

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

**June 15, 2005 6:00PM
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: E. Winn Davis- County Manager

Others: Marni Lipke - Recorder

Press: Christine Rose - MVTV

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

The meeting was called to order at 5:59PM.

2. Airport Manager – Consultant Selection Subcommittee Report

Mr. John Alley reported that the Subcommittee met on Monday afternoon June 13th and discussed the two proposals. After discussion the recommendation was 3 to 1 to hire Bennett Yarger with the general feeling that Bob Wasserman would involve a more time and participation by the Martha's Vineyard Airport Commission (MVAC). **MR. ALLEY MOVED TO HIRE BENNETT YARGER TO CONDUCT A SEARCH FOR AN AIRPORT MANAGER; MR. LESLIE LELAND SECONDED.** After the discussion at the last meeting Chair Jack Law had asked Mr. Wasserman how many candidates he would present and Mr. Wasserman had replied not more than six and not less than three (see documents on file). The MVAC discussed the issue at some length.

- Time was again mentioned as a factor particularly at a difficult time of the year. The other advantage to hiring Bennett Yarger was that if the selected candidate were to leave the MV Airport within one year of his employment, Bennett Yarger would conduct another search free of charge.
- Advantages to hiring Mr. Wasserman included his volunteering his time thus severely reducing cost and his familiarity with the Island and the MV Airport. Some Commissioners expressed their desire to be part of the selection process. Mr. Wasserman's testing of knowledge as part of the process was also raised.
- Mr. T. J. Hegarty accused Chair Law of re-opening the Request For Proposal process by re-soliciting Mr. Wasserman. Chair Law denied the accusation stating he asked a neutral question for clarification and neither broke any law nor engaged in any further solicitation.
- Mr. Alley and Mr. Hegarty expressed some impatience that the Subcommittee's recommendation was being debated and a vote was called, however it was maintained that this was an important decision and the discussion was appropriate.
- There was some disagreement as to how each company would proceed and how much participation was required.

MARTHA'S VINEYARD AIRPORT COMMISSION MEETING
June 15, 2005

- The vote was called. **MOTION PASSED: 4 VOTES FOR BENNETT YARGER – MR. MILL, MR. ALLEY, MR. HEGARTY AND MR. LELAND; 3 VOTES FOR ROBERT WASSERMAN – MR. DALY, MR. PERRY AND MR. LAW.**
- The Subcommittee will update the current job descriptions (see documents on file) and bring them to the full MVAC.
- It was suggested that the vote be retaken to present a unanimous front.
- **IT WAS THE CONSENSUS OF THE MVAC THAT IF BENNETT YARGER SUBMITTED THREE TO SIX FINAL CANDIDATES THEY WOULD BE CONSIDERED BY THE ENTIRE MVAC AND NO SUBCOMMITTEE WAS REQUIRED.**

3. Request for Sublet Approval MV Lot 14 LLC to Gary BenDavid - Preliminary Discussion

Acting Airport Manager Mr. Sean Flynn emphasized that this was a preliminary discussion in order to give the MVAC time to view the documents (see documents on file) and to consider the matter before voting. Mr. Flynn reported that Mr. Trip Barnes' trucks had been removed but that he had not inspected the property to verify compliance with the previous order – i.e. if Mr. Barnes had vacated the sublet (see 1/19/05 Minutes p. 6-8). Mr. Flynn requested that the MVAC set some conditions on the sublet.

- Mr. Flynn reviewed the configuration of the building and tenants including the top floor which had a shower and couch. The tenant has assured Management that it is not being used for residence.
- The new company did have trucks however they would not be stored on the property but would go home each night with the workers.
- The MVAC requested information on the numbers of proposed staff as well as proposed parking and adequate permitting.
- The tenant's wastewater output was already over the 500 gallons limit. Mr. Flynn explained wastewater metering and configuration. **MR. ALLEY MOVED THAT FURTHER ACTION BE POSTPONED UNTIL THE NEXT MEETING; MR. MILL SECONDED; MOTION PASSED UNANIMOUSLY: 7 AYES, 0 NAYS, 0 ABSTENTIONS.**

4. Airport Laundromat Update

Mr. Flynn informed the MVAC that the Airport Laundromat has been sold to Mark Seward. The new lease had not yet been signed by the time of the sale. The new lease included a clause related to approval by the MVAC if the company changed hands. However, the sale was completed with the understanding that the MVAC had approved a 20 year extension of the lease which Mr. Seward was now free to sign.

The MVAC noted that Mr. Dorfman when asked the direct question about why he was renewing early replied that it was for the purpose of refinancing and putting in new equipment (see 4/20/05 Minutes p. 1-2 #2) and that therefore he had misled the MVAC. It was also noted that Mr. Dorfman's lawyer Mr. Murphy had refused to act as counsel for the sale of the Laundromat due to this same misdirection. Mr. Alley stated several times that he had warned the MVAC that something of this sort was probable. Better management was expected of the new owner who will be invited to the next MVAC meeting. The conditions and fair market value rent of the new lease were still in force.

MARTHA'S VINEYARD AIRPORT COMMISSION MEETING
June 15, 2005

5. Airport Manager's Update

- Mr. Flynn reported that he and Hoyle Tanner Associates had presented for a grant at the Mass Aeronautics Commission (MAC) meeting. The MAC had voted a \$110,000 grant as the 2.5% Mass State share of the taxiway and ramp project. The MAC took pride in this as the largest project of the year and in the MV Airport which was one of the few airports in the State running in the black. The Federal Aviation Administration (FAA) vote will come in shortly. Lawrence Lynch has been awarded the project which was expected to start construction in mid-August and end in December, 2005.
- As planned substantial clearing was proceeding in several places and the Airport Commissioners were fielding questions from the public. There was a brief discussion on changes in the environmentally preferred method of clearing. An update will be given at the next meeting.
- Mr. Flynn and his staff spent ten hours on both July 13th and 14th meeting with the auditors from Dukes County. The work was now 90% complete but there was likely to be at least one more meeting.

6. Old Business

- Mr. Alley asked in regards to the letter on the Airport / County rent issue. This has been sent to Palmer & Dodge. Mr. Flynn had contacted them and expected a response at the end of the week. A conference call with County Manager Winn Davis will be arranged.
- The MVAC asked about the status of Mr. Fitzpatrick's Certificate of Occupancy (see 3/2/05 Minutes p.3 #3).

7. New Business

Mr. Davis was contacted by Mass. State to analyze the two small State owned strips of land for environmental review. He will forward all reports to Mr. Flynn. Memo on roads

Ms. Joanna Fairchild contacted Airport Management to inform them that she was starting a private car service (see documents on file). This was a welcome addition to the Airport service. On being questioned by Mr. Hegarty Mr. Flynn noted that it was appropriate for the Airport to refer inquiries on such service to this company as it would be appropriate for the Airport to refer inquiries to all other such car services if competitors existed. The service was not parking and/or soliciting service at the airport.

9. Adjournment

MR. LELAND MOVED TO ADJOURN AT 6:56PM; MR. DA;U SECONDED; MOTION PASSED UNANIMOUSLY.

Documents on file:

Agenda 6/15/05

Sign-in Sheet 6/15/05

Vukonda Memo re: Airport Road 4/20/05

Cape Building Systems letter re: request for sublease 5/23/05

Vineyard Coach & Concierge release re: Private Car Services Launches New Business

Strategic Policy Partnership letter re: Airport Manager Search 6/12/05

Alley email re: Report 6/15/05

MV Airport Assistant Manager Job Description 7/02

MV Airport Manager Job Description 7/02