

**Draft**  
**Commonwealth Of Massachusetts**  
**County Of Dukes County, S.S.**  
**MARTHA'S VINEYARD AIRPORT COMMISSION MEETING**

**March 9, 2017 2:00PM**  
**West Tisbury Public Library**

Notice of Such Meeting Having Been Posted as Required by Law

Present: Airport Commissioners: Acting Chair - Donald Ogilvie, Clarence "Trip" Barnes,  
Richard Michelson, Robert Rosenbaum, R. Peter Wharton,  
Kristin Zern,  
Airport Staff: Ann Crook - Manager, Geoffrey Freeman – Assistant Manager,  
Denise Tawa – Assistant to Airport Management,  
Dukes County: Noreen Flanders - Treasurer;  
Others: Matthew O'Brien, Brian Smith – McFarland Johnson  
Alex Tropolis - Anderson Krieger - Airport Counsel  
Mike Rotondo, Sherryl Schroeder, Jen Madeiros – Airport Fuel Service  
Geoff Smith, Nick Catt, Louis Paciello, Davis Potnier, Geoff Wheeler,  
W. Tisbury Police Chief – Dan Rossi,  
Marni Lipke – Recorder  
Press: Cathryn McCann – MV Times Steve Myrick – Vineyard Gazette,  
Lynn Fraker – MVTV \* Late arrival or early departure (see \* in text)

**I. CALL TO ORDER**

The Martha's Vineyard Airport Commission (MVAC) meeting was called to order at 2:01PM. Chair Myron Garfinkle sent his regrets at being unable to attend due to family matters.

**II. MVAC COMMISSIONER RECOGNITION AND INTRODUCTION**

- Acting Chair Don Ogilvie welcomed back Commissioner Rich Michelson and introduced new Commissioner Peter Wharton, a naval flight officer with investment banking and financial services experience, who was currently head of plant operations at Windermere Nursing Facility. His family had four generations of experience on Martha's Vineyard.
- Mr. Ogilvie thanked outgoing Commissioner Christine Todd for her years of service during a period of fundamental change. Commissioner Richard Michelson recognized Ms. Todd for her great work, determination, integrity and heartfelt caring for the Airport, including her early service when they both suffered rudeness and disrespect. He welcomed Mr. Wharton and looked forward to working with him. However he also expressed frustration with the County Commissioners for deposing Ms. Todd. Ms. Zern agreed with Mr. Michelson.
- Airport Manager Ann Crook read Ms. Todd's letter to the MVAC (see documents on file).
- Ms. Crook was congratulated on becoming a fully accredited Massachusetts Airport Manager.

**III. APPROVAL OF MEETING MINUTES FROM FEBRUARY 16, 2017 (Action)**

**MR. TRIP BARNES MOVED TO APPROVE THE FEBRUARY 16, 2017 MINUTES AS AMENDED; MS. KRISTIN ZERN SECONDED; MOTION PASSED UNANIMOUSLY: 6 AYES, 0 NAYS, 0 ABSTENTIONS.**

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IV. LAND USE SUBCOMMITTEE REPORT

(See documents on file.)

• Heathland Realty Trust Request to Combine Leases & Sublease (Action)

(See documents on file.) The original lot was split into #30A and #30B having uncoordinated, confusing leases with no renewal clauses at 85¢ and 59.59¢/sq. ft., Consumer Price Index (CPI) escalation, and 10% Airport share of all subleases. The new lease for the entire Lot #30 (Lot 30B gaining 22 months and Lot 30A losing 11 months) conformed to MVAC Rules and Standards. In keeping with the recommendation of the Land Use Subcommittee:

• **MR. MICHELSON MOVED TO APPROVE HEATHLAND REALTY REQUEST FOR SUBLEASES CONDITIONED ON TENANT'S APPROVAL TO ENTER INTO A NEW MASTER LEASE INCLUDING:**

- ANNUAL BUSINESS FEE OF \$1,500,
- INITIAL BASE RENT SET BASED ON FAIR MARKET VALUE RENT APPRAISAL,
- RENT ADJUSTMENTS MADE ANNUALLY BASED ON CONSUMER PRICE INDEX AND EVERY FIFTH YEAR BASED ON THE GREATER OF THE CONSUMER PRICE INDEX OR FAIR MARKET VALUE APPRAISAL, AND
- TENANT PAYMENT OF ADDITIONAL RENT OF 10% OF SUBLESSEE RENTS FOR ALL SUBLESSEES;

**MR. BARNES SECONDED; MOTION PASSED UNANIMOUSLY: 6 AYES, 0 NAYS, 0 ABSTENTIONS.**

• SAV Associates Request for Improvements (See documents on file.) (Action)

SAV Assoc. was requesting permission for partial re-development to give more room to FedEx Ground, including: demolition of a mini-warehouse and replacement with a loading dock and conversion of the existing dock to a parking area and internal office. The 1998 lease was at 93.6¢/sq. ft. In keeping with the recommendation of the Land Use Subcommittee:

• **MR. ROSENBAUM MOVED TO APPROVE SAV ASSOCIATES REQUEST FOR REDEVELOPMENT OF LOT #24 WITH THE FOLLOWING CONDITIONS:**

- UPON COMPLETION OF THE IMPROVEMENTS SAV ASSOCIATES SHALL PROVIDE THE AIRPORT MANAGER WITH A SET OF AS-BUILT DRAWINGS;
- SAV ASSOCIATES SHALL SECURE A BUILDING PERMIT FROM THE TOWN OF EDGARTOWN AND ANY OTHER PERMITS OR LICENSES THAT MAY BE REQUIRED FOR THIS CONSTRUCTION;
- SAV ASSOCIATES AGREES TO AMEND THEIR LEASE TO REPLACE THE CONSUMER PRICE INDEX (CPI) RENT ADJUSTMENT WITH A FAIR MARKET VALUE (FMV) RENT APPRAISAL RENT ADJUSTMENT IN 2017 AND 2022;
- NO CHANGES TO THE WATER OR WASTEWATER USE ON LOT #24 ARE APPROVED;

**MR. BARNES AND MR. WHARTON SECONDED; MOTION PASSED UNANIMOUSLY: 6 AYES, 0 NAYS, 0 ABSTENTIONS.**

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V. EXECUTIVE SESSION

• To Consider the Lease of Real Property and To Reconvene in Open Session

This session was to discuss lease assignments for Lots #20 and #33 at Numbers 3 and 5 North Line Rd.

• **MR. MICHELSON MOVED TO ENTER EXECUTIVE SESSION AT 2:21PM UNDER MGL Ch.30A §21 (a) (6) – TO CONSIDER THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL ESTATE, IF THE CHAIR DECLARES THAT AN OPEN MEETING MAY HAVE A DETRIMENTAL EFFECT ON THE NEGOTIATING POSITION OF THE PUBLIC BODY AND TO RETURN TO OPEN SESSION AND TO INVITE AIRPORT MANAGER ANN CROOK, ASSISTANT AIRPORT MANAGER GEOFF FREEMAN, ASSISTANT TO MANAGEMENT DENISE TAWA, AIRPORT COUNSEL ALEX TROPOLIS AND RECORDER MARNI LIPKE TO BE PRESENT THROUGHOUT; MS. ZERN SECONDED; MOTION PASSED UNANIMOUSLY: MR. WHARTON—AYE, MR. OGILVIE—AYE, MR. ROSENBAUM—AYE, MR. BARNES—AYE, MS. ZERN—AYE.**

• **MR. BARNES MOVED TO RETURN TO OPEN SESSION AT 3:09PM; MR. WHARTON SECONDED; MOTION PASSED UNANIMOUSLY: 7 AYES, 0 NAYS, 0 ABSTENTIONS: MR. BARNES—AYE, MR. MICHELSON—AYE, MR. OGILVIE—AYE, MR. ROSENBAUM—AYE, MR. WHARTON—AYE, MS. ZERN—AYE.**

VI. LEASE AWARDS

• Approval of lease of Airport Business Park (ABP) Lot #20 (Action)

In keeping with the recommendation of the Land Use Subcommittee:

• **MR. MICHELSON MOVED TO AWARD MARTHA'S VINEYARD AIRPORT BUSINESS PARK LOT NUMBER 20 TO CARS UNLIMITED; MR. BARNES AND MS. ZERN SECONDED; MOTION PASSED UNANIMOUSLY: 6 AYES, 0 NAYS, 0 ABSTENTIONS.**

• Approval of lease of Airport Business Park (ABP) Lot #33 (Action)

In keeping with the recommendation of the Land Use Subcommittee:

• **MR. MICHELSON MOVED TO AWARD MARTHA'S VINEYARD AIRPORT BUSINESS PARK LOT NUMBER 33 TO DEPOT CORNER; MR. ROSENBAUM SECONDED; MOTION PASSED UNANIMOUSLY: 6 AYES, 0 NAYS, 0 ABSTENTIONS.**

VII. AIRPORT RESCUE AND FIRE FIGHTER (ARFF) BUILDING UPDATE

*–Geoff Freeman Assistant Airport Manager*

Construction was moving smoothly and it was exciting to see the head house (office space) framing; the bays skeletal framing was expected next, on schedule or a little early. Staff, Daedalus, JK Scanlon and Dellbrook Construction worked proactively as a good team. Management was looking at furnishings. Everyone was encouraged to visit the webcam link on the Airport Website or fly over for an aerial view. Special thanks went to the operations staff for their cooperation and support.

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VIII. MCFARLAND JOHNSON PROJECT UPDATE—Matthew O'Brien Project Engineer (PE)  
(See 1/5/7 Minutes p. 1-4 #III & IV.)

- The Federal Aviation Administration (FAA) was enthusiastic about the Passenger Facility Charges (PFC) implementation and were reviewing the application with an August/September 2017 approval target. Later in the meeting it was noted that there was a bipartisan movement to remove or relax the \$4.50 PFC cap.
- Perfect Landing Media was gathering information behind-the-scenes and consulting with management on the new website. Local photographer Tim Johnson was contracted for visuals.
- Runway 15/33 shoulder removal and apron island improvements would go out to bid in March. Management was working with the FAA on funding the \$1,400,000 project—with a 90% reimbursement goal.
- The Airport was awarded the requested at \$60,000 Airport Safety and Maintenance Program (ASMP) grant (80% MassDOT, 20% local) for rubber removal and other airside improvements.
- The Martha's Vineyard Land Development study of the entire Airport property had examined deeds, airport records, local land regulations, and environmental restrictions. The project would be submitted to the Martha's Vineyard Commission (MVC) for further consideration and then to the FAA for aeronautical restrictions (target submission June 2017—FAA timeline ~six months). The FAA would allow release of three parcels at a time but did not grant a blanket release, requiring a submittal for each property including tenant type identification.
- Architects were on site today to work on materials, schedule and budget for the bathroom renovation, hopefully for completion by the end of May 2017.

IX. DEAN SAUCIER, NATIONAL BUSINESS AVIATION ASSOCIATION (NBAA)  
UPDATE – Tabled

X. CHAIR/MANAGER'S REPORT

- Extensive staff training continued, with:
  - Administrative assistants,
  - Basic Airport Safety Operations School,
  - Basic and Advanced Snow Academy, International Aviation Snow Symposium, and
  - Airport Boards and Commissions training (Mr. Michelson and Ms. Zern).
- Ms. Crook and staff had been involved in construction work and grant management. Ms. Crook's Federal and State advocacy was already bearing results; Representatives were contacting her about Airport needs for upcoming legislative budget and policy sessions.
- The Airport was soliciting applications (with good response) for a Property Manager to help with Business Park, hangar and terminal lease issues.
- The MVAC was excited to see Operations staff preparing for the FAA Part 139 inspections.
- Ms. Zern brought up the concerns of the immigrant community that the Transportation Safety Administration (TSA) officials were cooperating with Homeland Security. TSA employees assured Management that they were a separate agency concerned only with passenger and baggage safety, and they had no instructions otherwise. West Tisbury Police Chief Dan Rossi

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also affirmed that police operations would not change and that police did not ask about immigration status, travel papers, etc. but treated everyone the same way. It was noted that with the exception of a fellow esteemed Commissioner everyone was an immigrant.

XI. ITEMS NOT REASONABLY ANTICIPATED BY CHAIR - None

XII. CONFIRMATION OF NEXT MEETING - 2:00PM, THURSDAY, APRIL 13, 2017

XIII. PUBLIC COMMENT

- The Airport was encouraged to send a representative to the American Society of Civil Engineers (ASCE) conference in New Hampshire in consideration of a grade of D given to the United States on the national infrastructure report card.
- Mr. Geoff Smith of Airport Fuel Service endorsed the MVAC decision on Lot #33. Mr. Louis Paciello of Depot Corner thanked the MVAC and committed to be as professional as possible.

XIV. CALL FOR MOTION TO ADJOURN

- **MR. ROSENBAUM MOVED TO ADJOURN AT 3:33PM; MR. BARNES SECONDED; MOTION PASSED UNANIMOUSLY.**

**Appendix A: Tasks - None**

**Appendix B: Documents on file:**

- Agenda 1/5/17
- Sign-in Sheet 1/5/17
- MVAC 2/16/17 Draft Minutes (8 p.)
- MV Airport Staff Summary re: SAV Associates Request to Redevelop Lot #24 3/9/17
- MV Airport Staff Summary re: Heathland Realty Trus Request to Combine Leases and Approve Subleases 3/9/17
- Crook cover email, Christine Todd "My Fellow Commissioner's" letter 3/10/17