

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

August 12, 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, Edward Christoforo - Comptroller,
Joan Shemit – Airport Business Manager,
Denise Tawa - Assistant to Airport Management,
Water/Wastewater – Mike Eldridge, Christina Colarusso, Jeremy Osbourn,

Others: Norm Werthwein - Finance Subcommittee, Marni Lipke – Recorder
Krista Poppas – Outreach Subcommittee,
Rich Lasdin, Matt O'Brien – McFarland Johnson,
Ron Myrick – Tetra-Tech, Jean Mongillo – MAMA,
Lauren Hertel, Jessica Richard, Laurie Toscano - Woodard Curran
David Mackey - Anderson Krieger Airport Counsel

Press: Alyan Walker – Gazette, Shavannae Anderson – 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 2:02PM. Commissioner Jack Ensor joined the meeting by Zoom technology so roll call votes were required.

- The new/updated Wastewater Treatment Plant would be named in honor of retiring Water and Wastewater Operator Mike Eldridge for his exceptional management of Airport facilities, his cooperative partnership with Tetra Tech and McFarland Johnson, and particularly for his work in keeping the current aging plant functioning.

II. APPROVAL OF MEETING MINUTES – JULY 8 2020 Action

• **MOTION:** TO APPROVE THE JULY 8, 2020 MINUTES AS AMENDED;

FIRST: MS. KRISTIN ZERN,

SECOND: MR. GEOFF WHEELER,

VOTE: TABLED.

III. FINANCE COMMITTEE

- Final Fiscal Year 2021 (FY21) numbers showed a generous operating surplus due to sound management and Federal Covid relief funding. Thanks went to Airport Comptroller Ed Christoforo for the accurate Profit and Loss (P & L) report.

- The first month of FY22 generated healthy cash flow, including increases in fuel sales, Fixed Base Operator (FBO) and commercial airline activity. The Airport was on the way to building its reserve fund—with a balance goal of a year's operating expenses. Accounts receivable were about as usual, with the slight variance this month due to water/wastewater bills.

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A. State Revolving Fund for Wastewater Treatment Plan (WWPT) with Woodard & Curran (See documents on file.) Action

A letter from the State reported MVY Airport eligible for State Revolving Fund financing to upgrade the WWPT, but required Dukes County approval to borrow the estimated \$6,670,000 total cost, in case the entire amount had to be borrowed. In keeping with Finance Committee recommendation

• MOTION: TO ACCEPT THE OFFER FOR MASSACHUSETTS STATE REVOLVING FUND FINANCING FOR THE WASTEWATER TREATMENT PLANT UPGRADE;

FIRST: MR. DON OGILVIE,

SECOND: MR. WHEELER,

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

B. Discussion of Wastewater Rates Action

It had been previously determined that the break even wastewater operating fee was 8¢ per gallon and rates were precipitously raised accordingly (see 7/24/18 Minutes p.2 #III), but serious tenant objections resulted in a retreat to a 1¢/gallon increase with the understanding that it would be raised incrementally each year (which practice had not been instituted). Coverage of the impending WWTP capital costs would be 11¢/gallon—on top of the 8¢/gallon operating cost. After careful consideration the Finance Committee recommended a 2¢/gallon increase that would compensate for already expended WWTP upgrade design costs. An accompanying letter would notify tenants of pending short and long-term capital cost with more detailed information made available as it became known. Commissioners debated:

- previous tenant protests involving a steep increase without sufficient notification;
- sufficient notice to allow tenants to plan for the increase(s);
- a gradual rise as more acceptable than the original spike;
- 2¢/gallon as a 66% increase (1¢/gallon equaled ~ \$31,000 in revenue);
- most wastewater treatment amortized over thousands of users versus 65 Airport tenant users;
- more detailed and established WWTP capital cost information available in March 2022;
- cost and management of running a business at the Airport;
- MVY Airport annually underwrote \$160,000 in WWTP operating costs;
- possible compromises.

• MOTION: TO APPROVE A \$0.02 (TWO CENTS) PER GALLON INCREASE IN THE WASTEWATER RATES TO TAKE EFFECT JANUARY 1, 2022; NOTIFICATION TO INCLUDE A LETTER OF EXPLANATION ON THE BASIS FOR THE INCREASE, WITH A PROMISE TO COMMUNICATE CAPITAL PLANS, COSTS AND FUNDING OPTIONS AS SOON AS AVAILABLE;

FIRST: MR. WHEELER,

SECOND: MR. ENSOR, MR. OGILVIE,

VOTE: PASSED: 4 AYES, 3 NAYS, 0 ABSTENTIONS: MR. ENSOR—NAY, MR. KNABEL—AYE, MS. ZERN—NAY, MR. OGILVIE—AYE, MR. ZELTZER—AYE, MR. WHEELER—AYE, MR. ROSENBAUM—NAY.

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C. Approval of Application to the Dukes County Commission (DCC) for American Rescue Plan Act Coronavirus Local Fiscal Recovery Fund (ARPA/CLFRF) Funds Action

The County was granted \$3,400,000 over 2 years and this application requested \$1,500,000 to reduce the WWTP upgrade loan (see documents on file and above p.2 #A). In keeping with Finance Subcommittee recommendation:

• MOTION: TO APPROVE THE MARTHA'S VINEYARD AIRPORT APPLICATION TO THE COUNTY OF DUKES COUNTY FOR AMERICAN RESCUE PLAN ACT CORONAVIRUS LOCAL FISCAL RECOVERY FUNDS;

FIRST: MR. OGILVIE,

SECOND: MR. WHEELER,

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

D. McFarland Johnson Work Order (WO) #11D Action

E. McFarland Johnson Work Order (WO) #11E Action

F. McFarland Johnson Work Order (WO) #26B Action

Work Orders #11D and #11E involved continual 6/24 Runway project signage and marking changes requested by the Federal Aviation Administration (FAA) (see documents on file). #11D was eligible for the usual 90% FAA/5% State/5% local funding, however #11E was ineligible. #26B covered the permitting process for the Airport Improvement Program/Capital Improvement Plan (AIP/CIP) and would be 100% covered due to FAA funding and Covid relief grants. In keeping with Finance Subcommittee recommendation:

• MOTION: TO AUTHORIZE MCFARLAND JOHNSON WORK ORDERS
- #11D NOT TO EXCEED \$86,800 ADDITIONAL SIGNS,
- #11E NOT TO EXCEED \$35,500 MARKING AND SIGNAGE,
- AND #26B NOT TO EXCEED \$360,200 FOR PERMITTING SERVICES;

FIRST: MR. ZELTZER,

SECOND: MS. ZERN,

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

G. Airport Improvement Plan (AIP) 50 Grant Award Action

This grant covered the safety and Massachusetts/National Environmental Policy Act (MEPA/NEPA) process for the 15/33 runway upgrade project. In keeping with Finance Subcommittee recommendation:

• MOTION: TO ACCEPT THE \$398,600 AIRPORT IMPROVEMENT PLAN 50 FEDERAL GRANT AT

FIRST: MS. ZERN,

SECOND: MR. WHEELER,

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

V. OUTREACH SUBCOMMITTEE REPORT

New Subcommittee member Ms. Krista Poppas was introduced and welcomed. Ms. Poppas had two decades of experience in travel and technology including instituting metasearch websites such as Kayak and Orbit.

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- Work continued on Facebook and the MVY Airport scholarship (see below: Tasks).

IV. LAND USE SUBCOMMITTEE REPORT

- The aviation/non-aviation land swap was moving slowly through the Martha's Vineyard Commission (MVC) generating documents searches and questions, but so far no objections.
- The Plane View Restaurant was now current with its revised charges (see 7/8/21 Minutes p.2).
- Property Manager Kevin Brennan was diligently pursuing about five Business Park tenants for final signatures on July 1, 2021 lease renewals.

VI. MVY MANAGEMENT REPORT

A. Request for Quotation (RFQ) for On Call Architectural & Engineering Consulting Services (See documents on file.) Action

After a productive discussion with Airport Director Geoff Freeman, Mr. Wheeler's edits were incorporated and the RFQ would be posted next week. In keeping with Airport Director's recommendation:

• MOTION: TO APPROVE PERMISSION TO RELEASE THE REQUEST FOR QUOTATION (RFQ);

FIRST: MS. ZERN,

SECOND: MR. WHEELER,

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

B. Director Request to Dispose of Various Surplus Equipment Under Massachusetts General Law (MGL) (See documents on file.) Action

This involved various obsolete items (truck, mowing equipment, etc.) that had exceeded life expectancy. In keeping with Airport Director's recommendation:

• MOTION: TO AUTHORIZE THE SURPLUS AND DISPOSAL OF VARIOUS EQUIPMENT (EACH ITEM VALUED AT LESS THAN \$10,000);

FIRST: MR. WHEELER,

SECOND: MS. ZERN,

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

C. Advertisement Policy (See documents on file.) Action

As advertising was already present, this policy would capture revenue. Management proposed contracting with True Media (originally hired for the pandemic/vaccination drives) for 15 second changing display rollable units including public service, local news and weather. Print media, now being left at random and presenting a cleaning problem, would also be regulated and billed. Multi-airline departure and arrival display boards would be installed. Assistant to Airport Management Denise Tawa would manage the program which could grow into the learning curve. In keeping with Airport Director's recommendation:

• MOTION: TO AUTHORIZE THE SURPLUS AND DISPOSAL OF VARIOUS EQUIPMENT (EACH ITEM VALUED AT LESS THAN \$10,000);

FIRST: MR. OGILVIE,

SECOND: MR. ENSOR, MS. ZERN,

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

D. Union Contract Agreement _____ (See documents on file.) _____ Action

The Union ratified the contract today. In keeping with Airport Director recommendation:

• MOTION: TO APPROVE THE UNION CONTRACT AS NEGOTIATED;

FIRST: MR. KNABEL,

SECOND: MS. ZERN,

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

E. Vehicle Traffic / Air Traffic _____ (See documents on file.)

- The Airport (and community) were trying their hardest to adjust to and work through a successful, busy summer, particularly in terms of two issues.
 - Heavily booked commercial flights arrivals/departures caused vehicle backups on the West Tisbury/Edgartown and Barnes Roads. Like everyone else, West Tisbury Police Dept. was struggling with limited staff but a mid-day shift overlap helped with traffic control. On off-times or as fill-in the Airport was paying for 4 hour shifts of special details. The effort seemed to be working, although dependent on events and traffic elsewhere on the Island. The Airport had purchased 3 traffic counters to augment the MVC counters. It was hoped a better solution could be found for next year.
 - MVY Airport was sensitive to airplane noise disrupting residents' lives both day and night, and was taking measures to address complaints from the increased jet activity. The noise abatement patterns and policy were voluntary, with no authority to restrict flight patterns, impose fines, etc. although violation notices were sent out and the Airport reserved the right to publish violators. Each week the Operations looked at vectors and voluntary curfews. Noise studies were moved forward in the Master Plan. The Airport would rent or purchase noise monitoring equipment. Management was gathering groups to increase pilot and public education on current status and what could be done.
- Management was compiling the long term trends for enplanements and air traffic control (ATC) operations which showed just how busy the Airport was this year. For many decades the Airport were stable or showed a slight downward trend at 30-40,000 operations and mid-40s to 50,000 enplanements. This year ATC increased 264% and a single month of enplanements exceeded the entire 2020 total. The increase compounded problems in the post security tent (see 7/8/21 Minutes p.4).

VII. CHAIR'S REPORT

The Massachusetts Superior Court granted summary judgement, dismissing all Airport Fuel Service (AFS) claims against the Airport as well as all Airport claims against AFS except one.

VIII. ITEMS NOT REASONABLY ANTICIPATED BY CHAIR - None

IX. PUBLIC COMMENT - None

X. ANNOUNCE NEXT MEETINGS

- Outreach Subcommittee – 2:00PM, Thursday, September 2, 2021
- Land Use Subcommittee - 3:00PM, Thursday, September 2, 2021
- Finance Subcommittee - 3:30PM, Friday, September 3, 2021

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X. ANNOUNCE NEXT MEETINGS (Cont.)

- **MVAC - 2:00PM, Thursday, September 9, 2021**

XI. EXECUTIVE SESSION - UNDER MASS. GENERAL LAW (MGL) CHAPTER 30A SECTION 21 (a) (3) - TO DISCUSS AND VOTE ON EXECUTIVE SESSION MINUTES WITH RESPECT TO LITIGATION REGARDING AIRPORT FUEL SERVICE (AFS); THE CHAIR HAS DETERMINED THAT AN EXECUTIVE SESSION IS NECESSARY BECAUSE AN OPEN MEETING MAY HAVE A DETRIMENTAL EFFECT ON THE COMMISSION'S POSITION

- **MOTION:** **TO ENTER EXECUTIVE SESSION AND TO END THE ZOOM ACCESS TO THE MEETING AT 3:14PM, NOT TO RECONVENE IN OPEN SESSION, UNDER MASSACHUSETTS GENERAL LAW CHAPTER 30A SECTION 21 (a) (3) TO DISCUSS STRATEGY WITH RESPECT TO LITIGATION AIRPORT FUEL SERVICE (AFS); 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 AIRPORT COUNSEL DAVE MACKEY FROM ANDERSON KREIGER, AND RECORD SECRETARY MS. MARNI LIPKE TO BE PRESENT THROUGHOUT;**

FIRST: **MR. KNABEL,**

SECOND: **MR. ZELTER AND MS. ZERN,**

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

After a brief break the session began at 3:17PM. Those joining the meeting by phone attested they were in a room with the door closed.

XIII. ADJOURN

- **MOTION:** **TO ADJOURN THE EXECUTIVE SESSION AND MEETING AT 3:59PM;**
- FIRST:** **MR. WHEELER**
- SECOND:** **MR. KNABEL,**
- VOTE:** **UNANIMOUS: 6 AYES, 0 NAYS, 0 ABSTENTIONS: MR. WHEELER—AYE, MR. ZELTZER—AYE, MR. OGILVIE—AYE, MS. ZERN—AYE, MR. KNABEL—AYE, MR. ROSENBAUM—AYE.**

Appendix A: Tasks

- All – send Ms. Zern any photographs for Facebook scholarship page.

Appendix B: Documents on file:

- Agenda (2 p.) 8/12/21
- Sign in sheet (2 p.) 8/12/21
- MVAC July 8, 2021 Draft Minutes (5 p.)
- Dukes County ARPA/CLFRF Grant Application Supplement
- Dukes County ARPA Funding Letter of Inquiry and Suggested Guidelines (2 p.)
- Martha's Vineyard Airport Wastewater Facility Upgrade Financing (2 p.)

continued

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Appendix B: Documents on file (cont.):

- Department of Environmental Protection memo re: Martha's Vineyard Airport WWTF Upgrades – CWSRF No. 6828 7/23/21
- Martha's Vineyard Airport Staff Summary – McFarland Johnson Work Order for Additional Signs 8/4/21
- Martha's Vineyard Airport Commission Work Order Authorized and Issued Pursuant to Agreement for General Airport Architectural and Engineering Consulting Services— 11D (13 p.) 8/3/21
- Martha's Vineyard Airport Staff Summary – McFarland Johnson Work Order for Sign and Marking Plan 8/4/21
- Martha's Vineyard Airport Commission Work Order Authorized and Issued Pursuant to Agreement for General Airport Architectural and Engineering Consulting Services— 11E (10 p.) 8/3/21
- Martha's Vineyard Airport Staff Summary – McFarland Johnson Work Order 26B for Permitting Services 8/3/21
- Martha's Vineyard Airport Commission Work Order Authorized and Issued Pursuant to Agreement for General Airport Architectural and Engineering Consulting Services— 26B (25 p.) 8/4/21
- Martha's Vineyard Airport Request for Qualifications, On-Call General Airport Architectural, Engineering and Planning Consulting Services (66 p.)
- FAA Airport Improvement Program Grant Agreement Part 1 – Offer (2 p.) 7/22/21
- MVAC, Advertising Program 7/29/21
- Double-Sided Digital Vertical Touchscreen Kiosk / Two 4K Displays
- Finance Committee, Union Contract 8/4/21
- Martha's Vineyard Airport ATC Traffic Count
- Martha's Vineyard Airport Water, Wastewater, and Facilities Department Information and Newsletter, July 2021, (2 p.) 8/6/21
- Procedure for Entering Executive Session on August 12, 2021

Minutes approved 9/9/21