

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

**July 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, Richard Knabel,  
Donald Ogilvie, R. Peter Wharton, Kristin Zern,  
Airport Staff: Cindi Martin - Director, Geoffrey Freeman - Assistant Manager,  
Water/Wastewater – Mike Eldridge, Christina Colarusso,  
Dukes County: John Cahill – Commissioner,  
Others: Ronald Myrick – Tetra Tech, Adam Epstein\* – MV Concert Series,  
Marni Lipke – Recorder  
Press: Lucas Thors – MV Times, 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 2:02PM. Chair Bob Rosenbaum expressed his and the MVAC's condolences on the death of Commissioner Kristin Zern's husband, Mr. Brook Zern.

**II. APPROVAL OF MEETING MINUTES FROM FEBRUARY 16, 2019**

• June 13, 2019 Action

**• MR. RICHARD KNABEL MOVED TO APPROVE THE JUNE 13, 2019 MINUTES; MR. DON OGILVIE SECONDED; MOTION PASSED UNANIMOUSLY: 5 AYES, 0 NAYS, 0 ABSTENTIONS.**

• Executive Session May 9, 2019 Action

• Executive Session June 13, 2019 Action

**• MR. PETER WHARTON MOVED TO APPROVE BUT NOT RELEASE THE MAY 9, 2019 EXECUTIVE SESSION MINUTES AND JUNE 13, 2019 EXECUTIVE SESSION MINUTES; MR. OGILVIE SECONDED; MOTION PASSED UNANIMOUSLY: 5 AYES, 0 NAYS, 0 ABSTENTIONS.**

**III. FINANCE SUBCOMMITTEE REPORT**

- The \$1,265,791 bond legislation passed the State: House, Senate and Governor's signature (see 10/11/18 Minutes p.4 #VIII & below: p. #IX).
- MR. KNABEL MOVED TO CONVEY A REQUEST TO THE DUKES COUNTY COMMISSION AND COUNTY ADVISORY BOARD TO APPROVE THE BOND AND SUBMIT IT TO THE COUNTY TREASURER FOR EXPEDITED PROCESSING AND RELEASE; MR. OGILVIE SECONDED; MOTION PASSED UNANIMOUSLY: 5 AYES, 0 NAYS, 0 ABSTENTIONS.**
- In order to maintain a clear paper trail the motion was signed by the MVAC Chair.

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- Financial reports were still not timely. May actuals were not received until the day of the July Subcommittee meeting. Cash flow was better than projected. End-of-year FY19 closing information was not yet available.
- The unexpected Fiscal Year 2019 (FY19) Polyfluoroalkyl Substances (PFAS) project (see 5/9/19 Minutes p.5 #IX) total cost (legal, Tetra Tech, treatment systems, bottled water, etc.) was \$357,650.
- Martha's Vineyard Airport Business Park (MVABP) revenue improved thanks to Property Manager Kevin Brennan and Comptroller Eddie Christoforo. A glitch in billing resulted in a large outstanding balance for the NRG Canal generator lot (see 3/8/18 Minutes p.7) that was now being rectified. However JetBlue still showed substantial arrears, as did the Federal Aviation Administration (FAA), and Delta.
- Airport Director Cindi Martin was working on the FY20 Budget amendment regarding all line items in revenue, expense and capital. She would be consulting with County Treasurer Ann Metcalf on County information not available to the Airport. The final draft was targeted for the September County Commission (DCC) and Advisory Board (CAB) meetings. Mr. Rosenbaum thanked the entire financial team for their work and steady progress.

**IV. LAND USE SUBCOMMITTEE REPORT**

- Subcommittee Chair Mr. Wharton thanked Mr. Brennan and Mr. Christoforo for their excellent work on MVABP revenues.
- Ms. Martin drafted a revised rental car concession Request for Proposal (RFP) bringing it up to industry standards in terms of:
  - real estate: office/terminal desk, storage lots, ready parking spaces (\$10 per space per month),
  - plus Minimum Annual Guarantee (MAG) or 10% concession fee whichever is greater.Projections estimated it should increase Airport annual return from the current ~ \$280,000 to ~ \$428,000. The contracts all expired at the same time.
- **MR. WHARTON MOVED TO PROCEED WITH RENTAL CAR FEE STRUCTURE AS PROPOSED; MR. KNABEL SECONDED; MOTION PASSED UNANIMOUSLY: 5 AYES, 0 NAYS, 0 ABSTENTIONS.**
- The Planeview Restaurant RFP was also in process, and Ms. Martin was working diligently to update MVBAP regulations.
- The Subcommittee and full MVAC should be considering what kinds of kind of businesses were desirable for the new MVBAP lots. There were some delays in the Martha's Vineyard Commission (MVC) final approval process regarding mapping the two large lots and the District of Regional Impact (DRI), so the timeline was extended to Spring 2020.
- Later in the meeting, Mr. Adam Epstien of Martha's Vineyard Concert Series provided the requested documentation (see 6/13/19 Minutes p.1-2 #III). MVAC and Dukes County had to be named as additional insured on the liability policy. Lighting and space limitations reduced parking to 197 vehicles, so in compensation the Festival proposed using the space in the week leading up to the event for staging and bus storage (~ 16 buses or a third of the lot).
- **IT WAS THE CONSENSUS OF THE MARTHA'S VINEYARD AIRPORT COMMISSION TO AUTHORIZE THE AIRPORT DIRECTOR AND STAFF TO MANAGE THE MARTHA'S VINEYARD CONCERT SERIES PARKING AGREEMENT AND LOGISTICS.**

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V. OUTREACH SUBCOMMITTEE REPORT – Nothing to report.

VI. AIRPORT MANAGEMENT REPORT

• Staff Reports: Operations

- MVY Airport received the first part of its 2019 grant, funding the Airport Rescue and Fire Fighting (ARFF) vehicle, including its phone kit—anticipated delivery date late September. Refitting the older ARFF vehicle missed the FAA cut timeline, so management was applying for Mass. Dept. of Transportation Division of Aeronautics (MassDOT-Aeronautics) funding.
- Ms. Martin asked for MVAC direction on the Airport Engineering Services contract that could be renewed for two additional one-year periods or put out to bid. She preferred it be re-bid as standard industry practice, refreshing the commitment and promoting competition. Each airport's RFP was usually modified from FAA standard template. Any projects outside of the 36-month contract or Master Plan revision (a top consideration) would have to be rebid. A range of bids from both large and small companies was anticipated. The final RFP could be presented to the MVAC in August but would then have to be published immediately.
- WITH THE CONSENSUS OF THE MARTHA'S VINEYARD AIRPORT COMMISSION, CHAIR BOB ROSENBAUM AUTHORIZED THE AIRPORT DIRECTOR TO DRAFT AN RFP FOR AIRPORT ENGINEERING SERVICES.
- Runway 6/24 final grooving was finished in June and was awaiting final FAA inspection. The new runway was garnering compliments from the aviation community.
- MVY Airport went through the three-day Transportation Safety Administration (TSA) inspection. The TSA inspector highly praised the TSA/MVY Airport collaborative relations and made recommendations on better badging and other projects.
- Island mutual aid (State and local police, fire, Tri-Town Ambulance, Salvation Army, etc.) responded to a threat to the Airport. There was about a 3.5 hour delay in traffic. The MVAC complimented and thanked staff and all responders. A debriefing meeting was planned.
- The Airport was very busy during the July 4th holiday with the airlines in full operation.
- Mr. Ogilvie suggested a shelter for Tradewinds private air charter service check-in.
- LAZ parking was running smoother than last year, with some glitches due to heavy rains. A button had been installed to facilitate customer operation of the ticketing equipment. The Island Card system was being reassessed.

• Staff Reports: Water/Wastewater, Facilities (See documents on file.)

- The well decommission was finally completed (see 2/14/19 Minutes p. 6 #IX). There was some wastewater facility flooding caused by a polymer issue. The Department was increasing landscaping duties and working with the contractor on Terminal air conditioning repair.
- Since the former Director Ann Richard created the Department, staff had been addressing back-logged maintenance, but was now moving into more pro-active planning such as: quotes on new windows and maintenance contracts, consulting Edgartown on a new water main, etc.

• Consultants Reports: Tetra Tech Update

Tetra Tech had tested 195 wells of which 36 exceeded the PFAS action threshold. 36 treatment systems had been installed and were being monitored. Most resident feedback on the Airport response was positive. The PFAS pathway was reasonably established, but as previously noted

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the Island had a complex geology so well monitoring would continue and any new findings addressed. Department of Environmental Protection (DEP) standards were still in draft form but no significant changes were expected. All health related questions were referred to a third party superfund-affiliated Boston University expert (see below: Tasks). The MVAC suggested a public forum with the expert. Unfortunately so far the entire PFAS cost was Airport responsibility (see below # VII).

**VIII. NEW BUSINESS** (See documents on file.)

• Tetra Tech Environmental Services Contract for FY2020 Action

The \$210,000 FY20 contract (including \$86,000 in lab costs) covered:

- continued private well sampling for a handful of wells beyond the current path, and resampling of some high concentration clusters;
- continued treatment system monitoring of both intake and post treatment;
- regulatory reporting, addressing data gaps, and contingency plan submittals;
- meetings, management and response to public calls.

The Culligan treatment system installation invoices were billed separately. Bottled water provision would be gradually phased out, although residents could continue on a private contract. In keeping with Airport Director recommendation:

• **MR. OGILVIE MOVED TO TO APPROVE THE TETRA TECH FISCAL YEAR 2020 CONTRACT AS PROPOSED; MS. ZERN SECONDED; MOTION PASSED UNANIMOUSLY: 5 AYES, 0 NAYS, 0 ABSTENTIONS AND THE CHAIR SIGNED AND EXECUTED THE CONTRACT.**

• Consultants Reports: McFarland Johnson Update

The following Work Orders were closed: #2, 3, 6, 10, 12, 13, 15 15a 16, 17, 18, 19, 20, 21 and invoices would be submitted. Open work orders included the Land Release, Runway 6/24, and the ARFF truck. Any new work orders would be brought to the MVAC. The initial Wastewater Treatment work order was completed but a new one was being drafted (scope, budget, etc.) taking into account the timeline for State funding both the committed \$2,500,000 and the prospective \$1,000,000 addition.

**VII. CHAIR'S REPORT**

- Mr. Rosenbaum reiterated thanks to the threat responders. He commended Ms. Martin on her excellent first month on the job and reported that her housing should be resolved shortly.
- He reported on his experience at the American Association of Airport Executives (AAAE) conference, including conference technology advances, speakers Ms. Doris Kearns Goodwin and Mr. Kirk Schaefer. However he considered the agenda did not address airport commissioner issues. He was able to question Mr. Schaefer on FAA PFAS funding but the response was vague.
- Ms. Martin was working with Tetra Tech and legal counsel on a memo. A bill moving through Congress to declare PFAS a contaminant would make it eligible for Federal (but not necessarily FAA) funding—depending on Airport exemption amendments.
- The MVAC discussed:
  - selling nominally priced, rechargeable fuel rods that could charge tech devices;

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- lost and found apps that facilitated returns;
- drone interceptors.

IX. ITEMS NOT REASONABLY ANTICIPATED BY CHAIR

- County of Dukes County Proposed Legislation Authorizing the Borrowing of Funds for Land Acquisition and Capital Improvements

In the course of legislative authorization for the previous bond State officials expressed frustration with the requested bill. The County Manager and Treasurer were working with bond counsel on a home rule bill with an aggregate cap to eliminate the torturous State process for each borrowing. The MVAC and staff considered capital projects and disaster costs (hurricanes, runway damage, etc.) for worst-case scenarios. The Commission emphasized:

- this was not a bond application;
- Legislative process delayed the previous borrowing for two years;
- the statute would reduce burdensome legislative procedures
- actual borrowing would still require Dukes County Commission and Advisory Board approval;
- to date the MVAC had been very responsible in borrowing, justifying impact and affordability.
- Mr. Wharton advocated for coordinating a strategic financial plan to the Airport Master Plan.
- **MR. KNABEL MOVED THAT THE MARTHA'S VINEYARD AIRPORT COMMISSION DIRECT DUKES COUNTY THAT IT APPROVES AN AGGREGATE DEBT CEILING OF THIRTY MILLION DOLLARS (\$30,000,000) INCLUDING ONE MILLION DOLLARS (\$1,000,000) FOR WASTEWATER FACILITIES UPGRADE/REPAIR, WITH THE PROVISION THAT THE MARTHA'S VINEYARD AIRPORT COMMISSION HAVE FINAL APPROVAL OF LEGISLATION WORDING; MS. ZERN SECONDED; MOTION PASSED UNANIMOUSLY: 5 AYES, 0 NAYS, 0 ABSTENTIONS.**

X. PUBLIC COMMENT - None

XI. CONFIRMATION OF NEXT MEETINGS:

- Outreach Subcommittee - 3:30PM, Thursday, August 1, 2019
- Land Use Subcommittee - 5:00PM, Thursday, August 1, 2019
- Finance Subcommittee - 3:30PM, Friday, August 2, 2019
- **MVAC - 2:00PM, Thursday, August 8, 2019**

XII. EXECUTIVE SESSION

To Discuss Strategy with Respect to the Litigation of the Award of the Lease for Airport Business park Lot #33 and Contract Negotiations for Union Personnel; the Chair Has Determined that an Executive Session is Necessary Because an Open Meeting May Have a Detrimental Effect of the Litigating and Negotiating Position of the Commission

- **MR. KNABEL MOVED TO GO INTO EXECUTIVE SESSION 3:49PM, UNDER MASSACHUSETTS GENERAL LAW CHAPTER 30A SECTION 21 (a) (2) TO DISCUSS STRATEGY WITH RESPECT TO THE LITIGATION OF THE AWARD OF THE LEASE FOR AIRPORT BUSINESS PARK LOT #33 AND THE CHAIR HAVING DETERMINED THAT AN EXECUTIVE SESSION IS NECESSARY BECAUSE AN**

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**OPEN MEETING MAY HAVE A DETRIMENTAL EFFECT OF THE LITIGATING AND NEGOTIATING POSITION OF THE COMMISSION AND NOT TO RECONVENE IN OPEN SESSION AND TO INVITE AIRPORT DIRECTOR MS. CINDI MARTIN, AIRPORT ASSISTANT MANAGER MR. GEOFFREY FREEMAN, AND RECORDER MS. MARNI LIPKE TO BE PRESENT THROUGHOUT; MR. WHARTON SECONDED; MOTION PASSED UNANIMOUSLY: 5 AYES, 0 NAYS, 0 ABSTENTIONS: MR. KNABEL—AYE, MR. WHARTON—AYE, MS. ZERN—AYE, MR. OGILVIE—AYE, MR. ROSENBAUM—AYE.**

\* There was a break while the room was cleared and the session began at 3:56PM.

XIII. CALL FOR MOTION TO ADJOURN

**• MR. WHARTON MOVED TO ADJOURN AT 4:31PM: MR. OGILVIE SECONDED; MOTION PASSED UNANIMOUSLY: 5 AYES, 0 NAYS, 0 ABSTENTIONS: MR. KNABEL—AYE, MR. WHARTON—AYE, MS. ZERN—AYE, MR. OGILVIE—AYE, MR. ROSENBAUM—AYE.**

**Appendix A: Tasks**

- Mr. Freeman – research resident identification to replace Island Card re: parking.
- Mr. Myrick/Mr. Rosenbaum – plan a September/October public forum on PFAS health issues.

**Appendix B: Documents on file:**

- Agenda 7/11/19
- Sign-in Sheet 7/11/19
- MVAC June 13, 2019 Meeting Draft Minutes (9 p.)
- MV Airport Staff Summary re: Tetra Tech Environmental Services Contract for FY2020
- Billa/Myrick letter re: Environmental Services Proposal, Massachusetts Contingency Plan Services for RTN 4-27571: July 2019 to June 2020 (FY2020) Martha's Vineyard Airport, West Tisbury and Edgartown, Massachusetts (10 p.) 6/23/19
- MV Airport Water, Wastewater, and Facilities Departments Information and Newsletter (2 p.) 7/9/19

Approved as amended for typos 8/8/19