

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

May 13, 2021, 2:00PM

**Martha's Vineyard Airport Commission Conference Room
and by Zoom Cloud Conference**

Notice of Such Meeting Having Been Posted as Required by Law

Present: Airport Commissioners: Chair - Robert Rosenbaum, Jack Ensor, Richard Knabel,
Donald Ogilvie, Geoffrey Wheeler, Robert Zeltzer,
Kristin Zern,
Airport Staff: Geoffrey Freeman - Director,
Kevin Brennan - Property Manager, Edward Christoforo - Comptroller,
Denise Tawa - Assistant to Airport Management,
Joan Shemit – Airport Business Manager,
Water/Wastewater – Mike Eldridge, Christina Colarusso, Jeremy Osbourn,
Others: Matt O'Brien – McFarland Johnson, David Dineen – Gale Associates,
Richard Andre, Sarah Schweitzer – Vineyard Wind,
James Ferraro – Ferraro Law Firm,
Norm Werthwein - Finance Subcommittee,
Irene Ziebarth – Outreach Subcommittee,
Kitty Luening Culbert, Don Leopold, Randy Luening,
Elysse Magnotto-Cleary, Jean Mongillo, Lasse Paulsen, Dan Wolfe,
Marni Lipke – Recorder
Press: George Brennan, Rich Salzberg – MV Times, MVTV,
* Late arrival or early departure of Airport Commissioners (see * in text)

I. CALL TO ORDER

The Martha's Vineyard Airport Commission (MVAC) meeting was called to order at 2:00PM.

II. APPROVAL OF REGULAR MEETING MINUTES FROM APRIL 8, 2021 Action

• MOTION: TO APPROVE THE APRIL 8, 2021 MINUTES AS AMENDED;

FIRST: MR. GEOFFREY WHEELER,

SECOND: MS. KRISTIN ZERN,

VOTE: PASSED: 6 AYES, 0 NAYS, 1 ABSTENTION due to absence: MR. JACK ENSOR – AYE, MS. ZERN – AYE, MR. DON OGILVIE – AYE, MR. BOB ZELTZER – AYE, MR. WHEELER – AYE, MR. RICHARD KNABEL – ABSTAIN, MR. BOB ROSENBAUM – AYE.

V. OUTREACH SUBCOMMITTEE REPORT

- The MVAC welcomed and thanked Ms. Irene Ziebarth to the Subcommittee (see 4/8/21 Minutes p.2 #V).
- Subcommittee Chair Kristin Zern announced the Cape Air sponsored David Luening Memorial Scholarship, committing \$26,500 over 4 years, of which the George Bauer Foundation donated \$16,500.
- Cape Air Chief Executive Officer (CEO) Dan Wolfe, referred to the honor of serving as the region's State Senator for 3 terms—and at one time had attended every MVAC meeting. He and Mr. George Bauer also attested that Cape Air in partnership with Vineyard Wind was pioneering the first all electric commercial airplane. He and Mr. George Bauer spoke about the late David

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Luening, as a founding member of Cape Air with a passion for family and aviation, a gentleman, friend, mentor, and father figure, thoughtful, intelligent, and kind. Mr. Randy Luening expressed the family pleasure in this memorial to his father who loved the Island.

- Cape Air had been donating to scholars but was glad to establish a more permanent and greater commitment—while also looking forward to engaging pilots (especially women and minorities) that might graduate from the program—current scholarship recipients were both women.

III. FINANCE SUBCOMMITTEE REPORT (See documents on file.)

The Martha's Vineyard Airport (MVY) financials continued to be healthy with a better cash position than projected and a year-to-date Profit and Loss (P&L) showing operations at a considerable surplus. Airport Business Park arrears were in the normal range, thanks to Comptroller Ed Christoforo and Business Park Manager Kevin Brennan.

A. Approve Fiscal Year 2022 (FY22) Budget **Action**

• The Budget was drafted with a view to possible further pandemic impact—with CARES Act and other Federal grant revenues expected. The Subcommittee reduced the Other Post Employee Benefits (OPEB) from \$150,000 to current projected spending (~ \$56,000). The MVAC discussed OPEB issues (see 12/11/20 Minutes p.1-2 #VI D).

- Subcommittee member Mr. Norm Werthwein counseled that capital funds could be better spent, than sitting in an account and consequently only a small surplus was required.

- The reduction increased the Budget cash flow flexibility.

- West Tisbury was making great strides in addressing its total OPEB liability.

- Bond ratings could be effected by OPEB obligation pay-down.

• **MOTION: TO ADOPT THE MARTHA'S VINEYARD AIRPORT FISCAL YEAR 2022 BUDGET AS PRESENTED AT THE TABLE;**

FIRST: MR. KNABEL,

SECOND: MR. OGILVIE,

VOTE: UNANIMOUS: 7 AYES, 0 NAYS, 0 ABSTENTIONS: MR. KNABEL—AYE, MR. WHEELER—AYE, MR. ZELTZER—AYE, MR. OGILVIE—AYE, MR. ENSOR—AYE, MS. ZERN—AYE, MR. ROSENBAUM—AYE.

B. Bond Borrowing, On Hold Until Wastewater Treatment Plan (WWTP) Final Estimate Costs are Received **Action**

The Airport had the cash for a September 2021 pay-off of the Bond Anticipation Note (BAN) covering the wastewater treatment plant upgrade design, runway improvements and the firetruck. This would save bonding capacity for the coming wastewater treatment plant upgrade (possibly \$5.5-6,000,000) and avoid having to apply to the County for the rollover.

• **MOTION: TO NOT CONTINUE THE BOND FOR THE RUNWAY, WASTEWATER DESIGN AND FIRE TRUCK;**

FIRST: MR. KNABEL,

SECOND: MR. ZELTZER,

VOTE: UNANIMOUS: 7 AYES, 0 NAYS, 0 ABSTENTIONS: MR. ENSOR—AYE, MS. ZERN—AYE, MR. OGILVIE—AYE, MR. ZELTZER—AYE, MR. WHEELER—AYE, MR. KNABEL—AYE, MR. ROSENBAUM—AYE.

• Mr. George Brennan informed the MVAC that by meeting in-person without masks they were violating local regulations as confirmed by the Tisbury Board of Health (see documents on file). The Commissioners put on masks, although muffling problems were acknowledged for those joining meetings by Zoom.

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IV. LAND USE SUBCOMMITTEE REPORT

A. Approve RFP MVA 2021-05 – 17 Hangar Road North Hangar Award to Vineyard Wind 1 LLC (See documents on file.) **Action**

Vineyard Wind was the sole bidder on the Dutchess Hangar Request for Proposal (RFP). The response was evaluated by staff and several inconsistencies between the bid and the RFP were addressed:

- rent as noted in the RFP;
- a side agreement that helicopter traffic would go to the Southeast Ramp with equipment towed to and from the site;
- the Boston Consumer Price Index (BCI) agreed as a yearly rent increase.
- Further clarification was requested as to the 5-year appraisal base adjustment. The matter was tabled pending a completed award. Vineyard Wind representative Ms. Sarah Schweitzer would contact Airport Director Geoffrey Freeman, and Mr. Brennan. A short MVAC meeting could be called once the final issue was resolved.

VI. PERSONNEL SUBCOMMITTEE REPORT

The Subcommittee was revising and updating the MVY Personnel Handbook, and would submit the final draft to the MVAC.

A. Airport Director Compensation **Action**

When Airport Director Cindi Martin retired and Mr. Freeman was promoted, the MVAC committed to a six-month evaluation and salary adjustment (see 8/13/20 Minutes p.6-7 #VI), now several months overdue due to pandemic delays. The Subcommittee commended Mr. Freeman for his excellent work, not only as Director but also in fulfilling his previous duties as Deputy Director. In keeping with Personnel Subcommittee recommendation:

- **MOTION: WITH COMMENDATIONS FOR A JOB WELL DONE TO AUTHORIZE AN INCREASE IN AIRPORT DIRECTOR GEOFFREY FREEMAN'S SALARY TO \$168,650 EFFECTIVE AS OF 6 MONTHS FROM THE DATE OF HIS PROMOTION TO AIRPORT DIRECTOR;**

FIRST: MR. ZELTZER,

SECOND: MR. ENSOR,

VOTE: UNANIMOUS: 7 AYES, 0 NAYS, 0 ABSTENTIONS: MR. KNABEL—AYE, MR. WHEELER—AYE, MR. ENSOR—AYE, MR. ZELTZER—AYE, MR. OGILVIE—AYE, MS. ZERN—AYE, MR. ROSENBAUM—AYE.

- Hiring a Deputy Director would be considered after the busy summer tourist season.

VII. MVY MANAGEMENT REPORT (See documents on file.)

- Mr. Freeman acknowledged the passing of former Airport Commissioner Peter Bettencourt and Provincetown Airport Manager Butch Lisenby who was also active in Cape Air.
- April statistics showed the rebound from the 2020 Covid-19 pandemic shut down, with a slight drop from March 2021 probably due to weather. Enplaned passengers were on the rise and JetBlue, Delta and Elite Airlines started service this month.
- The 2021 Federal Aviation Administration (FAA) Part 139 Inspection was completed in-person. The inspection covered all trainings, record keeping and fueling with special attention to the airfield to compensate for the fact that the 2020 Part 139 was virtual (see 3/11/21 Minutes p.5 #VIII). The inspection went very well with only 3 letters of corrections, of which 2 were easily addressed and the third on asphalt concerns was already being assessed by engineers.

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- JetBlue service had just started. They were anticipating flying a full schedule, and were considering extending their season to October 30th.
- The saplings for students went out to all schools (see 4/8/21 Minutes p.4 #VIII). Mr. Freeman gave very special thanks to staff for the unexpectedly time-consuming work of separating large bundles of plants beyond standard work hours. The Airport received many thank you messages, cards and pictures from the schools.
- A little later in the meeting Mr. Freeman reported that, despite continued advertising, the Airport would be understaffed this summer on ramps, baggage, vehicles, etc. due to residual pandemic issues as well as the housing shortage.

X. CHAIR'S REPORT

- Chair Bob Rosenbaum was pleased with Part 139 Inspection meeting and commended management and staff. He noted and Mr. Freeman confirmed that no deer were found on Airport property (see 12/10/15 Minutes p.2 #IV A).
- He thanked all the Commissioners and Subcommittees for their efficiency and dedication that resulted in smooth, easy regular MVAC meetings.
- Mr. Rosenbaum proposed to continue hybrid in-person and Zoom technology participation for MVAC meetings, which allowed those who wished to continue remotely as well as facilitating public attendance.

A. Discuss Senator's Cyr's Bill S.2305 (See documents on file.)

The region's State Senator Julian Cyr introduced a bill to mitigate climate impact of corporate and private air travel by assessing a climate impact landing fee. The MVAC objected that the bill had been submitted without contacting impacted entities and that inquiries had not received satisfactory responses. The MVAC considered it a poorly thought out action that would profoundly discourage general aviation traffic by imposing prohibitive landing costs without taking into account a cost benefit analysis. The proposed bill would be discussed with the Nantucket Airport Director and at the next Massachusetts Airport Managers Association (MAMA) as well as by MassPort.

IX. ITEMS NOT REASONABLY ANTICIPATED BY CHAIR

- New MVAC members requested a tour of the Airport (see below: Tasks).

X. PUBLIC COMMENT - None

XI. ANNOUNCE NEXT MEETINGS

- Outreach Subcommittee – 2:00PM, Thursday, June 3, 2021
- Land Use Subcommittee - 3:00PM, Thursday, June 3, 2021
- Finance Subcommittee - 3:30PM, Friday, June 4, 2021
- **MVAC - 2:00PM, Thursday, June 10, 2021**

XII. EXECUTIVE SESSION - UNDER MASS. GENERAL LAW (MGL) CHAPTER 30A SECTION 21 (a) (3) - TO DISCUSS WITH RESPECT TO LITIGATION REGARDING POLYFLUOROALKYL SUBSTANCES (PFAS); THE CHAIR HAS DETERMINED THAT AN EXECUTIVE SESSION IS NECESSARY BECAUSE AN OPEN MEETING MAY HAVE A DETRIMENTAL EFFECT ON THE COMMISSION'S POSITION

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- **MOTION:** **TO ENTER EXECUTIVE SESSION AT 3:26PM, NOT TO RECONVENE IN OPEN SESSION, UNDER MASSACHUSETTS GENERAL LAW CHAPTER 30A SECTION 21 (a) (3) TO DISCUSS WITH RESPECT TO LITIGATION REGARDING POLYFLUOROALKYL SUBSTANCES (PFAS); THE CHAIR HAVING DETERMINED THAT AN EXECUTIVE SESSION IS NECESSARY BECAUSE AN OPEN MEETING MAY HAVE A DETRIMENTAL EFFECT ON THE COMMISSION'S POSITION, AND TO INVITE AIRPORT DIRECTOR MR. GEOFFREY FREEMAN, MR. JAMES FERRARO OF FERRARO LAW FIRM AND RECORDING SECRETARY MS. MARNI LIPKE TO BE PRESENT THROUGHOUT;**

FIRST: **MS. ZELTZER,**

SECOND: **MR. OGILVIE;**

VOTE: **UNANIMOUS: 7 AYES, 0 NAYS, 0 ABSTENTIONS: MR. KNABEL—AYE, MR. ZELTZER—AYE, MR. OGILVIE—AYE, MR. ROSENBAUM—AYE, MS. ZERN—AYE, MR. ENSOR—AYE, MR. WHEELER—AYE.**

- There was a brief break and the session reconvened at 3:34PM, when everyone testified they were alone in a room with no one listening.

XIII. ADJOURN

- **MOTION:** **TO EXIT EXECUTIVE SESSION AND ADJOURN THE MEETING AT 3:53PM;**

• **FIRST:** **MR. ENSOR,**

• **SECOND:** **MR. WHEELER,**

• **VOTE:** **UNANIMOUS: 7 AYES, 0 NAYS 0 ABSTENTIONS; MS. ZERN—AYE, MR. OGILVIE—AYE, MR. ZELTZER—AYE, MR. WHEELER—AYE, MR. KNABEL—AYE, MR. ENSOR—AYE, MR. ROSENBAUM—AYE.**

Appendix A: Tasks

- Mr. Freeman – correct statistic report.
- Mr. Freeman – arrange tour of Airport for MVAC.

Appendix B: Documents on file:

- Agenda (2 p.) 5/13/21
- FY22 Operating Budget
- Martha's Vineyard Airport Staff Summary – MVY RFP 2021-05 – Disposition of Real Property via Aeronautical Use Lease – 17 Hangar Road North, (2 p.) 5/13/21
- Martha's Vineyard Airport ATC Traffic Count
- Martha's Vineyard Airport Revenue Enplaned PAX Market Share
- Senate No. 2305 – The Commonwealth of Massachusetts Presented by Julian Cyr (4 p.) 2/19/21
- Martha's Vineyard Airport Water, Wastewater, and Facilities Department Information and Newsletter, April 2021, 5/12/21
- Procedure for Entering Executive Session on May 13, 2021

continued >

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Appendix B: Documents on file (cont.):

• Zoom Chat:

George Brennan to Everyone (2:35 PM)

Sorry to interrupt. But this meeting violates state laws regarding mask regulations.

<https://mail.google.com/mail/u/0/?tab=om#inbox/KtbxLvHkVTQTrZmGJvZcQzHhgvhGBRgFGB?projector=1&messagePartId=0.1>

Sorry this is the correct link.

<file:///Users/george/Downloads/current%20state%20mask%20order.pdf>

Maura Valley has confirmed

Minutes approved as amended 6/10/21