrary to the town's account.

Ultimately, the true 1990 ALP, signed by Trunzo, was found in the airport's files response to grand jury subpoena and showed Trunzo to be correct. Bregman had claimed to the court that the town had searched diligently for it. Yet he had apparently neglected to look for the airport plan in the airport's files. An oversight, I guess.

David Gruber

1 hour ago

And who is the attorney representing the town in the current case? Why, none other than Eric Bregman.

So, factchecker, don't be telling me that we can infer the truth from what a State court decides. I say the town was lying to the court, again, because its own expert, Peter Kirsch, publicly contradicts what it was telling the court. That's the truth

David Gruber

1 hour ago

The matter of the false filings with the FAA, upon which money was obtained from the Federal government, was investigated by a Federal grand jury. It was in response to subpoena from the Federal grand jury that the Town finally found the true 1990 Airport Layout Plan. Mysteriously, the plan was found in the files of the airport manager. Who would have thought to look there?

Various Town officials were questioned by Federal authorities. No indictment was ever brought, but we don't know why not because a grand jury makes no disclosure of any kind and there is no comment made by the Federal prosecutor. That was the end of the matter. However, the Federal grand jury investigation, by surfacing the true, signed copy of the 1990 Airport Layout Plan, did establish conclusively that Pat Trunzo, far from being a liar as Bregman claimed, was right all along: the document submitted to the FAA was not the same as the original; and the original did not support the apron project.

One might think it was all innocent error, but that is really not possible. As I described above, correspondence from the FAA in response to the submission of the 1990 ALP requested that the design pavement strength be increased to 60,000 pounds. It is not possible that the FAA was requesting this change if the signed ALP already said 60,000 pounds, the very change made on the altered document. This FAA letter was brought to the town's attention in a written submission.

Decide for yourself.

David Gruber

1 hour ago

Without the investigatory powers of the Federal grand jury, it is impossible to know what individual town officials knew or did not know about the false document or their state of mind. From the outside, we can observe the collective bad behavior of the Town Board and its agents, but we have no way to assign specific culpability to particular individuals. That doesn't mean that no persons were culpable. We just have no way of knowing.

David Gruber

1 hour ago

For the record, this was the administration of Jay Schneiderman and the Town Attorney at the time was Eric Bregman.

Like I said, you can decide for yourself. Those are the facts to the extent they are publicly known and accessible.

David Gruber

47 minutes ago

Well, Owl, I could add that what has motivated me in what has now been a 14-year struggle has been the official deceit and chicanery the surrounds this airport. "Backroom deal" pretty much defines the conduct of town officials.

I could go on. Just before the town commenced its environmental impact statement, it mysteriously reversed itself on one of the important technical questions. The professional recommendation was that runway 4-22 be abandoned and 16-34 be the only secondary runway, as it was in the 1989 Airport Master Plan quoted above. The reasons for this recommendation were first that 16-34 is in much better condition, indeed 4-22 was by then closed, and because every single analysis of wind coverage, the reason for having a secondary runway, going all the way back to the 1980 Airport Master Plan, has shown that the combination of the main runway and 16-34 is superior to the combination of the main runway and 4-22, although either combination satisfies the minimum requirements. Also, the technical report stated that fewer homes were adversely affected by 16-34 as the secondary runway.

Abruptly, just before the adoption of its preferred alternative for the master plan, the decision in favor of 16-34 was reversed and 4-22 was adopted as the preferred secondary runway. Who was in the back room on that one? We don't know.[Reply](#)

David Gruber

47 minutes ago

The after-the-fact technical justification given by the town for the change is that runway 16-34 does not have a full parallel taxiway. But 16-34 has most of one and the plan to re-open 4-22 has none at all! Plus, it would be a relatively easy matter to extend the 16-34 taxiway for the full length of the runway. Clearly, then, the public justification for the last minute change is yet another fraud on the public. There is no end to it.