

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

**June 1, 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, Vice Chair John Alley, Frank Daly,  
T. J. Hegarty, Leslie Leland, William (Bill) Mill, Norman Perry,

Airport Staff: Sean Flynn - Acting Manager,

Dukes County: Lenny Jason - Commissioner

Others: Ted Stanley – Direct Flight; Marni Lipke – Recorder

Press: Christine Rose - MVTV

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

The meeting was called to order at 5:03PM.

1. Approval of Meeting Minutes May 4, 2005

**MR. JOHN ALLEY MOVED TO APPROVE THE MAY 4, 2005 MINUTES AS WRITTEN AND THE MAY 18, 2005 MINUTES AS AMENDED; MR. BILL MILL SECONDED; MOTION PASSED UNANIMOUSLY: 7 AYES, 0 NAYS, 0 ABSTENTIONS.**

2. Airport Manager's selection subcommittee report

County Manager Winn Davis was recovering from surgery (see documents on file). Mr. Alley reported for him that the third bidder did not respond to the solicitation. Bennett Yarger bid \$13,500 against Bob Wasserman's \$4,000 (see documents on file). The Martha's Vineyard Airport Commission (MVAC) discussed the matter including reviewing the previous selection process, the number of finalists, and bidder references. It was generally agreed that accepting the Wasserman bid would entail substantially more work from the Airport Commissioners as they would perform the bulk of the screening work themselves, whereas the Bennett Yarger bid would present 6 finalists (or whatever number the MVAC requested). Some Commissioners felt it reasonable to consider the matter before deciding. **MR. T. J. HEGARTY MOVED TO POSTPONE THE DECISION UNTIL THE NEXT MEETING; MR. LESLIE LELAND SECONDED; MOTION PASSED UNANIMOUSLY: 7 AYES, 0 NAYS, 0 ABSTENTIONS.**

3. Renewal of Vineyard Decorators Lease Lot A & C

Acting Airport Manager Mr. Sean Flynn noted that this Lot and Lot # 24 (see below) each sent one line requests to renew according to the renewal clauses in the leases. Lot rates were now 95¢ / sq. ft. for raw land and the last lease renewal was for 85¢/sq. ft. Mr. Hegarty suggested that as he saw rental signs for prime property and as these were local companies serving the Island that they not be faced with a large rate jump. However Management reminded the MVAC of several points.

- The original assessed rate had been \$1.25/sq. ft. and the MVAC had lowered this rate as too high for the location.
- The Federal Aviation Administration (FAA) required that land be leased at market value and forbade subsidizing any businesses.

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- The tenants in question had been enjoying 20 years of lower rents while charging top Island prices for their services.
- It was the responsibility of the tenant to explore reasons and bring evidence to justify why their rate should be lower.

In general this meant setting lease renewal rates was always a balancing act between market forces and regulations. **MR. JOHN ALLEY MOVED TO AUTHORIZE MANAGEMENT TO ENTER INTO NEGOTIATIONS WITH VINEYARD DECORATORS ON THE RENEWAL OF THE LEASE FOR LOTS 'A' AND 'C'; MR. MILL AND MR. HEGARTY SECONDED; MOTION PASSED UNANIMOUSLY: 7 AYES, 0 NAYS, 0 ABSTENTIONS.**

At Mr. Ted Stanley's suggestion the MVAC agreed that it would be expedient to begin the renewal process six months to one year before the end of a 20 year lease.

4. Renewal of SAV (Cape Cod Express) Lease Lot 24

Mr. Hegarty asked if the lease renewals included any sub-leases. Mr. Flynn explained that the lease renewal and permission to sublease were handled separately except that the renewal sometimes afforded an opportunity to formalize any un-approved sub-leases. The sub-lease to FedEx Ground was updated at the end of the meeting (see below). **MR. JOHN ALLEY MOVED TO AUTHORIZE MANAGEMENT TO ENTER INTO NEGOTIATIONS WITH CAPE COD EXPRESS ON THE RENEWAL OF LEASE FOR LOT #24; MR. HEGARTY SECONDED; MOTION PASSED UNANIMOUSLY: 7 AYES, 0 NAYS, 0 ABSTENTIONS.**

5. Supplemental Budget (See documents on file.)

The Supplemental budget was approved by the Dukes County Commission earlier today and would go before the Dukes County Finance Advisory Board this evening. **MR. HEGARTY MOVED TO APPROVE THE SUPPLEMENTAL BUDGET; MR. ALLEY SECONDED.** Mr. Flynn noted that on the advice of the Dukes County Treasurer Water / Wastewater Operator Mr. Mike Eldridge's new wages (see 5/18/05 Minutes p, 3) would be taken out of the Unreserved Fund line rather than the New Wages / Reserve line; this would not make any material difference at year's end. **MOTION AND SECOND WITHDRAWN. MR. HEGARTY MOVED TO APPROVE THE SUPPLEMENTAL BUDGET AS AMENDED; MR. MILL AND MR. ALLEY SECONDED; MOTION PASSED UNANIMOUSLY: 7 AYES, 0 NAYS, 0 ABSTENTIONS.**

6. Airport Manager's Update

- The FAA inspection produced the fastest response ever. Mr. Flynn commended all the Airport employees who worked so hard and performed so well. There were only two items of note.
  - The cracks in the ramp and taxiway had reached the point of requiring correction and would be repaired as part of the upcoming project. A new material called pliable cement which did not recede and lasted longer will be tried.
  - There was a paperwork issue in regards to the fuel trucks which has been resolved

The Memorial Day weekend was the busiest since Mr. Flynn had joined the Airport. Take-offs and landings as well as fuel sales were up. Mr. Hegarty and Mr. Alley commended Mr. Flynn on the inspection.

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**MR. HEGARTY MOVED TO ACCEPT THE AIRPORT MANAGER'S REPORT; MR. ALLEY SECONDED; MOTION PASSED UNANIMOUSLY: 7 AYES, 0 NAYS, 0 ABSTENTIONS.**

7. Old Business

As requested, Mr. Flynn reported that FedEx Ground had accepted the terms of the sublease (see 4/6/05 Minutes p. 2-3 #4). They were currently working with Edgartown Building Inspector Mr. Leonard Jason and the State on constructing their modular building.

8. New Business

**MR. MILL MOVED THAT THE AIRPORT COMMISSION VOTE TO ACKNOWLEDGE THAT THE AIRPORT COMMISSION HAS THE ABSOLUTE AUTHORITY TO HIRE AN AIRPORT MANAGER OF ITS CHOOSING, AS A COUNTY EMPLOYEE, WITHOUT CONFIRMATION BY THE COUNTY COMMISSION, AND FURTHER THAT THE AIRPORT COMMISSION HAS THE ABSOLUTE AUTHORITY TO PLACE THEM ON ANY STEP WITHIN THE PAY GRADE AUTHORIZED BY THE COUNTY OF DUKES COUNTY IN ITS CLASSIFICATION PLAN; MR. FRANK DALY SECONDED.**

Mr. Mill explained that he had worked out this compromise with the County with the understanding that the County would expeditiously adjust its pay scale upward if so requested by the MVAC in order to accommodate market rates and negotiations in the hiring and paying of the Airport Manager. In other words if the MVAC negotiations with the Airport Manager resulted in a salary beyond the Dukes County salary grade the MVAC would work with the County Personnel Board to create new grades and steps to accommodate the position. The MVAC wished to ensure that any such necessary adjustment would be made in a timely manner. Mr. Hegarty suggested that there was a third option of the Mass. Municipals salary grades however it was noted that the above motion did not preclude this option. **MOTION PASSED UNANIMOUSLY: 7 AYES, 0 NAYS, 0 ABSTENTIONS.** Mr. Norman Perry commended Mr. Mill for resolving the matter.

The final version of the FY06 Budget was emailed out to the MVAC and was now also available in its printed version (see documents on file).

Chair Jack Law announced that as Mr. Flynn was expected to be very busy with the July 4<sup>th</sup> traffic unless any urgent business came up the first meeting in July would be cancelled.

9. Executive Session – As needed

**MR. BILL MILL MOVED TO ENTER EXECUTIVE SESSION AT 6:00PM (TO RETURN TO REGULAR SESSION) UNDER MASS. GENERAL LAW CHAPTER 39 SECTION 23) .E. FOR THE PURPOSE OF DISCUSSING STRATEGY WITH RESPECT TO LITIGATION; AND TO INVITE RECORDER MS. MARNI LIPKE TO BE PRESENT THROUGHOUT; MR. JOHN ALLEY SECONDED; MOTION PASSED UNANIMOUSLY: MR. MILL AYE, MR. FRANK DALY AYE, MR. T. J. HEGARTY AYE, MR. ALLEY AYE, MR. LELAND AYE, MR. NORMAN PERRY AYE, MR. JACK LAW AYE.**

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10. Adjournment

**MR. LAW MOVED TO ADJOURN AT 6:16PM; MR. ALLEY SECONDED; MOTION PASSED UNANIMOUSLY: MR. MILL AYE, MR. DALY AYE, MR. HEGARTY AYE, MR. ALLEY AYE, MR. LELAND AYE, MR. PERRY AYE, MR. LAW AYE.**

**Documents on file:**

Agenda 6/1/05

Bennett Yarger Associates Recruitment of Airport Manager MV Airport 5/9/05

Mr. Flynn Memo re: Airport Budget Transfer Requests FY 2005, 5/30/05

Final Version MV Airport FY06 Budget (Ver. 2.0) 6/1/05

Revenue Projections

Proposed Expenses

Mr. Davis email re: Comments on RFP 5/31/05

Notes of the County Manager in the Matter of RFP for Airport Manager Selection.