

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

**February 6, 2008 5:30PM
Martha's Vineyard Airport**

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

Present: Airport Commissioners: Chair Norman Perry, John Alley, Fred Condon,
James Craig, Connie Teixeira

Airport Staff: Sean Flynn - Manager,
Deborah Potter - Assistant Manager,

Others: Stephen Bouchard, Bob Furey - HTA
Marni Lipke - Recorder

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

The meeting was called to order at 5:34PM.

1. Minutes – December 5, 2007 (Pending Review)

Approval of the Minutes was postponed.

2. AT&T Request (See documents on file.)

Because this lease did not have a continuing resolution, it would have to be put out to bid. In addition the Airport hoped to change the location and increase the height of the cell tower for better Island coverage. A lease extension of one year (with a \$400 increase) was worked out to bridge the time frame gap.

• MR. JAMES CRAIG MOVED TO APPROVE A ONE YEAR EXTENTION FOR SOUTHWESTERN MOBILE BELL EXTENTIONS CURRENTLY DOING BUSINESS AS AT&T FROM APRIL 4, 2008 TO MARCH 31, 2009; MR. JOHN ALLEY SECONDED; MOTION PASSED UNANIMOUSLY: 5 AYES, 0 NAYS, 0 ABSTENTIONS.

3. Old Business

• The Martha's Vineyard Airport Commission (MVAC) congratulated Mr. Alley and Mr. John Coskie on being re-appointed. Due to medical reasons Mr. Coskie could not attend the next meeting which would include the vote to re-organize (See below: Tasks). Consultation with Counsel found that voting by proxy, phone or email was not permissible.

• The Commissioners requested an ongoing list to track MVAC actions and discussions. It was agreed such a list would be included in the Minutes (see below: Tasks).

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4. New Business

- The change in Outerland liquor license and food service not having worked out as planned (see 5/16/07 Minutes p. 4 #5) a change back to the original seasonal license had been brought before the Edgartown Board of Selectmen and advertised with the Airport notified as an abutter (see documents on file). This was in violation of Airport Business Park regulations and more specifically of the MVAC letter giving approval to the previous change, both of which required tenants to get MVAC approval before instituting changes or applying to other licensing or regulatory boards. The MVAC and Airport Management debated the matter at length particularly focusing on Business Park enforcement guidelines.
- There was general agreement that there was some slightly unclear language in the previous letter.
- After-the-fact compliance was not acceptable to either management or the MVAC and steps were outlined to enforce the regulations (see below: Tasks).
- Events and service changes required Airport planning in regards, to traffic, water/wastewater needs, police security, etc.
- During the previous discussion the issue of general counsel was raised. Although the Airport had continued to use the Dukes County counsel – the Law Office of Marcia Cini, various factors indicated it was time to explore other available firms.
- The Airport employed: general counsel, aviation counsel, and labor counsel. A counsel with a specialty in municipal law would also be practical.
- **IT WAS THE CONSENSUS OF THE MVAC TO PUT OUT A REQUEST FOR QUALIFICATIONS (RFQ) FOR GENERAL COUNSEL SERVICES.**

5. Airport Managers Update

- The Fiscal Year 2009 (FY09) Budget was being developed after receipt of the first part of the Audit. A \$330,000 error in favor of the Airport was discovered by the Auditors and Airport Manager Sean Flynn in regards to incorrect posting of taxes, and there might be an additional \$60,000 might come forthcoming from proper tax refund request filing.
- Mr. Flynn introduced Hoyle, Tanner & Associates (HTA) engineers who were present to investigate the need for an obstruction survey in the approach for the shift of Runway 6. Such surveys used to be done by the Federal Aviation Administration (FAA) but were now hired out.
- The MVAC and HTA representatives discussed the shift of the runway and attendant taxiways, ramps, lighting etc. including rare species, glide paths, new safety regulations, changes in FAA responsibilities, time lines, and funding.
- HTA was very pleased to be working with the Airport and enjoyed the projects.

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7. Adjournment

MR. CONDON MOVED TO ADJOURN AT 6:45PM: MR. ALLEY AND MR. CRAIG SECONDED; MOTION PASSED UNANIMOUSLY.

Appendix A: Tasks

- All - If so desired consult with Mr. Coskie on re-organization vote.
- Mr. Flynn – draft letter to Outerland.
 - draft letter to Edgartown Board of Selectmen.
 - draft policy on Bus. Park regulation enforcement.
 - draft generic letter to tenants.

2/20/08 Agenda

- 12/5/07, 1/16/08, 2/6/08 Minutes
- Reorganization
- Monthly statistics report

From previous meetings or ongoing

- Subcommittee Chairs submit brief reports on meetings before next MVAC meeting
- Review of EdMar Sightseeing
- Sean - Ask MVTV re: standing order and bill for CD/DVD of MVAC meetings.
- Inform Commissioners when background information is available at the Airport.
 - It is the responsibility of the Commissioners to view background information once it has been made available.
- Lease renewals 6 mos. to 1 year before lease ends.
- Require a deposit if tenant has repeated lease violations
- Facilitate a Tenant's Association

Appendix B: Documents on file:

Agenda 2/6/08

AT&T letter re: AT&T Lease Agreement 1/28/08

MV Airport Staff Summary re: Change in Service for Outerland 2/6/08

Cini • Miller Notification to abutters 2/1/08

Airport letter to Outerland re: change of service 8/17/08

Robert M. Furey, PE, Hoyle Tanner Assoc. *business card*

These minutes approved as written at the MVAC 2/20/08 meeting.