

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

April 11, 2019, 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, Donald Ogilvie, R. Peter Wharton,
Kristin Zern,

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

Others: Matt O'Brien – McFarland Johnson,
Norm Werthwein, Geoff Wheeler – Finance Committee,
David Mackey* - Anderson Krieger Airport Counsel
Marni Lipke – Recorder

Press: Lucas Thors – MV Times, Landry Harlan – Vineyard Gazette,
Joanie Ames – 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 1:59PM. Chair Bob Rosenbaum announced that he had been informed half an hour ago that Mr. Richard Michelson had resigned from the Airport Commission.

II. APPROVAL OF MEETING MINUTES MARCH 14, 2019

• MR. RICHARD KNABEL MOVED TO APPROVE THE MARCH 14, 2019 MINUTES; MS. KRISTIN ZERN SECONDED; MOTION PASSED: 5 AYES, 0 NAYS, 1 ABSTENTION—MR. TRIP BARNES due to absence.

III. COMMITTEE APPOINTMENTS

Finance Committee – Chair Richard Knabel, Mr. Don Ogilvie, Mr. Peter Wharton,
Mr. Geoff Wheeler, Mr. Norm Werthwein;
Personnel Committee – Chair Don Ogilvie, Mr. Wharton, Ms. Zern;
Land Use Committee – Chair Peter Wharton, Mr. Barnes, Mr. Ogilvie, Mr. Wheeler;
Outreach Committee – Chair Kristin Zern, Mr. Knabel,

IV. FINANCE SUBCOMMITTEE REPORT

Dukes County Treasurer Ann Metcalf attended the Subcommittee meeting. Projections and actuals seem to be synchronized and cash flow will be tight as predicted. After lengthy discussion the Dukes County Commission and the County Advisory Board (CAB) approved an Airport a line of credit up to \$150,000 as a reserve, through July 22, 2019. Hopefully no borrowing would be necessary, however the line could be paid back at any time and the County

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Treasurer had authorization to automatically withdraw any outstanding debt remaining on July 22, 2019. The County was anxious to receive the Fiscal Year 2019 (FY19) Supplemental Budget and the re-structured FY20 budget.

- The initial search for a Comptroller was unsuccessful, with two candidates refusing offers. More interviews were scheduled for Saturday.

- McFarland Johnson and staff were working on grants for two Federal Aviation Administration (FAA) eligible capital projects (see documents on file) and any public relations related to them;
 - a surface (traffic) study (see Minutes 7/12/18 p.4 #XI, & 3/14/19 p.3 # V) in compliance with Mass. Dept of Transportation (MassDOT) requirement, and coordinated with Martha's Vineyard Commission (MVC) studies (and possible funding);

- an FAA standard obstruction/penetration study of the aviation space, landing area and all approaches involving over-flights (drones were not accurate enough) determining tree growth, fencing, etc. and data entry into FAA accepted software. Obstruction studies were performed regularly. There were some discrepancies with the previous obstruction study.

The next step was to get estimates from subcontractors. In accordance with Finance Committee recommendation:

- **MR. WHARTON MOVED TO AUTHORIZE THE AIRPORT DIRECTOR TO APPLY FOR AND ACCEPT FEDERAL AVIATION ADMINISTRATION (FAA) AIRPORT IMPROVEMENT PLAN (AIP) GRANTS FOR THE:**

- **OBSTRUCTION STUDY FOR RUNWAY APPROACHES, AND**
- **SUPPLEMENTAL TRAFFIC STUDY,**

IN AN AMOUNT NOT TO EXCEED \$1,025,388.90 AND TO APPLY FOR AND ACCEPT MASSACHUSETTS DEPARTMENT OF TRANSPORTATION GRANTS FOR THE SAME PROJECTS IN AN AMOUNT NOT TO EXCEED \$56,966.05; MR. OGILVIE SECONDED; MOTION PASSED UNANIMOUSLY: 6 AYES, 0 NAYS, 0 ABSTENTIONS.

- The original \$2,500,000 for the Wastewater treatment plan upgrade was deemed insufficient and another \$1,000,000 had been reserved. The \$1,270,000 was in its third reading in the State House and as soon as it passed would be referred to Senator Julian Cyr. The MVAC and CAB were discussing blanket legislation for borrowing.

- **MR. KNABEL MOVED TO ASK DUKES COUNTY FOR AUTHORIZATION TO REQUEST AUTHORIZATION FROM THE LEGISLATURE FOR AN ADDITIONAL \$1,000,000 FOR THE WASTEWATER TREATMENT PLANT UPGRADE; MS. ZERN SECONDED; MOTION PASSED UNANIMOUSLY: 6 AYES, 0 NAYS, 0 ABSTENTION.**

V. LAND USE SUBCOMMITTEE REPORT

- The Committee was working with Property Manager Kevin Brennan on new boilerplate language for Business Park and restaurant Request For Proposals (RFPs).

- Staff and the Committee had been making steady progress on an aging report reducing receivables from six figures to five figures.

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- A lease renewal protocol draft and the Fair Market Value (FMV) policy were sent to the Business Park Association.
- An information-only notification was received changing a subtenant majority partner at the Fish House from Tyler Gibson to Nicholas Catt.
- The arrears protocol was reviewed: 31 day notice plus 1.5% interest, 40 day phone call and 60 day registered letter, after which it was referred to Land Use for consideration of action.

VI. OUTREACH/PUBLIC RELATIONS (PR) SUBCOMMITTEE REPORT

- The Permanent Endowment (with a 5% administration fee) seemed the best vehicle for the Scholarship program as allowing all ages of applicants—not just high school students. As the program moved from 2019 to 2020 it would become more defined. There were now two candidates Mr. Max Smith and Mr. Matthew Luce. The Martha's Vineyard Regional High School, the Permanent Endowment and Martha's Vineyard Youth all advised the scholarship be awarded to one candidate and not split between the two.
- The Committee was working with Asst. Airport Manager Geoff Freeman on a September visit from the Collings Foundation.
- The Committee proposed including an insert with Business Park invoices regarding: suggestions for 60th Anniversary advertisements, a 60th anniversary book, contributions, discounts or special menu items.

- IT WAS THE CONSENSUS OF THE MARTHA'S VINEYARD AIRPORT COMMISSION TO ALLOW AN INSERT IN BUSINESS PARK INVOICES. .

VII. AUTHORIZATION OF AMENDMENT TO AGREEMENT BETWEEN MARTHA'S VINEYARD AIRPORT COMMISSION AND COUNTY AND TEAMSTERS UNION LOCAL NO. 59 AFFILIATED WITH INTERNATIONAL BROTHERHOOD OF TEAMSTERS (I. B. OF T).

Negotiations from the previous contract, which expired July 1, 2017, were still unresolved two years into a three-year contract. Consequently the two parties came to a verbal agreement to extend that contract for the final year with the following provisions:

- pay raises as follows: 3% for FY18, 4% for FY19, 4% for FY20;
- retroactive pay (total ~ \$35,000) to be paid after July 1, 2019.

Negotiations for the next three-year contract would resume after a new director was in place. The Airport labor attorney was consulted and supported the action. The Cost of Living Adjustment (COLA) was based on the previous year's Boston Consumer Price Index (CPI). Operations staff were performing well and attending trainings.

• MR. OGILVIE MOVED TO APPROVE THE CONTINUATION OF THE PREVIOUS CONTRACT WITH THE UNION AND THE SALARY INCREASES AS AGREED; MR. KNABEL AND MS. ZERN SECONDED; MOTION PASSED UNANIMOUSLY: 6 AYES, 0 NAYS, 0 ABSTENTIONS.

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VIII. DISCUSSION OF CANDIDATES FOR DIRECTOR VISIT AND INTERVIEWS ON APRIL 14TH AND 15TH

- Four finalists had been chosen and would tour the Airport with Director Ann Richart, Chair Bob Rosenbaum, and Search Committee member Mr. Bob Zeltzer, after which they would be given a tour of the Island by Martha's Vineyard Chamber of Commerce Director Nancy Gardella. Mr. Zeltzer would provide the MVAC with his impressions of the tour. Candidate information was available through the Dropbox link.
- Interviews would begin at 9:00 Monday morning, April 15th—the MVAC requested Ms. Richart's presence. Commissioners had been provided with copies of all the questions. Lunch would be served. After all the interviews the MVAC would discuss the candidates and vote on their choice in open session, followed by an executive session to determine contract elements.
- The MVAC publicly thanked the Search Committee: Mr. Knabel, Mr. Ogilvie, Ms. Gretchen Tucker Underwood Mr. Geoff Wheeler, Mr. Zeltzer and Ms. Zern as well as search firm ADK Consulting. The Committee viewed resumes, references and videos for 32 candidates. ADK Consultant Mr. Rod Dinger had expressed his pleasure to be back on Martha's Vineyard.

IX. MCFARLAND JOHNSON UPDATE –

- The land development study was waiting on the new director to reach out to tenants and hear feedback on improvements.
- The FAA comment period on the Land Release was over and the Airport Layout Plan (ALP) and the Property Map had been updated and were awaiting FAA feedback/approval. April 15th was the new target date.
- Massachusetts/National Environmental Protection Act (MEPA/NEPA) projects were waiting on the traffic and obstruction studies grants (see above: p.2). The obstruction study required trees to be in full leaf and hopefully would be ready by October 2019.
- The well house lead and asbestos had been removed. The subcontractor was coordinating permits and McFarland Johnson was coordinating the well driller. The building demolition was scheduled for May 2nd. Mr. Freeman was overseeing the construction oversight, as part of a drive to increase staff participation.
- The Runway 6/24 polyfluoroalkyl substances (PFAS) final soil tests results (see 2/14/19 Minutes p.6 #IX) showed no contamination and were documented as required.
- The Airport Rescue and Fire Fighting (ARFF) truck was in construction with a possible September delivery date, by which time the grant should be in place.

X. WATER/WASTEWATER/FACILITIES REPORT (See documents on file.)

- Airport Facilities Manager Mike Eldridge reported the new boiler had been installed and additional piping would be ready for inspection in July. Staff was able to use the one-year old burner assembly, saving thousands of dollars.
- Staff would work on causes for Northline Rd. flooding over the summer. Catch basin cleaning, was not the sole problem. Heavy stones would be placed to block off-road driving and a new leaching field might be required.

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- Other work included: ceiling tile replacement, heating/ventilation/air conditioning (HVAC) repairs, sweeper repair, baggage pass-thru finishing, door frames adjustments, roof leak investigation, basement louvers reconfiguration re: new boiler pipes.

XI. ASSISTANT AIRPORT MANAGER REPORT

The work on the runway intersection which required a 60 hour closure of both runways (see Minutes: 9/13/18 p.4 & 3/14/19 p.5 #IX) started 6:01AM, Tuesday, April 9th and involved demolition, compaction testing, two layers of asphalt, loam, painting and light checks. It was expected to finish ahead of schedule and Mr. Freeman noting the size of the project commended the military style teamwork and coordination of McFarland Johnson and contractors White Lynch. A temporary construction road would be returned to its natural state. The closing was very widely publicized in various press and internet mediums, on the website, with notams, etc. The MVAC also thanked Mr. Wheeler for his excellent coordination and Ms. Richart, without whom it could not have been accomplished.

XII. DIRECTOR'S REPORT

- This was Ms. Richart's last regular MVAC meeting and she thanked the MVAC for the opportunity to serve them and the community. She was aware of past and continuing growing pains and gave the MVAC credit for their perseverance and work. She recommended Mr. Freeman as an outstanding asset to the Airport in whatever position he chose to serve. The accomplishments of the last three years were reviewed:

- the \$11,000,000 ARFF building completion on schedule and within budget;
- replacement of the failing 6/24 runway on schedule and within budget;
- possible renovation of the 33/15 runway continuing the extensive airfield improvements;
- creation of a Facilities Department;
- extensive work on the aging Terminal building including six new bathrooms; and
- the replacement of the ARFF truck.

- The MVAC commended her for her professional handling of transitions, both when she took up the Manager position and with this departure.

- Ms. Richart was moving on to be the Aviation Director of Nebraska and was happy to be closer to her family in Oregon—where she served previously as Aviation Director.

XIII. CHAIR'S REPORT

Mr. Rosenbaum emphasized the great difference in Airport status from the time Ms. Richart was hired to the present date, and was grateful for the opportunity to work with her. He wished her success in her new position and condolences on the loss of her brother-in-law.

XIV. ITEMS NOT REASONABLY ANTICIPATED BY CHAIR - None

XV. PUBLIC COMMENT - None

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XVI. EXECUTIVE SESSION TO CONSIDER AN AMENDMENT TO THE LEASE OF THE AIRPORT BUSINESS PARK LOT #33 TO DEPOT CORNER, INC.; THE CHAIR DECLARES THAT AN OPEN MEETING MAY HAVE A DETRIMENTAL EFFECT ON THE NEGOTIATION POSITION OF THE PUBLIC BODY

• **MR. OGILVIE MOVED TO ENTER EXECUTIVE SESSION AT 3:22PM UNDER MGL CHAPTER 30A SECTION 21 (a) (3) – TO DISCUSS STRATEGY WITH RESPECT TO THE LEASE VALUE OF REAL PROPERTY FOR AIRPORT BUSINESS PARK LOT #33 DEPOT CORNERS, IF THE CHAIR DECLARES THAT AN OPEN MEETING MAY HAVE A DETRIMENTAL EFFECT ON THE NEGOTIATING POSITION OF THE PUBLIC BODY AND THE CHAIR SO DECLARES, AND TO RETURN TO OPEN SESSION AND TO INVITE THE AIRPORT DIRECTOR ANN RICHART AND RECORDER MARNI LIPKE TO BE PRESENT THROUGHOUT AND AIRPORT LEGAL COUNSEL DAVID MACKEY TO JOIN THE SESSION BY PHONE; MR. KNABEL SECONDED; MOTION PASSED UNANIMOUSLY: 6 AYES, 0 NAYS, 0 ABSTENTIONS: MR. WHARTON—AYE, MR. TRIP BARNES—AYE, MR. KNABEL—AYE, MS. ZERN—AYE, MR. OGILVIE—AYE, MR. ROSENBAUM—AYE.**

• There was a brief recess while the room was cleared.

* Airport Counsel Mr. David Mackey entered the meeting by phone and attested that he was in a room alone with the door closed.

• **MR. KNABEL MOVED TO RETURN TO OPEN SESSION AT 3:42PM; MS. ZERN SECONDED; MOTION PASSED UNANIMOUSLY: 6 AYES, 0 NAYS 0 ABSTENTIONS; MR. WHARTON—AYE, MR. BARNES—AYE, MR. KNABEL—AYE, MS. ZERN—AYE, MR. OGILVIE—AYE, MR. ROSENBAUM—AYE.**

• **MR. KNABEL MOVED TO AUTHORIZE THE AIRPORT DIRECTOR TO SIGN AN AMENDMENT TO THE LEASE WITH DEPOT CORNER THAT CLARIFIES THE PARTIES' INTENTION THAT THE RENT CANNOT DECREASE ON THE FIVE YEAR APPRAISAL BUT WILL INCREASE BY THE CONSUMER PRICE INDEX (CPI) OR FAIR MARKET VALUE (FMV) WHICHEVER IS GREATER; MS. ZERN SECONDED; MOTION PASSED UNANIMOUSLY: 6 AYES, 0 NAYS 0 ABSTENTIONS**

XVII. CONFIRMATION OF NEXT MEETINGS:

- **MVAC - 9:00AM, Monday, April 15, 2019**
- **Outreach Subcommittee - 3:30PM, Thursday, May 2, 2019**
- **Land Use Subcommittee - 5:00PM, Thursday, May 2, 2019**
- **Finance Subcommittee - 3:30PM, Friday May 3, 2019**
- **MVAC - 2:00PM, Thursday, May 9, 2019**

XVIII. CALL FOR MOTION TO ADJOURN

• **MR. KNABEL MOVED TO ADJOURN AT 3:47PM; MR. WHARTON SECONDED; MOTION PASSED UNANIMOUSLY: 6 AYES, 0 NAYS, 0 ABSTENTIONS.**

continued

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Appendix A: Tasks - None

Appendix B: Documents on file:

- Agenda 4/11/19
- Sign-in Sheet 4/11/19
- MVAC March 14, 2019 Meeting Draft Minutes (5 p.)
- MV Airport Staff Summary re: Request to Authorize Airport Director to Apply For and Accept
FY 2019 Grants from MassDOT and FAA 4/11/19
- Proposed Amendment
- MV Airport Water, Wastewater, and Facilities Departments March 2019 (4 p.) 4/9/19

Approved as amended 5/9/19