

Town of Nantucket
NANTUCKET MEMORIAL AIRPORT
14 Airport Road
Nantucket Island, Massachusetts 02554

Thomas M. Rafter, Airport Manager
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Commissioners
Daniel W. Drake, Chairman
Arthur D. Gasbarro, Vice Chair
Anthony G. Bouscaren
Andrea N. Planzer
Jeanette D. Topham

AIRPORT COMMISSION MEETING
June 8, 2021

The meeting was called to order at 5:00 pm by Chairman Daniel Drake with the following Commissioners present: Arthur Gasbarro, Jeanette Topham, Andrea Planzer and Anthony Bouscaren.

This meeting was conducted remotely by video conference via Zoom app and broadcast on the Town of Nantucket YouTube Channel consistent with Governor Baker's Executive Order of March 12, 2020, due to the current State of Emergency in the Commonwealth and due to the outbreak of the "COVID-19 Virus".

Airport employees present were: Tom Rafter, Airport Manager, Noah Karberg, Assistant Airport Manager, Katy Perales, Office Manager and Lillian Sylvia, Administrative Assistant.

Mr. Drake read the Town's virtual meeting statement.

Mr. Drake announced the meeting was being audio and video recorded.

Mr. Drake asked for comments on the Agenda; hearing none, the Agenda was adopted.

Mr. Bouscaren made a **Motion** to approve the 4/29/21 and 5/11/21 draft minutes. **Second** by Ms. Planzer and **Passed** by the following roll call vote:

Mr. Bouscaren- Aye
Ms. Planzer- Aye
Ms. Topham- Aye
Mr. Gasbarro- Aye
Mr. Drake- Aye

Ms. Topham made a **Motion** to ratify the 5/12/21 and 5/26/21 Warrants. **Second** by Mr. Bouscaren and **Passed** by the following roll call vote:

Mr. Bouscaren- Aye
Ms. Planzer- Aye
Ms. Topham- Aye
Mr. Gasbarro- Aye
Mr. Drake- Aye

Pending Leases/Contracts – Mr. Rafter presented for approval the following agreements and contracts.

- **Jet East Corporate, LLC**- License Agreement for aircraft maintenance service for an Annual Business Fee of \$1,500
- **Flying Zebra**- Operating Agreement for air charter service as a Blade Affiliate for an Annual Business Fee of \$1,500.
- **GoJet Airlines D.B.A United Express**- Operating Agreement for a seasonal airline for an Annual Business Fee of \$1,500. Landing and ramp fees will be paid by United Airlines.
- **Nantucket Electric Company**- Land lease agreement for storage of electrical equipment in the amount of \$129,122 annually. The land is located at 32 Bunker Road, Map 78 portion of parcel 2.7. This is a ten (10) year term with four (4), five (5) year options to extend.
- **LeVangie Electric Company**- Contract amendment for a revision of change order No. 1 in the amount of \$6,616 for the safety and security project- phase 1. There is no change to the total amount. The original change order was approved on 11/20/2020. MassDOT requested additional back up documentation and MassDOT's share would not include tablets.
- **Stantec Consulting Services Inc.**- Contract amendment to STANTEC-N-01 replacement of terminal HVAC controls. in the amount of \$97,400 for updated scope for data collection on the current HVAC system. New contract amount, including the amendment is \$127,739.77.
- **T2 Systems Inc.**- Contract for procurement of hardware and software for parking lot operation in the amount of \$49,989. This is a three-year contract.
- **CHA Consulting, Inc.**- Contract amendment for Fuel Farm Upgrades- Phase III Owners Projects Managers services, extending the expiration date one year to 9/30/2022.
- **TRAC Builders, Inc.**- Contract for the Fuel Farm Upgrades- Phase III in the amount of \$3,248,000 for removal and disposal of existing fuel skids and fire suppression system and replacement with new systems.

Mr. Bouscaren made a **Motion** to approve the license agreement with Jet East Corporate Aviation, LLC, the operating agreements with Flying Zebra and GoJet Airline, the lease agreement with Nantucket Electric Company, the contract amendments with Stantec Consulting Services Inc. and CHA Consulting Inc. and the contract with TRAC Builders Inc. **Second** by Mr. Gasbarro and **Passed** by the following roll call vote:

Mr. Bouscaren- Aye
Ms. Planzer- Aye
Ms. Topham- Aye
Mr. Gasbarro- Aye
Mr. Drake- Aye

Mr. Bouscaren made a **Motion** to approve the signing of the T2 Systems Inc. contract when necessary, approvals are received from the Town and Legal by either the Chair or Vice Chair for sole signature. **Second** by Ms. Planzer and **Passed** by the following roll call vote:

Mr. Bouscaren- Aye
Ms. Planzer- Aye
Ms. Topham- Aye
Mr. Gasbarro- Aye
Mr. Drake- Aye

Pending Matters – Mr. Rafter reported on:

091019-01 Capital Approval Process/Home Rule Petition- No change. The home rule petition has been filed. Mr. Karberg continues communicating with representatives to keep this moving.

071420-03 Per- a polyfluoroalkyl substances (PFAS) Investigation Update- Mr. Karberg gave an update on the PFAS Investigation Status Table.

Soil sampling for Taxiway E related sites occurred at the beginning of the May to determine the horizontal and vertical extent of PFAS contamination in the soil. Contractors reported that some of this data has been received and are waiting on full receipt of data to send to the Airport, which is anticipated soon.

Remaining soil and groundwater sampling unrelated to Taxiway E has been sampled for horizontal extent of PFAS contamination. Groundwater samples have been taken in statue park and along the North West corner of the Airport. Those results are expected as early as end of next week. The ground water sampling is specifically anticipated for relevancy to potential off-site sources of PFAS contamination.

Airport Gas has submitted a proposed drainage plan which was reviewed, left comments and was provided back to Airport Gas. Will review final construction plans once received.

060821-01 Updated Estimate for Project Cost of Nobadeer Way Watermain-

Nobadeer Way/Evergreen - Mr. Karberg reported that the insurance questions raised by Town regarding their standard long form contract indemnification provision and coverage limits for contractors working on private property was resolved for the Water Service Project and can move forward with scheduling the excavation work from the curb stop and into the affected residences. Mr. Karberg asked the Commission's approval to increase the authorized not-to exceed expenditure for installing the water service from \$250,000 to \$300,000 to reflect the added cost of extra insurance that the contractor will be required to carry.

The Madequecham Valley Road Watermain Extension - The original schedule bid opening date of June 18, 2021 for the Water Main Extension project will be pushed back to July 2, 2021 to accommodate a complete stakeholder review.

Mr. Gasbarro recused himself from the discussion and voting on water service matters.

Mr. Bouscaren made a **Motion** to increase the amount authorized for the Nobadeer Way water service from \$250,000 to \$300,000 to provide the cover of insurance and a project cushion. **Second** by Ms. Planzer and **Passed** by the following roll call vote:

Mr. Bouscaren- Aye
Ms. Planzer- Aye
Ms. Topham- Aye
Mr. Drake- Aye

060821-02 General Fund Repayment Proposal and Discussion of In-Kind Service-

\$235,620.87- Mr. Rafter reported that the Airport is paying the full amount of \$235,620.87 this

year. The airport provided no in-kind services this past year to offset against that payment and will be looking at other potential opportunities going forward. The remaining balance is \$2,641,983.50.

060821-3 ATM Update- Mr. Rafter reported that the following Airport warrant articles were all passed: except for the number 74 as, which included-

- Three (3)- Prior Year Appropriations
- Four (4)- Revolving Account Limits
- Fifteen (15)- Operating Budget
- Sixteen (16)- Capital Budget
- Ninety-Four (94)- Home Rule Petition Select Board Capital Projects
- Ninety-Eight (98)- Long Term Lease Request

Article Seventy-Four (74)- Bylaw change car rentals did not pass because the Finance Committee Motion was not to adopt the article

051121-03 Minimum Standards Update- Air Taxi Definition

Mr. Gasbarro made a **Motion** to approve the change to the Minimum Standards to include the “Air Taxi” definition as stated in the packet. **Second** by Ms. Topham and **Passed** by the following roll call vote:

Mr. Bouscaren- Aye
Ms. Planzer- Aye
Ms. Topham- Aye
Mr. Gasbarro- Aye
Mr. Drake- Aye

060821-05 Nantucket Flying Association Event Landing Fee Waiver Request- Mr. Rafter requested that the Commission allow to waive the landing fees associated with the Nantucket Flying Association Aviation Camp.

Ms. Topham made a **Motion** to waive the landing fees associated with the Nantucket Flying Association Camp. **Second** by Ms. Planzer and **Passed** by the following roll call vote:

Mr. Bouscaren- Aye
Ms. Planzer- Aye
Ms. Topham- Aye
Mr. Gasbarro- Aye
Mr. Drake- Aye

060821-05 Non-Union Employees COLA Discussion- Mr. Rafter recommended to the Commission 1%, 1.5% and 1.5% over three years, effective July 1, 2020. These are typically approved each year.

Mr. Bouscaren made a **Motion** to approve the retroactive increase of 1% for the year ending June 30, 2021 and an increase of 1.5% for the year ending June 30, 2022. **Second** by Ms. Planzer and **Passed** by the following roll call vote:

Mr. Bouscaren- Aye
Ms. Planzer- Aye
Ms. Topham- Aye
Mr. Gasbarro- Aye
Mr. Drake- Aye

Manager's Report

Project Updates – Mr. Rafter reported:

- **Taxiway E-** Work between 15-33 and runway 2-4 runup has been completed. Work to start again in the Fall of 2021. There are two phases of the project remaining.
- **Security Project Phase II-** Systems are up and operational. TSA has expressed a high level of satisfaction. Seal coating for the trench that was cut for the ductwork was completed today.
- **Fuel Farm Rehabilitation-** Received bids and was approved. Received a technical amendment that was approved at Annual Town Meeting (ATM).
- **Hangar Development-** Meeting with Mr. Turner, an interested party, next week to begin lease negotiations. The hangar lease extension provision was approved at ATM. The Hagedorn Aviation lease was approved, and they expressed interest in additional space that we are looking into.

RFP/IFB Bid Status – Mr. Rafter reported on:

- **Waterline Extension-** Bids will be available early July.
- **Security System Maintenance Program-** Airport staff is reviewing.

Operations – Mr. Rafter reported:

- First week of June 2021 the outbound secure passenger volume was up 67% over 2019.
- Memorial Day Weekend FBO sales were \$402,525, exceeding anything as far back as 2014.
- The number of gallons of JetA pumped in May was about 114,000 gallons.
- Out of caution, will not be turning on the irrigation in Statue Park until PFAS results are back for that area.
- FAA inspection took place May 26th-28th and went very well. Staff performed admirably.
- Working with FAA through an after-inspection finding. The Airport had asked for a change to the sign and marking plan to add an additional air carrier position on the commercial ramp that the FAA has serious concerns with. Waiting to hear back from FAA regarding this and the markings on what is currently runway 12-30. Mr. Rafter explained that they let FAA know that without this additional spot the Airport may have to close for safety reasons. Monitoring closely and asked for administrative guidance to ensure we are not in violation of grant assurances should we have to close for safety reasons.

Mr. Bouscaren asked for an explanation of shutting the Airport down for safety reasons. Mr. Rafter explained that once the Airport hits capacity to park airplanes on the grounds, arrivals will be shut down until departures clear up space.

Mr. Gasbarro asked if one FAA official advising not to park aircraft on 15-33 is a directive. Mr. Rafter explained he asked this question to Gail Latrell, FAA last week asking for specific guidance on what can and cannot be done. Mr. Rafter explained that he spoke with legal and Jorge Pantelli, FAA Compliance to clarify that we would not be held in violation of our Grant Assurances if we take action to ensure safe.

Mr. Drake asked what role local Air Traffic Controller (ATC) plays in this. Mr. Rafter explained they express their concerns and advise on impacts on their operations but do not have the final say.

Mr. Bouscaren asked if there is any discussion or coordination with Martha Vineyard Airport or Hyannis Airport for taking overflow aircraft if the Airport would have to shut down to arrivals. Mr. Rafter explained that they have not but could look into it.

The Commission supports Administration's efforts to try and resolve this issue with FAA.

Statistics – Mr. Rafter reviewed the April 2021 Statistics:

- Operations are up 103.42% from April 2020; and down 26.60% from last FYTD.
- Enplanements are up 1,014.69% from April 2020; and down 55.63% from last FYTD.
- Jet A Gallons are up 274.87% from April 2020; and down 4.14% from last FYTD.
- Jet A Gallons are up 300.67% from May 2020.
- AvGas Gallons are up 66.21% from April 2020; and down 11.19% from last FYTD.
- AvGas Gallons are up 297.04% from May 2020.
- Freight is up 72.57% from April 2020; and up 36.08% from last FYTD.
- 1 Noise complaints were filed for April 2021 compared to 0 in April 2020.

Personnel Report- Mr. Rafter reported on:

- Andrea Planzer reapplied, and Phil Marks and Ray Kairawicz applied for the open Commissioner positions.
- Dan Drake has decided not to re-up his Commissioner position. Mr. Rafter thanked Mr. Drake for his almost ten years of service to the Airport.
- Mr. Rafter can no longer attend and moderate the Annual National Airports Conference (NAC) in Savannah, Georgia in September. He has asked the Commission for its approval to allow Mr. Karberg to take his place.

Ms. Topham made a **Motion** to approve Mr. Karberg's travel to the National Airports Conference in Savannah, Georgia, in September, with payment of reasonable expenses by the Airport. **Second** by Mr. Bouscaren and **Passed** by the following roll call vote:

Mr. Bouscaren- Aye
Ms. Planzer- Aye
Ms. Topham- Aye
Mr. Gasbarro- Aye
Mr. Drake- Aye

Commissioners Comments-

060821-07 Commission Meeting and Location/Time for In Person Meetings- The Airport was asked by Town to look at alternative meetings places. Mr. Rafter explained that there are no good alternatives. Town is still working and waiting to hear if there is any flexibility in terms of extending virtual meetings. Where and how the July Commission meeting will be held is to be determined.

Mr. Gasbarro, Ms. Topham and Mr. Bouscaren complimented and thanked Mr. Drake for his service to the Airport.

Mr. Drake thanked the Commissioners for their support and input during his time as Chairman on the Commission. Mr. Drake also thanked the Airport staff for their support and hard work.

Public Comment-

None.

Having no further business for Open Session, Ms. Topham made a **Motion** to go into Executive Session, under G.L. Chapter 30A, Section 21A, not to return to Open Session, to review Executive Session Minutes as enumerated on the Agenda; Clause 3: To discuss strategy with respect to the litigation regarding Walsh, where the Chair has determined that an open session may have detrimental effect on the litigating position of the Airport Commission. Clause 6: To consider the purchase, exchange, lease or value of real estate with respect to the negotiations regarding Nobadeer Farm Road/Sun Island Road property, where the Chair has determined that an open session may have detrimental effect on the negotiating position of the Airport Commission. Clause 3: To Discuss Strategy with Respect to Pursuing Legal Claims against Manufacturer of Polyfluoroalkyl Substances (PFAS), where the Chair has Determined that an Open Meeting May have a Detrimental Effect on the Litigating Position of the Airport Commission. Clause 1: To discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual. **Second** by Mr. Bouscaren and **Passed** unanimously, by the following roll-call vote:

Mr. Bouscaren- Aye
Ms. Planzer- Aye
Ms. Topham- Aye
Mr. Gasbarro- Aye
Mr. Drake- Aye

Meeting adjourned at 5:50pm.

Respectfully submitted,

Lillian Sylvia, Recorder

Master List of Documents Used

6/8/21 Agenda including Exhibit 1 (Handout)
4/29/21 Draft Minutes
5/11/21 Draft Minutes
5/12/21 Warrant Approvals
5/26/21 Warrant Approvals
Jet East Corporate Aviation, LLC License Agreement
Flying Zebra Operating Agreement
GoJet Airlines Operating Agreement
Nantucket Electric Company Lease Agreement
LeVangie Electric Company Contract Amendment
Stantec Consulting Services Inc.- STANTEC-N-01 Amendment No. 1
CHA Consulting, Inc. Contract Amendment
TRAC Builders, Inc. Contract
PFAS Investigation Status Table
Watermain Tie-In Probable Costs (Handout)
Minimum Standards for Commercial Aeronautical Service Providers
Nantucket Flying Association Special Events Application
April 2021 Monthly Statistical Report

