

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

**November 9, 2023, 10:00AM
Martha's Vineyard Airport Commission Conference Room
and by Zoom Conference**

PRESENT: **Commissioners:** Bob Rosenbaum, Don Ogilvie, Richard Knabel, Bob Zeltzer, Jack Ensor (zoom), Geoff Wheeler (zoom)
 Staff: Geoffrey Freeman, Denise Tawa, Joan Shemit
 Other: Juliet Mulinare (Recorder)

I. CALL TO ORDER

Mr. Rosenbaum called the meeting to order at 10:01am.

II. APPROVAL OF MEETING MINUTES

The Commission reviewed the draft minutes of the 10/12/23 regular meeting.
Motion placed on the floor by Mr. Knabel to approve the 10/12/23 draft minutes. Mr. Zeltzer seconds the motion, no further discussion, roll call vote:
Ensor – Aye, Wheeler – Aye, Knabel – Aye, Zeltzer – Aye, Ogilvie – Aye, Rosenbaum – Aye.
Motion passes unanimously **(6-0-0)**.

The Commission reviewed the draft minutes of the 10/12/23 executive session.
Motion placed on the floor by Mr. Ogilvie to approve the draft executive session minutes but not release them to the public. Mr. Knabel seconds the motion, no further discussion, roll call vote:
Ensor – Abstain, Wheeler – Aye, Knabel – Aye, Zeltzer – Aye, Ogilvie – Aye, Rosenbaum – Aye.
Motion carries **(5-0-1)**.

III. FINANCE SUBCOMMITTEE REPORT

The Finance Subcommittee did not meet.

a. FY23 County Allocation

Motion placed on the floor by Mr. Knabel to approve the County's invoice. Mr. Zeltzer seconds the motion.

Discussion: Mr. Rosenbaum stated that he wanted the Commission to review this because it's not a normal invoice. He continued that the agreement between the Commission and the County is a legal document that contains conditions that the County Treasurer is required to follow and last year, some of those conditions were not followed. Adherence to these conditions is important to ensure the Commission remains eligible for state and federal assistance. Mr. Rosenbaum then delineated the areas where the County did not perform appropriately and stated that this must be rectified moving forward. The Commission discussed that the County should be submitting quarterly reports and should be invoicing every six months. A quarterly report has not been received at this time and it was suggested that payment should be held until the quarterly report has been submitted. Mr. Wheeler stated that a formal letter should be sent to the County to let them know they are not in compliance. Mr. Rosenbaum said it's not the Commissions responsibility to enforce this but he will give Christine Todd a call and inform her that the County

is not acting in compliance with the agreement. Mr. Knabel stated that it's not the Commissioners responsibility to send the reports and invoices, that falls to the County Treasurer. The Commission discussed that, moving forward, they will not pay invoices unless the other aspects of the agreement are followed.

Mr. Ogilvie called for a vote on the matter, seconded by Mr. Ensor. No further discussion, roll call vote:

Ogilvie – Aye, Zeltzer – Aye, Ensor – Aye, Wheeler – Aye, Knabel – Aye, Rosenbaum – Aye.
Motion passes unanimously **(6-0-0)**.

IV. LAND USE SUBCOMMITTEE REPORT

- a. Proposal for Amendment to Non-Aeronautical Leases, Land Appraisal Cycles, and Fair Market Value/Increases Cap

Mr. Wheeler stated that the Committee met last week and it was suggested that an amendment be made to the non-aeronautical lease policy. The amendment would only apply to new leases, not existing leases, and would involve eliminating the 10% cap and instead use fair market value and an appraisal every five years to implement CPI increases and renew leases. The proposed amendment would come into effect on January 1, 2024.

Mr. Wheeler made a motion to change the non-aeronautical lease policy, for leases commencing on or after 1/1/24, to use fair market value and to reassess every five years. Mr. Ensor seconds the motion.

Mr. Rosenbaum clarified that the significant change is to remove the 10% ceiling on lease increases every five years, and to instead use fair market value to determine the renewal increase. *Knabel – Aye, Ensor – Aye, Wheeler – Aye, Zeltzer – Aye, Ogilvie – Aye, Rosenbaum – Aye.*
Motion passes unanimously **(6-0-0)**.

V. OUTREACH SUBCOMMITTEE REPORT

The Outreach Subcommittee did not meet.

VI. MVY DIRECTOR'S REPORT

Mr. Freeman provided the statistics for the month of October. Air traffic counts are down 2% over last year; enplanements are up 5%.

Tradewind, who operates out of the airport but was not previously counted, will be included in the monthly reports starting in January.

JetBlue's last day of service was October 28th.

Mr. Freeman stated that the terminal feasibility study is on-going. This study makes the airport eligible for FAA funding. The next milestone for the project is a design and associated cost estimate. The Commission discussed other factors for the project, including the wastewater project and the relocation of the control tower. The Commission discussed the timeline for bidding and when construction would start. Mr. Freeman stated that Lawrence Lynch is putting together a design for the taxi lane reconstruction and that work is slated to start this spring.

Mr. Freeman reviewed the other projects that are in the works, including the purchase of snow removal equipment, which will not be available until next fall and the airport painting, which will be completed this spring.

Mr. Freeman stated that they will be conducting an appraisal for obstruction easements in the State Forest. There will be a management plan that the Airport will be responsible for.

The comment period for the noise study is over; some additional comments were received, those will be included in the study before it's sent to the FAA for review and approval.

The heating unit in the Plane View Restaurant is currently being replaced. The mini-splits that were installed for heat and air conditioning cannot handle conditioning the entire space. A similar unit was replaced in the general aviation area as well. The work is being done by Trane.

The Wastewater treatment plan is currently shut down but the work is progressing. A tank truck is dealing with the waste and transporting it to the Edgartown WWTF. Mr. Freeman stated that there was an issue with some of the equipment being delivered damaged, but they are working through the issues.

Mr. Freeman is reviewing responses from potential fuel vendors; he received four.

Mr. Freeman attended a conference in Plymouth that offered discussions on a variety of airport-related topics.

Mr. Freeman is working with the Anderson Krieger legal team to assess some of the legal issues that Airport has had over the years. One of the issues he brought forth is a concern about the potential overreach of the MVC's DRI checklist as it pertains to airport operations; the goal being to make sure everyone understands their boundaries and their authority. Mr. Freeman and Mr. Rosenbaum will be sending a letter to the Commission stating these concerns.

The Committee discussed the advantages of utilizing TetraTech to help with addressing the PFAS issues.

VII. CHAIR'S REPORT

Mr. Rosenbaum had nothing additional to report.

Mr. Freeman stated that the reason why the meeting was scheduled for 10:00am is so that Mr. Freeman can meet with Acting Secretary and CEO of MassDOT Monica Tibbits-Nutt this afternoon and give her a tour of the Airport and update her on the current projects. Other members of the aeronautics division will also be present for a meet and greet at the Plane View after the tour.

VIII. ITEMS NOT REASONABLY ANTICIPATED BY CHAIR

None.

IX. PUBLIC COMMENT

None.

X. ANNOUNCE NEXT MEETINGS

MVAC: December 14, 2023 at 2:00pm
Outreach: December 7, 2023 at 2:00pm
Land Use: December 7, 2023 at 3:00pm
Finance: December 8, 2023 at 10:00am

XII. ADJOURN

At 11:05am a motion to adjourn the meeting was made, seconded and passed unanimously (6-0-0).

Minutes submitted by Juliet Mulinare.

Minutes approved: 12/14/2023