

**BEVERLY AIRPORT COMMISSION
MINUTES OF SPECIAL MEETING
NOVEMBER 20, 2023**

LOCATION: 50 L.P. Henderson Rd., Beverly Airport East Side

PRESENT: Commissioners Paul Trefry, Jason Reulet, Jessie Zuberek, Josh Doxsee, Kyle Retallack, Khris Kendrick and Bill Kossowan

OTHERS PRESENT: Airport Manager Gabe Hanafin

ABSENT: Aaron Henry

PUBLIC:

RECORDER: Christine Martin Barraford

A. CALL TO ORDER

Chair Trefry called the meeting to order at approximately 6:00PM, which is being audio and video recorded as a remote meeting. Roll call was taken and members present were: Chair Trefry-Y, Mr. Retallack-Y, Khris Kendrick-Y, Mr. Reulet-Y, Mr. Doxsee-Y, Mr. Kossowan-Y and Ms. Zuberek-Y.

1. Pledge of Allegiance

Chair Trefry led those in attendance in the recitation of the Pledge of Allegiance.

B. PUBLIC COMMENT

There was none.

C. NEW BUSINESS

Review and discuss with a possible vote on proposed lease agreement between Beverly Airport Commission and the City of Beverly for 0 L.P. Henderson Road lower portion of Parcel 90-4 and the prior use agreement for said real property as well as Building 45 located on the premises of the Beverly Airport Commission and associated lands on Airport Road

Chair Trefry stated that he had forwarded the 28-page lease as well as the 2-page agreement to all Commissioners. The agreements had been reviewed and approved by the FAA, and sent back the agreements to the two parties for review and vote.

Discussion ensued including the following highlights:

1. The \$660/month credit due the City as cited in Paragraph 4.1 referred to the total of \$59K paid by the City on improvements to the Airport Rd. property agreed to be reimbursable to the City on an amortized monthly basis through December, 2025.
2. Calculations were made from the total of all invoices submitted and paid for improvements.
3. Management of the property and timely collection of rents falls under the purview of the Airport Manager as the Commission's agent.
4. Article 6.1 ensures the lessee's responsibility for proper upkeep and maintenance of the property.
5. Agreement absolves the City from the \$270K back rent owed to the Commission as approved by the FAA.

Although Ms. Zuberek was not in favor of the above absolution, it was the consensus of the Commission, based on the fact that this matter was part of the full negotiations between the two attorneys and supported by the FAA, the Commission was in favor.

Ms. Zuberek also noted the length of term of the lease at ten years and the absence of a clause in the lease to protect the Commission against ramifications from the 60-day notice to terminate the lease with the City. Chair Trefry stated that there was sufficient clarity in the lease that stated that the Commission could pursue development of the 11-acre property and sign proposals with developers after notification to the City within six months of termination of the lease. It was the consensus of the Commission that, based on the FAA's clear direction to the City that it does not have the right to interfere with the Commission's efforts to develop the property and the full backing of a federal agent, the Commission agreed that that was adequate protection. Mr. Hanafin was in favor of the terms of the lease to grant assurances.

Vote:

Upon motion duly made by Mr. Reulet and seconded by Mr. Kendrick, it was voted to accept the two documents of the lease agreement with the City for use of the 39K sq. ft. on Airport Road and additional buildings on the property as well as to accept the agreement statement associated with this process. Mr. Trefry-Y, Mr. Kossowan-Y, Mr. Kendrick-Y, Mr. Reulet-Y, Ms. Zuberek-N, Mr. Doxsee-Y and Mr. Retallack-Y. Motion passed 6-1.

D. ADJOURNMENT

Upon motion duly made by Ms. Zuberek and seconded by Mr. Doxsee, it was unanimously voted to adjourn. Mr. Trefry-Y, Mr. Kossowan-Y, Mr. Kendrick-Y, Mr. Reulet-Y, Ms. Zuberek-Y, Mr. Doxsee-Y and Mr. Retallack-Y. Motion passed 7-0, unanimous.

The meeting adjourned at 6:30PM.