

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

**April 6, 2005 5:00 pm
Martha's Vineyard Airport**

Notice of Such Meeting having been Posted as Required by Law.

Present:

Airport Commissioners: Chair Jesse B. (Jack) Law, Frank Daly, T. J. Hegarty, Leslie Leland, William (Bill) Mill, Norman Perry,

Airport Staff: Bill Weibrecht - Manager, Sean Flynn - Assistant Manager,

Dukes County: E. Winn Davis- County Manager,

Others: Herb Putnam – Hot Tin Roof; James Rogers – Distinctive Structures; Allen Scott - Cape Cod Express, Ken Towne, John Murphy – FedEx Ground; Bob Jackson – Plane View Restaurant; Allen Dorfman – Airport Laundromat; Sean Murphy – Counsel for Mr. Dorfman; Marni Lipke - Recorder

Press: Fred Natusch - MVTV

* Late arrival or early departure (see * in text)

The meeting was called to order at 5:04PM.

1. Approval of Meeting Minutes.

a). February 9, 2005

MR. BILL MILL MOVED TO APPROVE THE FEBRUARY 9, 2005 MINUTES; MR. LESLEY LELAND SECONDED; MOTION PASSED UNANIMOUSLY: 6 AYES, 0 NAYS, 1 ABSTENTION – MR. JOHN ALLEY due to absence.

b) March 2, 2005

MR. FRANK DALY MOVED TO APPROVE THE MARCH 2, 2005 MINUTES; MR. MILL SECONDED; MOTION PASSED UNANIMOUSLY: 7 AYES, 0 NAYS, 0 ABSTENTIONS.

2. Vote to Award - RFP associated with the Hot Tin Roof Lot(s).

Assistant Airport Manager Mr. Sean Flynn reported that the Request For Proposal (RFP) had received a single bidder, the current occupant. The bid met all the Airport needs and Management recommended that the lot be awarded to the Hot Tin Roof, Inc. As had been negotiated among the interested parties (see 8/6/03 Minutes p.9 #6), the rates would be lower than the market until the expiration of the current 12 year lease at which time the property would be appraised and leased at fair market value. Both leases would be subject to annual Boston Consumer Price Index (CPI) adjustments.

Mr. T. J. Hegarty asked if the trash issue had been addressed and emphasized he did not wish a repeat of the previous situation (see 9/15/04 Minutes p.5-6). Mr. Putnam responded that he did his best to keep his lot clean and would continue to do so. He suggested that in the future if the Airport would call to inform him of a problem he would rectify it immediately, which would be preferable to writing a formal letter of complaint. County Manager Winn Davis noted that there had only been a problem one night. Mr. Hegarty insisted it had been more than one night and repeated his former allegations. Mr. Leland felt that the general problem had been solved.

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MR. LELAND MOVED TO AWARD THE LOTS TO THE HOT TIN ROOF, INC. IN ACCORDANCE WITH THE BID; MR. NORMAN PERRY SECONDED; MOTION PASSED UNANIMOUSLY: 7 AYES, 0 NAYS, 0 ABSTENTIONS.

3. Vote to Award -RFP associated with T-Hangar Lot "H"

Airport Manager Mr. Bill Weibrecht reported that two bids had been received on Lot H which was the last T-hangar lot on the field side (see 1/5/05 Minutes p. 3-6 #7). Management recommended that the MVAC award the lot to Mr. Rogers; although the bid was at a lower rate his was the better proposal due to efficient use of space and the advantage of an on-site mechanic. The Martha's Vineyard Airport Commission (MVAC) briefly reviewed the matter noting the benefits – including noise issues. Mr. James Rogers explained that although aviation was not his primary business he was a licensed airframe and aviation engine mechanic and was glad to oblige the Airport in cases of breakdowns. Management noted Mr. Rogers' quick response time and critical help, not only with aircraft but also with Airport equipment such as snow plows. Management also noted that this resource contributed not only to overall Airport/airplane safety and convenience but also to the year round nature of the Airport since it helped avoid traffic problems that would arise if a plane were to be sitting dismembered on the ramp. **MR. ALLEY MOVED TO AWARD T-HANGAR LOT "H" TO DISTINCTIVE STRUCTURES; MR. MILL SECONDED; MOTION PASSED UNANIMOUSLY: 7 AYES, 0 NAYS, 0 ABSTENTIONS.**

4. Consideration of Sublet Request by SAV/Cape Cod Express

FedEx Ground has requested through Cape Cod Express to sublet a space and place a portable sorting dock/conveyor on the property. This would be a short-term request that could eventually be made semi-permanent. As a freight facilitator this was an encouraged use of the Business Park and would allow FedEx Ground to improve service and avoid multiple daily ferry trips for their trailers. There would never be more than one tractor-trailer on the property and contractors would take all their FedEx Ground vans home at night. There would be no drivers, no office, no signage, no public, no logo, no bathrooms or port-o-potties (although facilities would be available at the Cape Cod Express building). All utilities would be underground.

The MVAC discussed the matter and members were generally in favor of the sublet, however a problem arose on overnight tractor-trailer parking. In light of the recent withdrawal of permission for MV Lot 14 LLC. to sublease to Mr. Trip Barnes, the Airport was sensitive to loaded tractor-trailers parked overnight on Business Park lots. The MVAC acknowledged the difference between the FedEx Ground trailers which were loaded with freight in daily transit and Mr. Barnes' trailers which were used as outside storage units, however the restriction was deemed necessary. **MR. HEGARTY MOVED TO APPROVE THE SUBLET AS RECOMMENDED BY MANAGEMENT WITH THE RESTRICTION THAT NO TRACTOR-TRAILERS BE PARKED ON THE LOT OVERNIGHT; MR. ALLEY SECONDED; MOTION PASSED UNANIMOUSLY: 7 AYES, 0 NAYES, 0 ABSTENTIONS.**

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5. Consideration of Plane View Restaurant Lease Renewal

Management reported that Mr. Bob Jackson of the Plane View Restaurant had renegotiated his lease. The annual CPI raise would continue. Management commended the Plane View which the Jacksons had fitted out at their own expense—including a freezer enclosure that had not been required—as a success. Management had received no complaints on food, price, etc. which was unusual in an Airport setting. The Airport would prefer that the Restaurant extend its hours to match those of the Airport but it was understood that this was not particularly reasonable. Mr. Jackson worked well with the rest of the Airport staff, and visitors. The MVAC commended Mr. Jackson for the Plane View. **MR. ALLEY MOVED TO APPROVE THE LEASE RENEWAL FOR THE PLANE VIEW RESTAURANT AS RECOMMENDED; MR. HEGARTY SECONDED; MOTION PASSED UNANIMOUSLY: 7 AYES, 0 NAYES, 0 ABSTENTIONS.**

6. Consideration of Airport Laundromat Lease Renewal (See documents on file.)

The Airport has been approached to renew this lease two years before its expiration. Mr. Dorfman proposed that the lease be renewed now at 80¢ /sq. ft. (his current price is 17¢ /sq. ft.). Mr. Dorfman was looking to refinance in order to improve the equipment and to reconfigure the property; and this would require a long term lease. Management explained that the proposed property renovation was in keeping with the planned reconfiguration of the Airport access road and that the renewal would allow for the lot lines to be made flush with the County Corrections building.

- There was a discussion on receipt of relevant documents prior to the meeting.
- The MVAC reviewed lease rates, market value, renewed lease rates, etc.
- Mr. Hegarty protested the poor condition of the current Laundromat parking lot. Management explained that there were some drainage issues in conjunction with the County which County Engineer Steve Berlucci was working on. It was agreed however that the parking lot needed improvement.

MR. ALLEY MOVED TO DEFER THE MATTER FOR AT LEAST TWO WEEKS IN ORDER TO CONSIDER AND COLLECT INFORMATION; MR. LELAND SECONDED; MOTION PASSED UNANIMOUSLY. Mr. Dorfman admitted being somewhat pressed for time but agreed to the delay.

7. Old Business / New Business

Mr. Alley asked what had been done in regards to buying fuel from the Vineyard Transit Authority (VTA) (see 2/9/05 Minutes p. 1-5). Management reported that negotiations had been started but suspended due to scheduling conflicts. Management and some Airport Commissioners agreed that 3 or 4 airport vehicles could use the VTA fuel, card however it was not practicable for most Airport vehicles and equipment due to a variety of issues.

- Some vehicles were not registered and could not drive on public ways.
- Fuel truck insurance did not allow for use outside the enclosure.
- Some equipment was too large to pass through the access road that linked the Business Park and the Airport, and/or the price differential did not compensate for the wear and tear on the equipment traveling dirt roads and changing gears or modes to accommodate the travel.
- During busy periods time became an important factor.

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- There was a difference between operating an Airport and operating a municipality or a business and what seemed simple in some cases might not in fact be feasible when dealing with aviation. There was a discussion on what constituted a public way, whether the Business Park roads were public ways and the laws and insurance restrictions surrounding the issue.

Chair Law suggested that Management get cards for those vehicles that could take advantage of the offer and move on. It was suggested that the VTA might be able to include airport fuel needs in their state bid and/or bring their fuel to the Airport. **MR. HEGARTY MOVED THAT MANAGEMENT MEET WITH MS. ANGIE GOMPERS OF THE VINEYARD TRANSIT AUTHORITY AND REPORT BACK TO THE MVAC IN TWO WEEKS; MR. ALLEY SECONDED; MOTION PASSED UNANIMOUSLY: 7 AYES, 0 NAYES, 0 ABSTENTIONS.**

8. Executive Session (as may required)

CHAIR JACK LAW MOVED TO ENTER EXECUTIVE SESSION (NOT TO RETURN TO REGULAR SESSION) UNDER MASS. GENERAL LAW CHAPTER 39 SECTION 23 NO. (3), - I.E. FOR THE PURPOSE OF DISCUSSING STRATEGY WITH RESPECT TO LITIGATION; AND TO INVITE COUNTY MANAGER MR. WINN DAVIS AND RECORDER MS. MARNI LIPKE TO BE PRESENT THROUGHOUT; MR. LESLIE LELAND SECONDED; MOTION PASSED UNANIMOUSLY: MR. BILL MILL AYE, MR. FRANK DALY AYE, MR. JOHN ALLEY, MR. T. J. HEGARTY, MR. LELAND AYE, MR. NORMAN PERRY AYE, MR. LAW AYE.

9. Adjournment

MR. HEGARTY MOVED TO ADJOURN AT 6:20PM; MR. LELAND SECONDED; MOTION PASSED UNANIMOUSLY: MR. MILL AYE, MR. DALY AYE, MR. ALLEY AYE, MR. HEGARTY AYE, MR. LELAND AYE, MR. PERRY AYE, MR. LAW AYE.

Documents on file:

Agenda 4/6/05

Cape Cod Express letter 3/10/05

USA Modular letter 3/10/05

Sketch

Plane View Restaurant letter

McCarron & Murphy letter re: Airport Laundromat, Inc. 4/1/05