

**Commonwealth Of Massachusetts**  
**MARTHA'S VINEYARD AIRPORT COMMISSION**  
**LAND USE SUBCOMMITTEE MINUTES**

**January 6, 2022, 3:00PM - Via Zoom**

Notice of Such Meeting Has Been Posted as Required by Law

**Present:**

**Subcommittee:** Vice-Chair – Don Ogilvie, Norm Werthwein, Kristin Zern

**Airport Staff:** Kevin Brennan, Airport Properties Manager (recorder); Edward Christofono, Financial Controller;

**Public Signed in via Zoom:** None

**I. CALL TO ORDER by Vice-Chairperson Don Ogilvie – 15:09hrs.**

**II. APPROVED MINUTES: FROM THE DECEMBER 2, 2021 MEETING**

**MOTION:** Mr. Werthwein

**SECOND:** Ms. Zern

**VOTE:** Mr. Werthwein-AYE, Ms. Zern-AYE, Mr. Ogilvie-AYE, 3-0-0, unanimously approved.

**III. PUBLIC COMMENTS:** No members of the public present

**IV. STAFF REPORTS**

**a. Tenant Aging Report:**

**1. As of December 31, 2021**

	<b>12/31/2021</b>	<b>11/30/2021</b>	<b>10/31/2021</b>	<b>9/30/2021</b>	<b>8/31/2021</b>
Over 90	\$37,085.80	\$19,328.67	\$12,531.77	NO	\$37,874.69
61-90	\$10,591.20	\$14,400.46	\$21,470.85	MEETING	\$4,649.10
31-60	\$18,569.90	\$36,875.10	\$11,673.31		\$11,108.61
Under 30	\$26,228.36	\$34,258.65	\$211,563.78		\$105,326.47
<b>Total</b>	<b>\$92,475.26</b>	<b>\$104,862.88</b>	<b>\$257,539.71</b>		<b>\$158,958.87</b>

Tenant 1: Airport Road Tenant - \$11,112.96 over 90 days.

Tenant 2: Flight Path Road Tenant - \$8,260.00 over 90 days.

Tenant 3: Airline - \$5,193.50 over 90 days.

Tenant 4: Airport Road Tenant - \$4,370.00 over 90 days.

Tenant 5: Rental Car Tenant - \$1,042.40 over 90 days.

**b. Property Manager's Report:** Mr. Brennan reported there were now 69 lease and agreement holders and 88 subtenants with 41 MVAC-approved subleases. 2 Lease Default letters were sent within the last 2 weeks.

**c. LUS Chairman's Report:** No Report.

**V. OLD BUSINESS**

**a. Update on Proposed Airport Business Park Expansion Process with MVC – Mr. Brennan** reported that the MVAC and MVC Rules and Regulations document amendments were approved by the MVC at their December 9, 2021 meeting. Brennan

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reported that Nitsch Engineering had now moved the scheduled metes and bounds work required before the RFP's are issued to January 24, 2022. A second day required has not yet been scheduled.

**b. Update – Tenants With No Lease, Tenants With No Certificate of Insurance –** Mr. Brennan had distributed a document entitled MVAC Lease Status Update. He asked if there were any questions. Mr. Werthwein asked what the implications of lease non-compliance are to our tenants. Mr. Brennan explained that each lease contains a section, usually entitled DEFAULT AND TERMINATION, which describes **Events of Default, Termination, Personal Property, Termination by the Commission, and Remedies Cumulative**. There were no other questions. The Lease of one tenant who recently received a default notification states: “the Commission ....may relet all or any of it to others....The Commission at any time....may terminate Tenant’s rights under this Lease, and the Commission may re-enter and take possession of the Premises and cancel all rights and privileges granted to the Tenant in this lease.....”

**VI. NEW BUSINESS - None**

**VII. ITEMS NOT REASONABLY ANTICIPATED BY CHAIR – None.**

**VIII. Next meeting – 3:00PM, Thursday, February 3, 2022.**

**IX. ADJOURNMENT**

**MOTION:** Ms. Zern to adjourn at 3:21PM

**SECOND:** Mr. Werthwein

**DISCUSSION:** none.

**VOTE:** Mr. Werthwein–AYE, Ms. Zern-AYE, Mr. Ogilvie-AYE. 3-0-0 unanimously approved.