

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

**January 4-5, 2006 5:00PM
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, Leslie Leland, William (Bill) Mill
Norman Perry,

Airport Staff: Sean Flynn - Airport Manager

Dukes County: E. Winn Davis- County Manager;

Leonard Jason, Jr. - Commissioner (1/4/06 only)

Others: Tad Crawford, Dick Sherman, – Citizens (1/4/06 only)

Pete Rogers – Danielle and Rogers (1/4/06 only)

Ted Stanley – Direct Flight (1/4/06 only)

Joanie Ames (1/5/06 only)

Press: Christine Rose – MVTV,

Jim Kinsella - Vineyard Gazette, (1/5/06 only)

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

The meeting was called to order. There being no public business before the Martha's Vineyard Airport Commission (MVAC) an executive session was called.

1. Executive Session

ON A MOTION MADE TO GO INTO EXECUTIVE SESSION TO RETURN TO PUBLIC SESSION TO DISCUSS THE SALARY OF THE NEW AIRPORT MANAGER UNDER MASS. GENERAL LAW CHAPTER 39 SECTION 23 NO. (3), I.E. FOR THE PURPOSE OF DISCUSSING MATTERS PERTAINING TO CONTRACT NEGOTIATIONS WITH NON-UNION PERSONNEL AND TO INVITE MR. SEAN FLYNN AND MR. WINN DAVIS TO BE PRESENT; ROLL CALL VOTE: FRANK DALY AYE, BILL MILL AYE, JOHN ALLEY NAY, NORMAN PERRY AYE, LES LELAND AYE. JACK LAW AYE.

MR. ALLEY MOVED TO RETURN TO PUBLIC SESSION AT 7:10PM; MR. DALY SECONDED: ROLL CALL VOTE: FRANK DALY AYE, BILL MILL AYE, JOHN ALLEY AYE, NORMAN PERRY AYE, LES LELAND AYE. JACK LAW AYE.

MARTHA'S VINEYARD AIRPORT COMMISSION MEETING
January 4, 2006

2

It was agreed to continue this meeting to the evening of January 5, 2006.

MR. MILL MOVED TO ACCEPT THE AMENDED ANNOTATED CONTRACT WITH THE AIRPORT MANAGER AND TO AUTHORIZE THE MARTHA'S VINEYARD AIRPORT COMMISSION CHAIR TO SIGN THE CONTRACT; MR. DALY SECONDED.

It was suggested that that the MVAC wait until tomorrow night's continuation to see the amended contract and it was agreed to take the vote but delay the signing until the January 5th continuation.

MOTION PASSED, 5 AYES, 1 NAY – JOHN ALLEY, 0 ABSTENTIONS.

2. Airport Financial Administrator

Airport Manager Sean Flynn referred to his previous request to modify the time and salary of the Financial Clerk (see 8/24/05 Minutes p.1-2 #2). Mr. Flynn had researched the job description and salaries for similar positions and comparable airports. It was noted that in the case of the MV Airport when necessary the position also filled in for all the duties the Manager or Assistant Manager when they could not cover. The proposal (see documents on file) incorporated some of County Manager's Winn Davis' concerns. Mr. Davis agreed with both the job description and salary. The job history and description were reviewed including:

- financial records, reporting, etc.,
- fill in at desk during busy times and/or for the Airport Manger or Assistant Manager,
- salary and County steps,
- comparable private sector jobs and salaries versus Airport salary and benefits,
- eligibility and training,
- performance review and steps.

MR. ALLEY MOVED TO ESTABLISH THE POSITION OF AIRPORT FINANCIAL MANAGER (FORMERLY THE SENIOR FINANCIAL CLERK) WITH A SALARY RANGE OF \$42,000 TO \$50,000 A YEAR; MR. DALY SECONDED; MOTION PASSED UNANIMOUSLY, 6 AYES, 0 NAYS, 0 ABSTENTIONS

Mr. Flynn hoped to have a similar discussion on the Assistant Airport Manager job description and salary. Mr. Alley asked if there was a strong in-house candidate for the position. Mr. Flynn referred to Mr. Bennett's advice of Bennett & Yarger.

MARTHA'S VINEYARD AIRPORT COMMISSION MEETING
January 4, 2006

3

- Although interest had been expressed by some Airport staff, until the application had been submitted they were not considered candidates.
- 'Strong' was measured in relation to the rest of the candidate pool.
- Including such a statement in any advertisement discouraged outside candidates from applying.

3. Airport Manager's Report

- South East Ramp

The South East Ramp project was closed for the winter and there was only a small amount of asphalt, grading and seeding to be done outside of the Aircraft Operating Area (AOA). Mr. Flynn anticipated a May schedule.

- MALS Lighting

The MALS lighting replacement project was two weeks ahead of schedule. Mr. Flynn contacted the Federal Aviation Administration (FAA) and obtained an exemption to work outside of critical areas from the December 16th to January 2nd moratorium. The original completion date had been set for February 28, 2006.

- Incident Report

A T-tailed Lance with retractable gear landed with its gear up. There was a good emergency response with no casualties or injuries and there was no significant damage to the runway. The plane sustained damage and was moved without further damage or incident by the Airport staff and Mr. Ted Stanley of Direct Flight. The MVAC thanked Mr. Stanley.

- Bruno's

Development plans for Bruno's Rolloff lot in the Business Park are available for Commissioners to review. Mr. Flynn expected to ask for preliminary approval at the next meeting.

- Hybrid Vehicles

Mr. Leland approached Mr. Flynn and asked about the Airport purchasing hybrid vehicles. The previous vehicles had already been ordered however Mr. Flynn had been researching both hybrid and electric vehicles for future Airport purchases. The Airport used two electric flat bed vehicles for outside maintenance and aircraft towing for operations. (These were not used much in the winter.) Also Mr. Flynn had been approached and would submit to the MVAC a proposal for the donation of a solar array at the Airport to generate electricity. As a high energy user the Airport was interested in renewable sources.

MARTHA'S VINEYARD AIRPORT COMMISSION MEETING
January 5, 2006

4

- Cottage City Distributors

Mr. Flynn emailed Airport Counsel Marcia Cini after the January 19, 2005 meeting as requested by Mr. Hegarty (see 12/7/05 Minutes p.2 #4). Mr. Flynn and Ms. Cini both apologized for dropping the ball however as the client was now in compliance and further as the property might be sold in the near future, instigating eviction proceeding at this point did not seem feasible.

- Airport Fuel Services

Mr. Hegarty stated he was approached by Mr. Kehery, who was looking for a 20 year extension of his lease. Unfortunately, the original lease was a single 20 year lease with no option to renew and Mass. State law did not allow for the arbitrary addition of lease time.

This would mean the Airport would have to follow the same procedure as with the recent Hot Tin Roof turnover: the property was returned to the Airport, a Request For Proposal (RFP) was prepared and advertised and the property awarded. There was some question as to the disposition of the assets. Mr. Flynn would consult Airport Counsel on the entire matter.

MR. ALLEY MOVED TO RECESS UNTIL 5:00PM JANUARY 5, 2006; MR. DALY SECONDED; MOTION PASSED UNANIMOUSLY.

The meeting was again called to order.

The contract of the new Airport Manager Sean Flynn was reviewed.

• MR. MILL MOVED TO ACCEPT THE AIRPORT MANAGER'S CONTRACT AS PRESENTED TO THE MARTHA'S VINEYARD AIRPORT COMMISSION; MR. LELAND SECONDED; MOTION PASSED: 5 AYES, 1 NAY - MR. ALLEY, 0 ABSTENTIONS.

• MR. MILL MOVED TO INSTRUCT THE MARTHA'S VINEYARD AIRPORT COMMISSION CHAIR TO SIGN THE CONTRACT ON BEHALF OF THE MARTHA'S VINEYARD AIRPORT COMMISSION; MR. LELAND SECONDED; MOTION PASSED UNANIMOUSLY: 6 AYES, 0 NAYS, 0 ABSTENTIONS. Chair Jack Law signed the document.

Mr. Alley asked that the meetings Executive Session minutes be released now that the contract was signed by the Chair. There was a discussion on Executive Session release protocol.

- The contract was public however the Executive Session was not yet approved or released.
- The normal protocol was to pass notes onto the Recorder. However, Mr. Alley, on his own authority had asked County Manager Winn Davis to prepare the Executive Session Minutes.
- Mr. Flynn had not yet signed the contract.
- The MVAC had not yet seen the Executive Session Minutes.

MARTHA'S VINEYARD AIRPORT COMMISSION MEETING
January 5, 2006

5

Mr. Flynn was satisfied and felt the process had been respectful and he had the greatest amount of optimism in regards to the Contract and serving the MVAC.

4. Assistant Airport Managers Job Description

- Mr. Flynn was satisfied with the document as it stood and had made no changes.
- The Mass Aeronautics Commission (MAC) Assistant Airport Manager's license could be obtained within six months of hiring, i.e. it would not be a published requirement of application.
- At Mr. Daly's suggestion IT WAS THE CONSENSUS OF THE MVAC TO ADD "ABILITY TO SPEAK AND WRITE EFFECTIVELY 'IN THE ENGLISH LANGUAGE'".
- There was a discussion on Airport Manager experience and/or its equivalent and the MAC Assistant Manager license.
- Mr. Perry asked if the 'Island factor' would be important. There was a discussion on local talent
- IT WAS THE CONSENSUS OF THE MVAC THAT RESIDENCY WOULD BE REQUIRED WITHIN SIX MONTHS OF HIRING.
- Mr. Flynn recommended and IT WAS THE CONSENSUS OF THE MVAC THAT THE STARTING SALARY RANGE FROM \$55,000 TO \$70,000 DEPENDING ON QUALIFICATIONS.
- There was a discussion on moving expenses, local versus national search, and methods of moving. IT WAS THE CONSENSUS OF THE MVAC THAT MOVING EXPENSES BE PRE-APPROVED BY THE AIRPORT MANAGER AND PAID UP TO \$10,000.
- Mr. Mill commended the job description as clearly spelled out.
- The advertisement would be posted in the New England area journals, the Cape Cod Times, the Boston Globe and on the American Association of Airport Executive website.
- There was a discussion on timing and IT WAS THE CONSENSUS OF THE MVAC THAT THE ADVERTISEMENT BE POSTED NO LATER THAN JANUARY 15, 2006 AND THE APPLICATION PERIOD BE CLOSED FEBRUARY 28, 2006.
- Mr. Mill, Chair Jack Law, Mr. Daly, Mr. Perry and Mr. Flynn will form a Subcommittee to review the applications and reduce the candidates to about three finalists.

MR. ALLEY AND MR. LELAND MOVED TO ACCEPT THE JOB DESCRIPTION FOR THE ASSISTANT AIRPORT MANAGER WITH THE ABOVE AMENDMENTS; MR. DALY SECONDED; MOTION PASSED UNANIMOUSLY: 6 AYES, 0 NAYS, 0 ABSTENTIONS.

MR. ALLEY MOVED TO SET THE ASSISTANT MANAGER'S STARTING SALARY RANGE FROM \$55,000 TO \$70,000; MR. MILL SECONDED; MOTION PASSED UNANIMOUSLY: 6 AYES, 0 NAYS, 0 ABSTENTIONS.

MARTHA'S VINEYARD AIRPORT COMMISSION MEETING
January 5, 2006

6

The advertisement for the Financial Administrator had been written and would go out next week. Mr. Flynn would also research and call past applicants to similar County positions.

A letter from Attorney Howard Miller relative the sale of the Hot Tin Roof stated that Ms. Carly Simon would not relinquish the rights to the name Hot Tin Roof. Consequently the new owner would choose a new name.

The press asked several questions.

- How did the current contract relate to the agreement with the County Commission on Airport Manager and Assistant Manager salary being on the County step system. (See 6/1/05 p.3 #8.) The Chair stated that as the suit was found in the Airport's Commission's favor the MVAC had voted the contract in Executive and open session (see above).
- Mr. Flynn explained that the agreement was proposed while the lawsuit was pending in order to clarify a situation in flux and attract candidates. When the lawsuit was settled previously unanswered issues of authority were answered. Mr. Mill affirmed that this was an interim agreement to provide some solidity in the position until the court came up with the decision.
- Mr. Flynn stated that the MVAC was now consistent with grant assurances from both the State and Federal governments and with the Mass. State statutes.
- Mr. Alley identified himself as the lone dissenter but noted that the MVAC had voted and was in agreement.
- Chair Law responded to the next question that Mr. Flynn would be part of the County Retirement System, and would be receiving benefits similar to the County System. Mr. Flynn stressed that he had been and would continue to be a County Employee who was answerable to the Airport Commission. Other County Executives with similar contracts were the Sheriff, the Treasurer and the County Manager. In regards to benefits Chair Law also compared Mr. Flynn's contract with Mr. Davis's contract.
- The current contract originated some years ago when the Dukes County Retirement Board requested a copy of the formal contract with the Airport Manager and Assistant Manager. The MVAC then asked Airport Counsel to draw up such a contract. The current contract was worked out by negotiations from the original template.
- There was dissension in the subcommittee which met at some length to work on the Airport Manager's contract consequently the MVAC met in Executive Session with Mr. Flynn the previous and this same meeting.

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MARTHA'S VINEYARD AIRPORT COMMISSION MEETING
January 5, 2006

7

- The press asked how appropriate it was for a subcommittee to meet with Mr. Flynn to work on his contract as opposed to deciding on a contract and then offering it to him. --- At this point the tape ran out and no further notes are available.

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7. Adjournment

MOTION TO ADJOURN MADE AND SECONDED; PASSED BY CONSENSUS.

Documents on file:

Agenda 1/4/06

Sign-in Sheet 1/4/06

Employment Contract for Term, Sean C. Flynn, Airport Manager (4 p.)

Martha's Vineyard Airport Job Description: Assistant Manager (4 p.) 7/2002

Martha's Vineyard Airport Job Description: Airport Financial Administrator (4 p.) 8/2005

Mr. Flynn Memo to MVAC re: Airport Financial Administrator 1/4/06

Executive Assistant to the Airport Manager Barnstable Municipal Airport (5 p.) 9/05

Chief Financial Officer/Fixed Base Operations Manager Nantucket Airport (3 p.) 10/7/03

Airport Administrative Assistant Nantucket Airport (2 p.)

Accounting Clerk Nantucket Airport (2 p.)

Administrative Coordinator Nantucket Airport (2 p.)

Airport Fuel Services letter re: request to be put on agenda 12/29/05

Airport Fuel Services letter re: addendum to existing lease 12/22/05