

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

**March 19, 2008 5:30PM**

**Martha's Vineyard Airport**

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

Present: Airport Commissioners: Acting Chair Vice Chair John Coskie,  
John Alley, Fred Condon\*,  
Norman Perry,, Connie Teixeira

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

Others: Donorama - Kate Devine, Stuart Minton,  
Marni Lipke - Recorder

Press: Gimili Glavin - MVTV

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

The meeting was called to order at 6:08PM.

1. Minutes

- December 5, 2007 (Pending Review)

2. Lot 27 Development Plan (Vote) (See documents on file.)

At the request of the Land Use Sub-Committee Master Lease holder Donorama submitted a full set of plans for their use of Lot 27.

• **MR. JOHN ALLEY MOVED THE RECOMMENDATION OF THE LAND USE SUBCOMMITTEE AND MANAGEMENT TO APPROVE THE SUBMITTED DEVELOPMENT PLANS FOR LOT 27 WITH THE FOLLOWING CONDITIONS:**

- **THE TOP SOIL PILE MUST NOT EXCEED THE HEIGHT OF THE NEIGHBORING BUILDING AND BE COVERED WHEN NOT IN USE AND HAVE SILT CONTROL INSTALLED SO AS NOT TO WASH OUT;**
- **THE PROPOSED SIGN MUST BE MODIFIED TO INCLUDE STREET NUMBER AT A MINIMUM (WITH STREET NAME DESIRABLE) TO THE TOP FOR THE DESIRED CONTINUITY AND BE SUBMITTED TO THE AIRPORT FOR APPROVAL;**
- **THE PROPOSED LANTERN IS DENIED – IF THE INTENT IS FOR ILLUMINATION OF THE SIGN A NEW PROPOSAL FOR DOWN LIGHTING MUST BE SUBMITTED);**
- **THE ENTRANCES TO BOTH DRIVEWAYS BE PAVED IN ACCORDANCE WITH MARTHA’S VINEYARD AIRPORT BUSINESS PARK RULES AND REGULATIONS;**
- **THE LANDSCAPE PLAN IS APPROVED WITH CONDITIONS:**
  - ° **VEGETATIVE BUFFER DAMAGE BE REPLANTED WITH INDIGENOUS PLANTS (LISTS ENCLOSED WITH APPROVAL LETTER),**
  - ° **FOUNDATION PLANTS NEED NOT BE NATIVE MATERIAL BUT TENANT MUST MAKE ADDITIONAL EFFORTS TO ADEQUATELY MAINTAIN PLANTS;**

**MR. NORMAN PERRY SECONDED; MOTION PASSED UNANIMOUSLY: 4 AYES, 0 NAYS, 0 ABSTENTIONS.**

**MARTHA'S VINEYARD AIRPORT COMMISSION MEETING**  
**March 19, 2008**

2

3. Osprey Trade Fence Plan (Vote) (See documents on file.)

The Airport had some compliance issues with Osprey Trades including unfinished projects, lack of proper fencing, followed by starting installation of a new fence before submitting plans.

**• MR. ALLEY MOVED THE RECOMMENDATION OF THE LAND USE SUBCOMMITTEE AND MANAGEMENT TO:**

**- REVOKE THE APPROVAL OF OSPREY TRADES TO BUILD A 30 FOOT BY 40 FOOT STORAGE FACILITY IN NOVEMBER, 2003 AS THE WORK WAS NEVER STARTED;**

**- TO APPROVE THE FENCE PLAN AS REQUESTED SUBJECT TO THE RECEIPT OF A SITE PLAN DELINEATING THE LOCATION OF THE FENCE WITH THE FOLLOWING CONDITIONS:**

**° THE FENCE MUST BE 5 FEET FROM THE PROPERTY LINE,**  
**MS. CONNSTANCE TEIXEIRA SECONDED; MOTION PASSED UNANIMOUSLY: 4 AYES, 0 NAYS, 0 ABSTENETIONS.**

4. Heathland Realty Trust Sublease (s) (Vote) (See documents on file.)

Lot 30 was one of the first to be rented and consequently had a complex history, having been split into Lot 30 A and Lot 30 B holding three buildings. Management had found a number of sub-tenants none of which had been approved by the Martha's Vineyard Airport Commission (MVAC). After working with the tenant and tenant's attorney some resolution had finally been reached.

**• MR. ALLEY MOVED THE RECOMMENDATION OF THE LAND USE SUBCOMMITTEE AND MANAGEMENT TO APPROVE:**

**- CURRENT SUBLETS TO THE FOLLOWING CURRENT SUBTENANTS:**

**° G.D REYNOLDS WOODWORKING,**

**° CAPE & ISLANDS GLASS\*,**

**° PATRICK CONSTRUCTION\*,**

**° ASSOCIATE ROOFING, INC.,**

**° PROTEKMV,**

**° CHILMARK SPRING WATER,**

**° ISLAND DISTRIBUTORS,**

**° ISLAND TOBACCO,**

**° ULTIMATE TRANSPORT;**

**\* CAPE & ISLANDS GLASS AND PATRICK CONSTRUCTION WERE BOTH OCCUPYING THE SAME SPACE CONTRARY TO AIRPORT BUSINESS PARK REGULATIONS CONSEQUENTLY SUBLEASES WILL NOT BE EXECUTABLE UNTIL SEPARATE LOCATIONS ARE ESTABLISHED;**

**- THE SUBLETS FOR THE FOLLOWING NEW TENANTS:**

**° DAVIES LANDSCAPING,**

**° TRUE NORTH CONSTRUCTION, INC.**

**- THE PRESENTED SUBLEASE(S) AGREEMENT SUBJECT TO FINAL REVIEW**

**AND APPROVAL BY AIRPORT MANAGEMENT;**

**MARTHA'S VINEYARD AIRPORT COMMISSION MEETING**  
**March 19, 2008**

3

**- WITH THE CONDITION THAT HEATHLAND SUBMIT WITHIN SIXTY DAYS OF APPROVAL OF ALL SUBTENANTS A SIGN PLAN FOR REVIEW ALLOWING FOR THE INCLUSION OF ALL SUBTENANTS AT THE FRONT OF THE BUILDING WITH THE SIGN BEING ERECTED WITHIN SIX MONTHS OF APPROVAL OF THE PLAN;**

**MS. TEIXEIRA SECONDED: MOTION PASSED UNANIMOUSLY: 4 AYES, 0 NAYS, 0 ABSTENTIONS.**

5. Sublease Policy (Vote) (See documents on file.)

• Tenant Lease & Regulation Enforcement Policy (Not Started)

A number of discrepancies and loopholes have made it possible for sub-tenants to hold leases up indefinitely. In addition it was noted that sub-tenant compliance issues took a heavy proportion of Assistant Airport Manager Ms. Deborah Potter's time and energy. Various measures were proposed to improve enforcement and compliance. The MVAC clarified bank financing requirements on lease length which would apply more to the tenant/master lease holder than to the sub-tenant.

**• MR. ALLEY MOVED THE RECOMMENDATION OF THE LAND USE SUBCOMMITTEE AND MANAGEMENT TO ADOPT THE FOLLOWING MARTHA'S VINEYARD AIRPORT BUSINESS PARK OPERATIONAL POLICIES:**

**- MARTHA'S VINEYARD AIRPORT BUSINESS PARK SUBLEASE AGREEMENTS WILL ONLY BE APPROVED FOR A TERM NOT TO EXCEED A 3 YEAR PERIOD,**

◦ **ALTHOUGH RENEWAL OPTIONS COULD BE INCLUDED IN EACH SUB-LEASE/AGREEMENT THE MASTER TENANT WILL BE REQUIRED TO RETURN AT EACH RENEWAL FOR MARTHA'S VINEYARD AIRPORT COMMISSION APPROVAL;**

**- APPROVALS FOR ALTERATIONS, MODIFICATIONS, ETC. WILL REQUIRE INITIATION OF THE PROJECT WITHIN SIX MONTHS OF APPROVAL AND COMPLETION WITHIN SIX MONTHS AFTER THE PROJECT ACTUALLY STARTS**

◦ **THE TENANT/SUBTENANT MAY REQUEST EXTENSIONS OF SUCH APPROVALS);**

◦ **FAILING AN EXTENSION, APPROVAL WILL BE AUTOMATICALLY REVOKED AND RESUBMISSION OF THE PROJECT WILL BE REQUIRED;**

**MS. TEIXEIRA SECONDED: MOTION PASSED UNANIMOUSLY: 4 AYES, 0 NAYS, 0 ABSTENTIONS.**

• Mr. John Folino of Lot 14, LLC requested to address the MVAC. (See documents on file.)

6. EMS Response(s) to MVY

An unfortunate incident at the Martha's Vineyard Tennis Club revealed a serious problem with Emergency Medical Service (EMS) response time (see 3/21/07 Minutes p.3). Airport Manager Mr. Sean Flynn was negotiating with the Edgartown and Tri-Town EMS Boards to facilitate a

**MARTHA'S VINEYARD AIRPORT COMMISSION MEETING**  
**March 19, 2008**

4

better protocol giving priority to the needs of the patient. Mr. Flynn commended both Services and staff emphasizing that this was a logistical issue. It was proposed that:

- emergency calls page both Edgartown and Tri-Town at the same time; and
- both calls be maintained until an evaluation of the situation had determined that adequately qualified staff were at the scene.

\*Mr. Fred Condon entered the meeting at 6:56PM.

**• MR. ALLEY MOVED TO SUPPORT THE AIRPORT MANAGER IN CONTINUING TO NEGOTIATE BETTER PROTOCOL BETWEEN THE EDGARTOWN EMERGENCY MEDICAL SERVICE AND THE TRI-TOWN EMERGENCY MEDICAL SERVICE TO OPTIMIZE SERVICE FOR THE BENEFIT OF ANY PATIENT ON AIRPORT GROUNDS; MS. TEIXEIRA SECONDED: MOTION PASSED UNANIMOUSLY: 5 AYES, 0 NAYS, 0 ABSTENTIONS.**

#### 7. Subcommittee Reports

The MVAC had agreed to improve Subcommittee / MVAC communications with summary subcommittee minutes and regular reports.

- To facilitate scheduling subcommittees had been requested to set regular meeting times. All such meetings were posted and required to be less than a quorum of the MVAC – no more than three Commissioners including the Chair.

**Land Use Subcommittee** – The Subcommittee was working well, tightening the sublease policy, working towards consistent signage, and in general working to standardize and complete Business Park regulations such that tenants and subtenants would have clear and predictable parameters.

- Some clients had complained about the smallness of the Registry of Motor Vehicle (RMV) sign at the Martha's Vineyard Transit Authority (MVTA) lot. Management had no objections to increasing the size of the sign (see below: Tasks).

- The Subcommittee would meet at 9:00AM the second Tuesday of every month

**Public Relations Subcommittee** – This subcommittee had not met for some time.

**Personnel Subcommittee** – The Subcommittee was working on a job description for an Administrative Assistant. They had also considered creating a second Assistant Airport Manager position to allow Ms. Potter and Mr. Flynn to concentrate on new projects and strategic planning rather than day to day operations (see 12/5/07 Minutes p. 1).

**Finance Subcommittee** –

- FY09 Budget (In process)

The budget was being developed rigorously along a cost centered structure to illuminate financial evaluation and areas needing improvement. The transition requiring a balance of municipal and business systems as well as integration with the Dukes County Financial software was proving to be difficult. It was expected the process would generate expenses in auditor consultation and possibly software acquisition.

**MARTHA'S VINEYARD AIRPORT COMMISSION MEETING**  
**March 19, 2008**

5

8. Old Business

• Hangar Lease Renewal(s) (In negotiation)

Ms. Potter was in the process of negotiating two hangar lease renewals (see 9/19/07 p. 2 #5). A compliance issue with one of them had been resolved.

9. New Business

The MVAC discussed the inadequacy of the public address system in the Planeview Restaurant including; installation of proper zones in the system and the efficacy and expense of an electronic board posting flight status (see below: Tasks) .

10. Airport Manager's Update

The Airport continued to exceed its financial targets in fuels, landing and tie down fees, etc. In keeping with the trend over the last few years operations continued to grow slowly and emplanements continued to decrease slowly.

• The Commissioners praised Management for emailing the Staff Summaries in advance of the meeting (allowing Commissioners to be better prepared for the meeting and to move quickly through business).

11. Executive Session (required)

**MR. JOHN COSKIE MOVED TO GO INTO EXEC SESSION 6:19PM NOT TO RETURN TO OPEN SESSION UNDER MASS. GENERAL LAW CHAPTER 39 SECTION 23 NO. (3), -- I.E. FOR THE PURPOSE OF DISCUSSING STRATEGY WITH RESPECT TO POTENTIAL LITIGATION; AND TO INVITE AIRPORT MANAGER SEAN FLYNN, AIRPORT ASSISTANT MANAGER DEBORAH POTTER, AND RECORDER MARNI LIPKE TO BE PRESENT THROUGHOUT; MR. ALLEY SECONDED; MOTION PASSED UNANIMOUSLY: MR. ALLEY AYE, MR. CONDON AYE, MR. PERRY AYE, MS. TEIXEIRA AYE, MR. COSKIE AYE.**

12. Adjournment

**MR. ALLEY MOVED TO ADJOURN AT 6:26PM; MR. CONDON SECONDED; MOTION PASSED UNANIMOUSLY: MR. ALLEY AYE, MR. CONDON – I'M OUT OF HERE, MR. PERRY AYE, MS. TEIXEIRA AYE, MR. COSKIE AYE.**

**Appendix A: Tasks**

- Mr. Alley - Bring request for clearer RMV signage to MVTA Board.
- Mr. Flynn – Research cost of flight status board.

**continued >**

**MARTHA'S VINEYARD AIRPORT COMMISSION MEETING**  
**March 19, 2008**

**6**

**Appendix A: Tasks (cont.)**

April 2008 Agenda

- 12/5/07, 2/20/08, 3/19/08 Minutes
- Mr. Folino

From previous meetings or ongoing

- Monthly statistics report
- 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 3/19/08

Sign-in Sheet 3/19/08

MV Airport Staff Summary re: MV Lot 27 Donorama Development Plans 3/19/08

MV Airport Staff Summary re: MV Lot 7 Osprey Trades Fence Request 3/19/08

MV Airport Staff Summary re: Heathland Realty Trust Sublease Approval (2 p.) 3/19/08

MV Airport Staff Summary re: Creation of MVAC Policy Regarding Sublease Length and Alteration Approvals 3/19/08

MV Airport Staff Summary re: MV Lot 14 LLC Request to Address the Commission 2/27/08

Cape Building Systems, Inc. letter re: MV Lot 14, LLC 14 A Street 1/31/08

Asst. Airport Manager letter re: compliance deposit return 1/2/07

Compliance Agreement (2 p.) 1/2/07

Asst. Airport Manager letter re: lack of compliance of sub-tenant Barnes 8/25/04

Asst. Airport Manager letter re: lack of compliance of sub-tenant Barnes 5/4/04

MVAC Minutes Excerpt: 4/21/04

MVAC Minutes Excerpt: 6/2/04

MVAC Minutes Excerpt: 10/6/04

MVAC Minutes Excerpt: (8 p.) 11/3/04

MVAC Minutes Excerpt: (3 p.) 1/19/05

MVAC Minutes Excerpt: 2/9/05

MVAC Minutes Excerpt: 7/19/05

MVAC Minutes Excerpt: 7/19/05

MVAC Minutes Excerpt: 8/24/05