

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

July 12, 2018, 2:00PM

Martha's Vineyard Airport Commission Conference Room
Notice of Such Meeting Having Been Posted as Required by Law

Present: Airport Commissioners: Chair - Robert Rosenbaum, Clarence "Trip" Barnes,
Richard Knabel, Richard Michelson*, Donald Ogilvie*,
R. Peter Wharton, Kristin Zern,

Airport Staff: Ann Richart- Manager, Geoffrey Freeman – Assistant Manager,
Denise Tawa – Assistant to Airport Management,
Joan Shemit - Financial Administrator,
Water/Wastewater – Mike Eldridge, Christina Colarusso,

Others: Matt O'Brien, Brian Smith – McFarland Johnson,
Norm Werthwein – Finance Committee
LAZ Parking - Sean Woodbine, Depot Corners – Lou Paciello,
David Mackey - Anderson Krieger Airport Counsel
Marni Lipke – Recorder

Press: Landry Harlan – 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 2:03PM.

IV. APPROVAL OF MEETING MINUTES FROM JUNE 14, 2018 Action

*Mr. Don Ogilvie entered the meeting at 2:05PM.

MR. RICHARD KNABEL MOVED TO APPROVE THE JUNE 14, 2018 MINUTES AS AMENDED; MR. TRIP BARNES SECONDED; MOTION PASSED UNANIMOUSLY: 6 AYES, 0 NAYS, 0 ABSTENTIONS.

V. LAZ PARKING LOT UPDATE (See Minutes: 2/8/18 p.3 #VI & 6/14/18 p.2 #V.)

*Mr. Richard Michelson entered the meeting at 2:07PM.

The MVAC had received many complaints from residents and detailed their own problems with the new parking gate system, protesting: lack of preparatory public relations, numerous technical problems, and insufficient staffing, resulting in community aggravation that reflected badly on the Airport. Airport Manager Ms. Ann Richart was instructed not to pay management fees until such time as the MVAC was satisfied and to request LAZ Parking advertise an apology/explanation in the local press.

- Airport Assistant Manager Mr. Geoffrey Freeman reported the system had experienced a rough start partially due to unfortunate timing at the busiest season, but also due to poor infrastructure. The infrastructure was installed 20 years ago when the new terminal was built, when its scope was reduced by Martha's Vineyard Commission (MVC) ruling. Technical problems were being resolved; for example the Hertz Rental Car issues were solved within two hours. Other problems

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were largely a matter of public education, and complaints were decreasing steadily—some being about the change from the honor system.

- June parking revenue was \$21,000 (see below: Tasks). The “Restaurant” lot was gated to prevent misuse for longer-term parking.
- Chair Bob Rosenbaum reminded the MVAC that this change was initiated for legitimate and necessary reasons: to increase airport revenues for operations and capital projects and to relieve staff of parking bureaucracy labor.
- Mr. Michelson was concerned at LAZ lack of management of front curb disorder and security.
- LAZ Representative Mr. Sean Woodbine appreciated the feedback and emphasized the need for education. Complaints had dropped from 12 to 3 per day.

VI. DEPOT CORNER UPDATE

Owner Lou Paciello hoped to open in August citing the burdensome lawsuit and unanticipated contractor delays due to intense construction demand. The car wash was on Island and concrete would be poured within the next two weeks. Mr. Peter Wharton appreciated the hard work, expressed excitement at the progress and thanked Mr. Paciello for attending.

VII. LAND USE SUBCOMMITTEE REPORT

- Mr. Wharton and Airport Manager Ms. Ann Richart were meeting with Donorama’s and Island Propane to smooth the lease renewal process.
- There was some confusion over a letter from Mr. Nicholas Catt that seemed to withdraw the proposal for a carwash.
- The Subcommittee and Ms. Richart spent time reviewing the Airport Capital Improvement Plan (ACIP), the most urgent part being the upcoming land releases.

VIII. FINANCE SUBCOMMITTEE REPORT (See documents on file.) Action

- The Airport was in good financial shape with a healthy operational surplus. Final Fiscal Year 2018 (FY18) figures were in process. Issues reconciling Fixed Base Operator (FBO) software were resolved. The Subcommittee was working with Dukes County emphasizing the difference between operational and capital expenditures (runways, wastewater treatment plant, etc.).
- There was a major glitch around County Commission signature deadline on the Federal Anticipation Note (FAN) that was finally voted 4 ayes, 1 nay, 1 abstention at a special meeting.
- The Subcommittee recommended setting up a reserve account to receive funds.
- **MR. KNABEL MOVED TO AUTHORIZE A STABILIZATION ACCOUNT FOR BORROWING REVENUES AND EXPENDITURES; MR. OGILVIE SECONDED; MOTION PASSED UNANIMOUSLY: 7 AYES, 0 NAYS, 0 ABSTENTIONS.**
- The Subcommittee commended Ms. Richart’s excellent work in amending the FY19 Budget (see 10/12/17 Minutes p.3-4 #IV). After the MVAC vote it would go to the Dukes County Commission (DCC) and County Advisory Board (CAB) (see below: Tasks).
- This Supplementary Budget reported actual rather than projected wastewater revenues at 8¢ per gallon. There was a discussion on the decrease of revenues since the rate change.

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phase-in change was debated in Subcommittee. 99% of all tenants were paying the new rates—and there was no recommendation to change to appease one tenant. Members considered this an issue better discussed with the full MVAC.

• MS. KRISTIN ZERN MOVED THE FISCAL YEAR 2019 SUPPLEMENTARY BUDGET; MR. KNABEL SECONDED;

In view of the August 1st deadline: **MR. MICHELSON MOVED TO TABLE THE MOTION UNTIL THE SPECIAL MEETING AT 5:00PM, JULY 24, 2018; MR. BARNES SECONDED; MOTION TO TABLE PASSED UNANIMOUSLY: 7 AYES, 0 NAYS, 0 ABSTENTIONS.**

• MR. WHARTON MOVED TO ADDRESS WASTEWATER RATES ON THE JULY 24, 2018 MEETING AGENDA; MR. KNABEL SECONDED; MOTION PASSED UNANIMOUSLY: 7 AYES, 0 NAYS, 0 ABSTENTIONS.

- Mr. Barnes asked to see the wastewater budget as he had doubts about the costs.

- Ms. Zern asked for more detail of the operations budget.

IX. OUTREACH SUBCOMMITTEE REPORT

The Committee was side tracked by a parking system complaint from one of its members, and which emphasize the importance of proactive rather than reactive public relations. Consequently they put procedure in place to anticipate difficult issues. They discussed their Charter and were working on creating an alliance of Cape and Island Airport Commissions (Barnstable, Martha's Vineyard, Nantucket, Providence) with a first meeting before September Massachusetts Airport Managers Association Conference at the Harborview.

X. CONTRACT APPROVALS – GEOFF WHEELER (See documents on file.) Action

This was an on-call consultant's contract for second opinions on Commission matters at \$75/hr. (see 6/14/18 Minutes p.6 #XV). The MVAC asked to see the contract, which Ms. Richart reported was a standard language three-year contract similar to McFarland Johnson's. Chair Rosenbaum proposed the contract as a way to retain Mr. Wheeler as a resource after the County Commission passed over his application for Airport Commissioner. Mr. Wheeler would attend MVAC meetings. Commissioners commended Mr. Wheeler's expertise and debated authorization to consult and/or a cap on annual hours.

• MR. OGILVIE MOVED TO APPROVE THE CONTRACT WITH CONSULTANT GEOFF WHEELER AS AMENDED TO REQUIRE INDIVIDUALS AND SUBCOMMITTEE CONSULTATIONS BE AUTHORIZED BY THE CHAIR OR VICE CHAIR; MR. WHARTON SECONDED;

- MR. KNABEL MOVED TO AMEND THE MOTION TO INCLUDE A 100 HOUR PER YEAR CAP ON CONSULTATIONS; MR. MICHELSON SECONDED; AMENDED MOTION PASSED; 6 AYES, 0 NAYS, 1 ABSTENTION—MR. BARNES.

XI. MCFARLAND JOHNSON WORK UPDATE

The Land Release Draft was submitted to the Federal Aviation Administration (FAA), which called a meeting tomorrow. Any comments would be incorporated into the Draft, which would be re-submitted starting the FAA timeline for a December release.

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- Mr. Matt O'Brien reminded the MVAC that these were the easiest set of lots and that other Airport land showed intense environmental issues that would be difficult to address. The Commission reviewed a number of undeveloped but leased lots (Big Sky, Lot #34, etc.) that needed additional environmental permitting.
- Tetrattech would begin digging test pits at the former Navy Dump (see 5/10/18 Minutes p.3 #VII), which unfortunately was located in the middle of some prospective lots. Depending on what was found, remediation might be fixable or cost prohibitive.
- Mass. Dept. of Transportation (MassDOT) mandated that one set of lots could only be developed with an additional access road, traffic study and possible intersection remediation at the Airport/West Tisbury Edgartown Roads and the Edgartown Vineyard Haven /Barnes Roads.
- McFarland Johnson estimated a remaining developable 16 lots that could be configured as one large lot with multiple facilities or as separate divisions, but in any case would involve further infrastructure improvements (roads, utilities, etc.).
- Mr. Barnes again objected to the prolonged bureaucratic process citing historic procedures in the Park, protesting that FAA and MassDOT had not objected at that time.
- A request to build a box hangar off the southeast apron (see 5/23/18 Minutes p.2-3) was unfortunately complicated by its location in the highest environmentally sensitive grassland habitat. The tenant had been informed and was working on the issue. (The location was designated in accordance with recommended separation of fixed and rotary wing aircraft.)
- To take advantage of the \$1,000,000,000 small airport dedicated FAA funding, Administration and McFarland Johnson proposed replacing the Airport Rescue and Fire Fighter (ARFF) equipment (see below: #XIII), as well as initial phases of Terminal expansion, in particular the required traffic study that could also be used for the Business Park lot development.

XII. WATER/WASTEWATER/FACILITIES REPORT

(See documents on file.)

Oak Bluffs Water Dept. planned to replace the Airport meter waters. The pilot's lounge door was updated. The new fence was installed. Staff was otherwise working on standard maintenance and repair.

XIII. ASSISTANT AIRPORT MANAGER REPORT

(See above p. 1-2 #V.)

- Mr. Freeman split his day between inbound airline parking configuration (see 6/14/18 Minutes p.5 #XIII) which was doing well and the parking lots.
- This week the Transportation Safety Administration (TSA) was conducting an inspection of commercial airlines, and as a whole was very pleased. Overall operations were going fairly smoothly and July 4th was less chaotic than previously. Painting touch-ups were completed this week—one of the Part 139 inspection notes.
- Mr. Freeman was collecting Airport historical information to send to the Outreach Subcommittee in honor of the 60 year anniversary of the Federal hand-over to Dukes County.
- Administration was working with McFarland Johnson on the FAA grant application to replace the 2002 ARFF vehicles which had outlived their standard 10-12 yr. lifespan and, although seldom used, tended to deteriorate quickly and to require technological updates. Safety vehicles

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were in the highest priority FAA funding category. The new vehicles were likely to meet a new level of need required for larger commercial aircraft planned by both JetBlue and Delta. The procurement process would follow the strict FAA regulations; manpower was mandated by the National Fire Protection Association (NFPA) and FAA.

XIV. MANAGER'S REPORT

- Ms. Richart was awaiting a FAA response for the Airport main runway rehabilitation grant. She had contacted Senator Markey to advocate on the Airport's behalf and who would receive first news of any award. If successful, Administration would consult with contractors.
- She was also working on the above applications for ARFF equipment (~ \$750,000 per truck) and Terminal expansion, to get a healthy share of the small airports windfall. The first year would cover design, and improvements to the access road and front curb design. An MVAC request letter would be presented at the August 9th meeting.
- Commissioners were urged to view the departure side and General Aviation restrooms, which included paintings by a local artist.
- State Representative Dylan Fernandes was shepherding the \$2,500,000 Wastewater Treatment Plant and the \$690,000 for the local 5% of previous capital projects, with hopes of passage within the week.
- Ms. Richart and County Manager Martina Thornton were coordinating a joint MVAC/DCC August briefing and airfield tour on the Airport Capital Improvement Plan (ACIP).
- Ms. Richart continued work on the scope of:
 - the MVAC strategic planning process;
 - an overall review and update of all airport rates as to current status, comparable airports and relevance to budgeting and expenses; and
 - Vineyard Wind hangar development (see above p.4 # XI & 5/23/18 Minutes p.2-3), an exciting aviation development.

XV. CHAIR'S REPORT

- The Attorney General's office was running a governing bodies training (ethics, open meeting law, etc.), which some Commissioner's highly recommended (see below: p.6 #XIX).
- Mr. Rosenbaum and Mr. Knabel had a productive meeting with Vineyard Gazette Editor Julie Wells, which might result in a positive Op-Ed.
- Subcommittee charters were in process, and had triggered discussion on the advantages and disadvantages of subcommittees and the structure of the MVAC.
 - Subcommittees had been working smoothly for many years, and allowed a smaller group to tackle issues and make recommendations to full MVAC.
 - Non-Subcommittee-member-Commissioners could attend as observers.
 - Subcommittees could have expert members who were not Commissioners.
 - The schedule could be changed to have all subcommittees meet in one day, ending in a full MVAC meeting.
 - Mr. Barnes proposed changing the meeting times to evenings, but this was not amenable to several other Commissioners.

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- Ms. Zern and Mr. Knabel proposed eliminating subcommittees, arguing that:
 - ° it was hard for Commissioners to stay informed without attending all subcommittee meetings;
 - ° it fragmented the MVAC, essentially creating four smaller Commissions;
 - ° the MVAC could return to meeting twice a month and carrying on all business.

XVI. ITEMS NOT REASONABLY ANTICIPATED BY CHAIR - None

XVII. PUBLIC COMMENT - None

II. AIRPORT COMMISSIONER RECOGNITION

The MVAC saluted former Chair Myron Garfinkle for his three years of service, efforts, time and accomplishments especially his work on the new ARFF Building. Mr. Garfinkle responded that it was a privilege to serve the public and work with the people around the table.

XIX. CONFIRMATION OF NEXT MEETINGS:

- Personnel Subcommittee – 3:30PM, Tuesday, July 24, 2018
- **MVAC - 5:00PM, Tuesday July 24, 2018**
- AG Governing Training – 9:00AM-12N, Wednesday, July 25, 2018
- ?Finance Subcommittee - 3:30PM, Wednesday August 1, 2018 ?
- Dukes County Commission - 4:30PM, Wednesday August 1, 2018
- Outreach Subcommittee - 3:30PM, Thursday August 2, 2018
- Land Use Subcommittee - 3:00PM, Friday August 3, 2018
- **MVAC - 2:00PM, Thursday August 9, 2018**

III. EXECUTIVE SESSION TO DISCUSS STRATEGY WITH RESPECT TO THE LITIGATION OF THE AWARD OF THE LEASE FOR AIRPORT BUSINESS PARK LOT #33; THE CHAIR HAS DETERMINED THAT AN EXECUTIVE SESSION IS NECESSARY BECAUSE AN OPEN MEETING MAY HAVE A DETRIMENTAL EFFECT ON THE LITIGATING AND NEGOTIATING POSITION OF THE COMMISSION

• MR. WHARTON MOVED TO ENTER EXECUTIVE SESSION AT 4:06PM NOT TO RECONVENE IN OPEN SESSION, TO DISCUSS STRATEGY WITH RESPECT TO THE LITIGATION OF THE AWARD OF THE LEASE FOR AIRPORT BUSINESS PARK LOT #33; THE CHAIR HAVING DETERMINED THAT AN EXECUTIVE SESSION IS NECESSARY BECAUSE AN OPEN MEETING MAY HAVE A DETRIMENTAL EFFECT ON THE LITIGATING AND NEGOTIATING POSITION OF THE COMMISSION; AND TO INVITE AIRPORT MANAGER ANN RICHART, FORMER COMMISSION CHAIR MYRON GARFINKLE, AIRPORT COUNSEL DAVE MACKEY BY PHONE AND RECORDING SECRETARY MARNI LIPKE TO BE PRESENT THROUGHOUT; MR. BARNES AND MR. KNABEL SECONDED; MOTION PASSED UNANIMOUSLY: 7 AYES, 0 NAYS, 0 ABSTENTIONS: MR. KNABEL—AYE, MR. BARNES—AYE, MR. WHARTON—AYE, MR. OGILVIE—AYE, MR. MICHELSON—AYE, MS. ZERN— AYE, MR. ROSENBAUM—AYE.

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* Mr. Mackey joined the meeting by phone and attested he was alone.

XIX. CALL FOR MOTION TO ADJOURN

• MR. KNABEL MOVED TO ADJOURN AT 4:29PM; MR. OGILVIE AND MS. ZERN SECONDED; MOTION PASSED UNANIMOUSLY: 7 AYES, 0 NAYS, 0 ABSTENTIONS: MR. KNABEL—AYE, MR. BARNES—AYE, MR. WHARTON—AYE, MR. OGILVIE—AYE, MR. MICHELSON—AYE, MS. ZERN— AYE, MR. ROSENBAUM—AYE.

Appendix A: Tasks

- Ms. Richart – send breakout of Restaurant lot revenue.
- All – attend County Commission meeting (4:30PM 8/1/18) re: FY19 Supplementary Budget
- Ms. Richart – send Wastewater Budget to Mr. Barnes, & Operations detail to Ms. Zern.
- Ms. Richart/Mr. Rosenbaum – reschedule Finances Subcommittee meeting?.

Appendix B: Documents on file:

- Agenda (2 p.) 7/12/18
- Sign-in Sheet 7/12/18
- MV Airport Staff Summary re: Approval of Contract with Geoff Wheeler 7/12/18
- Totals – All cost Centers (2 p.)7/10/18
- MV Airport Water, Wastewater, and Facilities Departments July 2018 (3 p.)

Minutes approved as amended 8/9/18