

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
September 13, 2016

The meeting was called to order at 5:02 pm by Chairman Daniel Drake with the following Commissioners present: Vice Chair Arthur Gasbarro, Jeanette Topham, Andrea Planzer, and Anthony Bouscaren (arriving at 5:07 pm).

The meeting took place in the 1st floor Community room at the Public Safety Facility, 4 Fairgrounds Rd. Nantucket MA.

Airport employees present were: Thomas Rafter, Airport Manager, Janine Torres, Office Manager, David Sylvia, Compliance Manager, and Mae Williams, Administrative Assistant.

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

Mr. Drake announced that Jorge Panteli, Federal Aviation Administration (FAA) Compliance Officer, will hold Grant Assurance training on Tuesday, October 11, 2016 beginning at 3:00 pm at the Public Safety Facility. The regular October 11th Commission meeting will begin at 5:00 p.m.

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

Mr. Drake noted the minutes from ATM, 4/2/16 and 4/5/16 are still pending.

Ms. Topham made a **Motion** to approve the 8/9/16 minutes. **Second** by Ms. Planzer and **Passed** unanimously.

Ms. Planzer made a **Motion** to ratify the 8/17/16 and 9/7/16 warrants. **Second** by Mr. Gasbarro and **Passed** unanimously.

Public Comment

None

Pending Matters

042214-2 Formerly Used Defense Site (FUDS) Status – Mr. Rafter reported a date to review the final draft of the Remedial Investigation Report with the Army Corps of Engineers (ACE) has not yet been established.

011315-2 General Fund Repayment Proposal and Discussion of In-Kind Services – Mr. Rafter reported the FAA are still awaiting a response from Brian Turbitt, Town Finance Director.

060716-3 McGrath Family Trust request to Sub-Lease to Eastern Air Freight, LLC –Bill McGrath of McGrath Family Trust, has modified his sub-lease request from Eastern Air Freight, LLC to Allies Air Freight, LLC in an effort to have freight service begin as soon as possible. Mr. Gasbarro suggested that Anderson & Kreiger, Airport Counsel, review the sub-lease to have adequate measures in place to protect the Airport. After a brief discussion it was decided to table the topic until counsel has reviewed the sub-lease document. Mr. Drake suggested holding a special meeting once any comments are received and incorporated in the document so as to expedite the process.

Pending Leases and Contracts

Mr. Rafter presented the following Leases and Contracts:

- Scheidt & Bachmann USA - One (1) year contract with two (2) one-year options for parts and services for the parking control system. Not to exceed \$30,000.00 for 3 years.

Mr. Gasbarro made a **Motion** to approve the contract with Scheidt & Bachmann. **Second** by Ms. Topham and **Passed** unanimously.

080916-1 Gift Shop Lease Discussion – Mr. Rafter reported the Gift Shop Lease will be mutually terminated on October 31, 2016. A new Request for Proposal (RFP) will be written to include proposing other business options other than a gift shop that would fulfill the needs of the public and the Airport. Mr. Drake requested that all new leases include a non-disparagement clause.

080916-2 Blade Sub-Lease Discussion – Mr. Rafter reported that a letter from Airport Counsel will be sent to Emily Air regarding the sublease to Blade.

071216-1 Flat Roof Building Disposition Discussion – Mr. Rafter suggested that an open-ended RFP be written to allow for the highest and best use to the Airport.

Mr. Bouscaren made a **Motion** to allow the RFP be written as broadly as possible. **Second** by Ms. Topham and **Passed** unanimously.

122215-1 Air Service Update – Mr. Rafter has reached out to Senators Warren and Markey requesting their assistance to achieve better transparency from the FAA Flight Standards Division, regarding the application status of airlines waiting their certification, in the hopes of learning of the status of both the Rectrix and Island Shuttle applications.

The Air Service Development survey has been completed. Mr. Karberg is preparing the analysis. The results should be ready for the next meeting. Another meeting with Hyannis and Martha's Vineyard airports will be held in November.

050916-1 Nobadeer Farm Development Update – Mr. Rafter reported a conference call took place which included Vicky Marsh of Kopelman and Paige (Town Counsel), Kevin Batt of Anderson & Kreiger (Airport Counsel), and Tucker Holland, Nantucket's Housing consultant, to review the FAA's recommendations of action items and the language for the RFP.

Mr. Batt also reviewed and agreed the recommendation with Andrew Vorce, Planning and Land Use Services, recommendation to "de-register" the Delta Parcel with the Land Court.

Ms. Planzer made a **Motion** instructing Mr. Rafter to proceed with the de-registering of the Delta parcel. **Second** by Mr. Bouscaren and **Passed** unanimously.

Mr. Rafter requested the Commission concur with the vote of a prior Commission, dated September 16, 2003, to declare the use of the Delta Parcel from aeronautical to surplus for non-aeronautical purposes as required for the land release with the FAA.

Mr. Gasbarro made a **Motion** to declare the Nobadeer Farm Development parcel as surplus for non-aeronautical purpose. **Second** by Ms. Planzer and **Passed** unanimously.

080916-4 FY2016 4th Quarter Update – Mr. Rafter presented the revised format of the quarterly update, noting it will be presented to the Board of Selectmen at their September 14, 2016 meeting.

During discussion, Mr. Gasbarro confirmed the Commission should review the FY18 Capital projects prior to presentation to the Capital Committee. Mr. Drake would like confirmation on how much money the Airport has, considering all sources. Mr. Rafter was asked to find out if the use of Passenger Facility Charge (PFC) revenue requires prior Town Meeting Approval. Mr. Gasbarro questioned why the FY16 financials show an actual Repayment to the Town of \$108K prior to receiving approval of the Repayment Agreement from the FAA and MassDOT. Mr. Rafter will follow up.

Regulatory Update – Mr. Rafter reported:

091316-3 FAA Snow and Ice Plan – The Snow & Ice Plan has been submitted prior to the deadline and is awaiting FAA approval. Additional training will be required for compliance with the Plan.

091316-4 FAA Safety Management System (SMS) – A notice of proposed rule-making has been set forth from the FAA requiring most Part 139 Airports to establish an SMS Plan. The SMS Plan requirement has the potential to necessitate the need of two additional staff and will be planned as such in next year's budget.

Manager's Report – Mr. Rafter reported:

Project Updates

- ATCT – We are attempting to resolve outstanding issues with Maron Construction regarding roof leaks, air-conditioning imbalance, hot water issues, and electrical items before project close-out.

Mr. Gasbarro made a **Motion** to ratify Change Order #17 for the modernization of the ATCT in the amount of \$1,964.00. **Second** by Ms. Topham and **Passed** unanimously.

- FY18 Capital Improvement Projects being reviewed include:
 - Ramp Rehabilitation Phase III
 - Security Fencing
 - Fuel Farm piping replacement.
 - Repair of the Fuel Farm fire suppression system.
 - Airfield painting will be broken up over a four (4) year period due to overall costs.
- The Terminal fire alarm panel replacement is currently underway.

RFP/Bid Status – Mr. Rafter reported the following RFP's and RFQ's are being worked on:

- On-call engineering RFQ is advertised.
- Gift Shop Space RFP is in development.
- Sun Island Road RFP is in development.
- Fuel Farm Pipe Painting - Bids are being reviewed.

- Parking Revenue System replacement Scope of Work being developed. A Sub-Committee will be scheduled to review and discuss the options.
- Restaurant Lease is up in December 2017 and will require a new RFP.

Operations – Mr. Rafter reported:

- Fire Truck (Airport 1) is back in service.
- Family Assistance Plan (FAP) development is ongoing with a meeting with the Red Cross being scheduled.
- Rules & Regulations are being revised.
- A November meeting is planned for the next Cape & Islands Airports coordination efforts.
- The Airport met with Visitor Services to review the top passenger issues reported this summer included lack of charging stations in both arrival and departure areas and other upgrades needed to the secured departure lounge. Mr. Rafter noted other potential terminal upgrades including common use airline podiums in the secured departure lounge and extension of the bag belt behind the ticket counters.
- Mr. Rafter reported a Sky Catcher Cessna was blown onto its side and obtained wing damage.

Statistics – Mr. Rafter reviewed the July 2016 overall statistics.

- Operations are down 6.75% from July 2015.
- Enplanements are down 4.68% from July 2015.
- Jet A Gallons are up 2.98% from July 2015.
- Jet A Gallons for August are up .75%
- AvGas Gallons are up 14% from July 2015.
- AvGas Gallons for August is down .23%.
- Freight is down 40.34% from July 2015.
- 25 Noise Complaints filed for July 2016. Down from 72 filed in 2015.

Personnel Report – Discussion took place regarding the challenges faced due to seasonal help departing early and the need to find staffing to remain through the season. A referral incentive to current employees was suggested.

Also discussed was the level of staffing needed to increase the level of service in the FBO and on the South ramp.

Commissioners Comments

None

Public Comment

None.

Having no further business for Open Session, Mr. Gasbarro 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 6 – to consider the purchase, exchange, lease or value of real property with respect to Exhibit A of the Airport Layout Plan. The Chair has determined that an open session may have a detrimental effect on the negotiation/litigation position of the Airport Commission. And under Clauses 3 & 6 to consider the purchase, exchange, lease or value of real property and to discuss pending litigation to Gatto vs. Town. The Chair has determined that an open session may have a detrimental effect on the negotiation/litigation position of the Airport Commission. Also Clause 3 to discuss strategy with respect to pending litigation related to the closure of Island Airlines. The Chair has determined

that an open session may have a detrimental effect on the litigation position of the Airport Commission. **Second** by Ms. Topham and **Passed** unanimously.

Meeting adjourned at 5:55 pm

Respectfully submitted,



Mae R. Williams, Recorder

Master List of Documents Used

9/13/16 Agenda including Exhibit 1

8/9/16 Draft Minutes

8/17/16 Warrant Signature Sheet

9/7/16 Warrant Signature Sheet

Scheidt and Bachmann USA, Inc. Contract – Not to exceed \$30,000.00 for 3 years.

McGrath Family Trust sublease to Allies Air Freight, LLC for Hangar 8.

Letter to Senators Warren and Markey re: transparency in status of applications.

Page 2 of Nantucket Airport Commission Meeting Minutes of September 16, 2003 – (Delta Parcel Vote)

Kevin Batt of Anderson & Kreiger e-mail re: Registered Land dated 9/7/16

FY16 4th Quarter Update

ATCT Construction Change Order log dated 8/2/16

ATCT Change Order 17

July 2016 Statistics