

**SAFETY
IS
NO
ACCIDENT!**

CALENDAR

September 24 - October 2 - Annual Mifflin trip. The Grob and Blanik will be available for members' use.



Calling All Shutterbugs!

For those of you who enjoyed the multimedia presentation of the 2004 soaring season that was shown at the 2005 Annual Banquet this year I will do another such show for the 2006 Banquet but I need your help. Please take pictures at the field and in the air - digital are best at 3 megapixel resolution or higher but color prints will work fine, too. At the end of the season be prepared to send me your favorite shots - video clips are also welcome. I will compile them into the next multimedia extravaganza and you will receive on screen credit for your contributions. *Jim Sidway*

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Nutmeg News

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Editor: Jim Sidway

PRESIDENT'S MESSAGE

Bruce Stein

The season is starting to wind down but there is plenty of good flying left to do. We have the annual trip to Mifflin County, PA coming up the last week of September. Also the fall is a great time to catch some wave at Freehold and give foliage-viewing rides to family and friends. According to Bob Cox our bookkeeper we are down on tows for the year but not as bad as expected. We still have plenty of time to catch up and meet our budget projections. So go fly and have fun!!!

We have added a few new members this year and I hope everyone takes a few moments to meet them and welcome them to our soaring community. Every year I am impressed with the interest we get from potential members in the local and not so local area. A few new faces at the airport are making the long commute from CT as well as the NYC area. I believe that reflects extremely well not only on the sport of soaring but on our airport, facilities and members. Time and time again I hear how great and friendly everyone is from our visitors and new members. Keep up the good work!!!

At the last General Meeting of the club I brought up a point about leaving things better than you found them. This statement applies to every aspect and facility at our airport. And remember it is OUR airport. There is no "they" or "them" that should do something or fix something. It is all up to us. So the next time you use something like the bathrooms or a golf cart or the office please make every effort to keep it clean or running well or full of gas and oil. The next user will appreciate it especially if that person is you. If you find yourself at a loss for something to do then get a broom and sweep the hangars or find a bucket and wash a glider. Better yet just ask a few of the hard working volunteers we have and I am sure they will find something for you to do.

The family atmosphere we have generated at Freehold has encouraged many members to bring visitors to the field. Having lots of new faces at the airport is a good sign of our success and how much fun we have each weekend. If you bring family and friends please be sure to educate them on what to do and not do at the airport. Everyone wants to help and the better informed your guests are the better helpers they will be.

The Freehold Aviation Association (FrAA) has come back to Freehold for the remainder of the 2005 season. We discussed this issue at length during the last Board of Directors meeting and again at the last General Meeting. The concerns for how the FrAA's operations may conflict or disrupt our operations were discussed and the final decision was to use the rest of 2005 as a trial period. Assuming we find no significant issues we will be inviting the FrAA back for 2006. I feel having the them at our airport can only be a benefit and believe we will make some new friends and even get a new member or two. If you have any questions about their operation please talk to a Board Member or even ask a member of the FrAA. They are pilots and love aviation just as we do and I feel will fit into our operation with no difficulties.

Did you work on anything this season related to your flying? In the past I have challenged the members to work on something in addition to going for the scenic joy rides around the airport. It is not too late to work on the Bronze Badge or spot landings or even get started on that next rating. So if you ever find yourself getting a little bored with floating around the airport think about the next step you could take with your flying.

MINUTES SEPTEMBER MEMBERSHIP MEETING

Submitted by Donald K. McKinlay - Secy/Treasurer

September 3, 2005 at Freehold. Called to order 5:15 PM.

The following items were discussed:

1) L & L Limited Liability Light Sport Aviation will be renting the small front office in the Administration building for \$100.00 per month. They will install and maintain a phone. This will be a sales office only. Nutmeg records will remain stored there but access will be available to the Nutmeg President and Bookkeeper only. If this is a successful venture, the L & L Aviation will pay Nutmeg an additional \$650.00 per the sale of each new aircraft. This contract will be renewable each year if both parties agree.

2) FAA Club at Freehold Airport: The Board of Directors on August 23, 2005 agreed to allow the FAA Club to use Freehold as an emergency base for the remainder of the 2005 flying season. There were differing views and the pros and cons were discussed at length.

Pros:

- It was felt that we currently lack local support as most of us are from Connecticut. In the event of complaints from locals we would not receive much sympathy in the local political arena.
- In the long term Nutmeg may very well find that it needs more income and more members as taxes, fuel, electricity and facilities will all require more funds.
- As this is a short term agreement between us and the FAA Club we have an opportunity to observe the relationship between the two clubs and decide what we expect from each other.

Cons:

- On the con side it was felt that 22 members coming on to the field and facilities for the mere tie down fee was unreasonable. At the current time no financial agreement has been negotiated.
- Work at the field is always in need of volunteers. There were some who felt FAA would be a willing group. This is yet to be seen and it is doubtful that anyone in Nutmeg will want to maintain a list of chores to be done which would require oversight of some kind. This might be the only option.
- Others were concerned with the constant landing and taking off interfering with glider operations.

3) Flight school operation at Freehold requires on site instruction at all times. No student may fly without an instructor present. NO EXCEPTIONS.

4) The challenge of a member taking on a new high performance ship unfamiliar to him/her: Currently the Operations Committee and instructors are trying to formulate a reasonable plan for this situation. Nutmeg feels they must help the pilot and a mentoring type program is being designed with the idea of safety being the objective.

5) There is an old adage that states, "Leave it in better condition than it was found in." Example = Recently the Pawnee was put away mud spattered and bug laden. We can't allow this type of thing to occur. Sure many of us would say "this is the responsibility of the tow pilot".

Not so my fellow Nutmeggers! Some of you helped push this plane into the hanger (or you better have - no tow pilot should have to do that alone!). Towing is not an easy task and lately late day flying has been common. Any reasonable person who has been towing all day is going to be tired and deserves all the help and consideration we can give them. Spray bottles and cloths are provided in hangar #10. Please help.

6) Our guests are our responsibility. They should be given instructions on Field etiquette. Where they should travel and where they must not. Apparently this week end (Labor Day) there were some harsh words spoken. If that is what it's going to take to resolve any form of dangerous practice so be it. It is incumbent on all of us to stop any and all unsafe practices.

Again, the Mifflin trip is planned for September 24th through October 2nd.

The current projected shutdown date for Nutmeg and Freehold Airport is November 12th and 13th. Please plan to attend and lend your able hands.

The meeting was adjourned at 6:20 pm.

OPERATIONS & SAFETY ITEMS

Submitted by Wally Moran

Communication and courtesy:

The frequency 122.85 is listed as the CTAF (Common Traffic Advisory Frequency) for our airport. You may have noticed this season that there are other users of this frequency. They include corporate aircraft contacting fixed base operators and international and domestic airlines contacting their gate control facilities.

So what's the point! The point is, we are now sharing our frequency with many professional users. We were lucky to get this frequency assigned to our airport and unless we respect it, we can lose it. Anyone want to go back to the constant noise on 122.8?

A CTAF frequency is intended to be used to announce traffic in or near the traffic pattern. Since this is a low altitude function, it seldom conflicts with more distant users. This frequency should only be used for traffic pattern reports and other safety related items. It should not be used for plane to plane discussions regarding soaring conditions, where are you now, how long have I been up, or other non essential conversations. Discussions between the tow pilot and Nutmeg base when the tow plane is on the ground are OK since that conversation does not travel far. The occasional need for the duty pilot to communicate with a glider is sometimes necessary but should be kept to a minimum.

123.3 and 123.5 are authorized as glider frequencies. If you wish to communicate with other gliders or your ground crew, please use these frequencies.

Safety on the Ground:

A person to signal the tow plane during glider launch is a safety improvement. But, when that person drives out to do so in a golf cart, that is a safety problem.

Should the glider pilot have directional control problems during the early stages of the take off, they now have another obstacle to avoid. Recall that last season we had a glider deviate significantly from the take off path. In past years we had a glider damaged when it struck a vehicle that was parked to close to the operation.

Please keep all equipment behind the glider staging area.

LEGAL RIGHTS WHEN LANDING ON PRIVATE PROPERTY

Submitted by Esteban Draganovic

I came across this thread regarding land outs. The dialog is between three New Zealand pilots, TW, BT and Colin. They seem more aware of the legal aspects in the US than many of us living here are...

There was a discussion about this last year, and I'm sure it comes up regularly, but I'd like to get some feedback from pilots with both legal and practical experience regarding one's rights (if any) upon making an emergency landing on private property in the USA.

My aroused curiosity stems from this quote from an FAA contact regarding private airports on FAA sectionals: "Please note that private use airports in the FAA's National Airspace System are for the use of the owner only or with the permission of the owner only. Other users are not authorized and should not be attempting to land at private use airports." This made me wonder why the FAA even puts them on their charts at all, and why they often remain there long after the "airport" has turned into a landfill or housing development. But I digress ...

If I make an emergency landing on private property (regardless of whether it's an airport), does the owner have the legal right to detain me? I seem to recall in a previous discussion a reference to something like a "safe harbor" law that permits persons, such as lost hikers, to take refuge in private property in order to escape danger (bad weather, etc.), and that this law has been applied to aviators who had to put down somewhere. If this is true, I'd like to learn the details, should I ever end up in such a predicament... TW

I am not a lawyer or the police, but I remember reading a similar article, maybe in the SSA Magazine.

I believe you are correct about the "Safe harbor" law... you are either going to land safely on their runway or hayfield.. or crash land somewhere else and risk personal injury.

I do not believe he can detain you.. If he detains you.. he can be charged with false imprisonment. He can call the constabulary and request a charge of trespass be made.. that charge may not hold up in court.

He can reasonably expect that costs will be covered for damaged crops caused by landing or retrieving the glider, or

damage to a fence that may have been cut be properly repaired. If he demands to keep the glider as collateral for damages, then he assumes all responsibility for your \$100,000 glider in event it is damaged while in his care. Politely inform him of that and ask if he is willing to sign a receipt for your \$100,000 glider, on his possible \$2000 crop damage.

You do not have to leave him your trailer to keep your glider in nor the support or tie down. He needs to make room in his barn/garage/shed to reasonably care for your glider as you would. Granted, the prudent owner would want his glider in the glider box. If he does chose to detain you or try to prevent you from retrieving your glider to keep it safe, then you should call for the local constabulary. Remember, barn animals: horses, cows, steers, sheep tend to like white fiberglass gliders. Any time he prevents you from sheltering your equipment, he assumes responsibility for safe keeping of same.

Many pilots carry an extra chain lock in their trailer, so if a gate chain needs to be cut to get a glider out of a field, cut a chain link, not the lock, and put your new lock in the chain. The chain now has two locks, one the owner can open. If you are able to contact the owner, send them the key, and offer to replace the chain.

As for old closed runways that are no longer serviceable still on charts .. until someone tells the FAA chart makers that the runway is gone.. it stays on the charts. Some runways, even private ones, are there for "navigational purposes", especially in remote areas where the runway is the only major man made landmark.

Lets both do a search in SSA and "Google" and see what we can come up with... *BT*

BT did a pretty good job for not being a lawyer. I have been a lawyer for 35 years and frankly the question rarely comes up.

In an emergency, you can land anywhere you need to land, period. However, if you land in a military installation, you may regret it, because of paper work. I would not land in a prison yard, either.

It gets more complicated. If you chose to land in a game refuge, for example, that might be construed to be violating the FAR and there might possibly be some sort of citation issued for flying over the area (since you landed in the area, you were therefore not at a safe height or distance away).

If you are intoxicated, there also might be a problem.

But, let us say you landed in an open farm field. Neither the owner of the property or anyone else has the right to detain you. That would be false imprisonment and you would have a claim for damages. The claim might buy you a new airplane.

Each state may have various laws that apply. Generally, the owner of the property would not have a right to detain the aircraft, but he may have a right to keep you from trespassing to get it. Rarely will that happen. And, if he is aware of some liability that he may be facing, then he is less likely to be a jerk.

Your liability insurance carrier would be the immediate telephone call, as they would assist in retrieving the aircraft.

Years ago a large Canadian 4 engine jet used an abandoned airfield to make a successful landing after it ran out of fuel. Look

up "Gimli Glider" for a marvelous story. That may be one reason why the abandoned airfields are still on the charts - because they are useful in emergencies.

Glider pilots land often in the puckerbrush and rarely have a problem. Most of the time the farmer is excited to have a visitor from the sky - unless the visitor is a jerk... *Colin*

GOING SOARING UP NORTH

Submitted by Peter Scarpelli

To those of you eagles who are spreading your wings beyond the boundaries of the airport, there are a few issues regarding safety and traffic in the Freehold area which you should be aware of (if not already so). After having flown for a few years at Freehold, many of us have experienced the increased flow of air traffic to the north of the airport. It's worthwhile to take a minute to review some of the problems associated with this.

Experience has shown that air traffic going into Albany airport tends to approach from the west in a region just north of Freehold. This corridor exists from around 8 to about 15 or so miles from our field. Markers for this on the surface would be from around Westerlo to Heldelberg airports. Those of us who have made the "milk run" up to Duanesberg can tell you that jet traffic going into Albany is a regular event. Although nobody has measured it, one can probably assume that there are many aircraft flying into this region every hour. This creates an additional safety issue to those transitioning this area. There are a few things that have been observed about this traffic though. It seems that all traffic is going into Albany. Traffic leaving Albany seems to exit the area via a different route. Of the traffic going in, most commercial jets are commonly seen at about 5000 ft.. From there they head east descending. Those of you who like to fly up to the South Albany airport region should be aware of these lower aircraft. You should also be aware of the fact that there are corporate biz jets going in also. Unfortunately, they don't seem to follow the 5000 ft. of the large aircraft. Many biz jets have been seen in a band of about 3000 to 5000 ft. as they pass thorough. What's worse is the fact that the biz jets being smaller are more difficult to see, and in today's modern world, there are some that have just one pilot. You can assume he's pretty busy getting ready to approach Albany and may not be focused on seeing you out the window.

So what does this all mean? Should you choose to fly through this area to the north, you should be extra careful to watch out for these aircraft. In addition to the regular scan of the sky that you are supposed to be doing, there should be an extra concentrated focus on the approaching aircraft from the west with every circle you make or when just plain running straight to the north. Keep your head moving and watching. One close encounter with these folks (a very personal experience) will emphasize this point. Also, be sure to observe the cloud clearance rules! Hovering at cloud base could put you in a poor position for visibility. As an additional note, Albany usually (but not always) uses 118.05 for this approach. You may want to monitor it. You can also get approach info from their ATIS.

In summary, we don't tend to see too many aircraft when flying around Freehold. This changes dramatically when heading just a few miles to the north. If you do fly to this area, increasing your focus on watching for aircraft becomes an important safety issue. Keep your eyes out of the cockpit! Safe flying.