

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

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ACK


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

AIRPORT COMMISSION MEETING
February 14, 2017

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

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, Jamie Sandsbury, Business & Finance Manager, David Sylvia, Compliance Manager, and Mae Williams, Administrative Assistant.

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

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

Mr. Drake noted the minutes from 2016 ATM, 4/2/16 and 4/5/16 are still pending.

Mr. Drake asked for comments or corrections to January 10, 2017 Meeting Minutes. Mr. Gasbarro made a **Motion** to approve the minutes. **Second** by Ms. Planzer and **Passed** unanimously.

Mr. Bouscaren made a **Motion** to ratify the warrants of 1/25/17 and 2/8/17. **Second** by Ms. Planzer and **Passed** unanimously.

Public Comment

None

Pending Matters – Mr. Rafter reported:

042214-2 Formerly Used Defense Site (FUDS) Status – The Airport is still anticipating having Bunker Road parcels available by March, 2017. We are still awaiting the final document from the Army Corps of Engineers (ACE) indicating a “No Action Required” decision.

011315-2 General Fund Repayment Proposal and Discussion of In-Kind Services – There has been no further progress to report.

Pending Leases/Contracts – Mr. Rafter presented the following Leases and Contracts:

- **Jacobs Engineering Group** – Contract for Professional Services associated with FY18 Airport Improvement Project (AIP) for the North Ramp Rehab (Area 3), Apron, and to replace a portion of the Perimeter Fence in the amount of \$262,437.00.
- **Hortonville Consulting LLC** – Contract Amendment to add training for two Supervisor personnel for a fire safety class in the amount of \$700.00.
- **McFarland-Johnson Inc.** – One (1) year contract for continued Passenger Facility Charge (PFC) consulting in the amount of \$8,562.00.
- **ENE Systems, Inc.** – Contract to replace Geothermal Heat Pump/Chiller in terminal HVAC System in the amount of \$99,950.00 procured through the M.G.L. Ch. 25A §14, a program for energy conservation projects.

Mr. Bouscaren made a **Motion** to approve the contracts as set forth on Exhibit 1. **Second** by Ms. Planzer and **Passed** unanimously.

050916-1 Nobadeer Farm Development Update – Blackwell Associates has been retained to survey the potential development site. A follow-up meeting is scheduled for Thursday, March 9, 2017 with the Federal Aviation Administration (FAA), Kopelman & Paige, Town Counsel, and Anderson & Kreiger, Airport Counsel, to discuss the lease back options to the Town.

122215-1 Air Service Update – Cape and Islands Airport group has received a proposal from Meade & Hunt, Air Service Consultants. A meeting has been scheduled for Wednesday, March 22, 2017 to discuss Meade & Hunt's proposal as well as to prepare for the Jump Start Conference in June 2017, which enables participants to meet with airlines face-to-face to discuss potential increases in air service at our airports.

011017-1 Stabilization Fund – Jamie Sandsbury, Business & Finance Manager and Brian Turbitt, Director of Municipal Finance, presented a recommendation to transfer \$200,000 from the Fuel Revolver Fund to fund the Stabilization Fund should Article 28 be approved at Annual Town Meeting (ATM).

Mr. Bouscaren made a **Motion** to approve the proposed Article 28 which would approve creating the Stabilization Fund and would appropriate \$200,000 from the Airport's Fuel Revolver Fund as the initial funding. **Second** by Mr. Gasbarro and **Passed** unanimously.

021417-1 FY17 Budget Transfers – Review of ATM Article 13 Budget Transfers as provided.

Mr. Gasbarro made a **Motion** to approve the FY17 budget transfers as listed on the handout with exception of the Stabilization Fund which was already approved. **Second** by Mr. Bouscaren. During discussion Mr. Drake noted that several transfers listed would have previously been paid by borrowing rather than from Retained Earnings. The **Motion Passed** unanimously.

021417-2 PLUS Proposed Zoning Changes – Old South Road – Mr. Rafter reported potential zoning changes that include two Airport parcels located at 127 & 129 Old South Road that will be presented at ATM by Planning and Land Use Services (PLUS), changing zoning from Residential/Commercial (RC2) to Commercial/Industrial (CI). Mr. Rafter feels zoning of CI will make the land more compatible with the Airport.

Ms. Planzer made a **Motion** to endorse the zoning change proposal. **Second** by Mr. Bouscaren and **Passed** unanimously.

021417-2 Thompson House Closing – Airport Counsel suggested the Commission authorize the Airport Manager to sign the necessary closing documents, once finalized, that are associated with

the transfer of any interest the Nantucket Islands Land Bank Commission may own in the Thompson House property. Mr. Rafter suggested a change to Item 1 of the Settlement and Mutual Release Agreement to include a “no later than _____ (date)” after “as soon as reasonably possible” on the bottom of page 1.

Mr. Bouscaren made a **Motion** to authorize Mr. Rafter to (a) to approve the proposed Settlement Agreement and Mutual Release (the “Agreement”) and all forms attached thereto concerning the Commission’s acceptance of a release deed from the Nantucket Land Bank in substantially the form presented to the Commission at its February 14, 2017 meeting with final changes to be approved by the Airport Manager in the Airport Manager’s reasonable discretion in consultation with counsel; and (b) to authorize the Airport Manager to take all actions on behalf of the Commission that are reasonably necessary, in the judgment of the Airport Manager, to complete the conveyance of the Property in accordance with the Agreement, including without limitation executing the Agreement, accepting the release deed, and signing any other closing forms, closing documents, conservation restrictions and easements as described in the Agreement as it concerns property located at 60 Madequecham Valley Road, Nantucket MA as shown on the Town of Nantucket’s Assessor’s Map 88 as lots 18 & 63. **Second** by Ms. Planzer and **Passed** unanimously.

Manager’s Report – Mr. Rafter reported:

Project Updates

- **Air Traffic Control Tower** – the Airport is awaiting written assurance from the roofing company that the warranty is still valid despite the installation of the metal panels that were not installed per the specifications. Mr. Rafter requested the Commission approve Change Order #1 (CO#1) in the amount of \$4,606 for the reinstalling fire retardant catwalk lumber and Construction Change Directive #2 (CCD #2) in the amount of \$9,970 for console changes in the Tower cab.

Mr. Bouscaren made a **Motion** to ratify CO #1 and CCD #2. **Second** by Ms. Planzer and **Passed** unanimously.

- **Vault Room** – is nearing completion but there is still some lighting control reconfigurations with the FAA that needs to be addressed.
- **Interactive Employee Training & Public Address/Flight Information Display System projects** – The driver training video portion of the project has been reviewed and comments returned. The Security Identification Display Area (SIDA) video portion is nearly complete. The FIDS/PA System is on schedule with the construction set to begin at the end of February.
- **Snow Blower and Broom** – Delivery was to have taken place on January 3, 2017 but has been delayed. A letter has been sent to Kodiak, the manufacturer, expressing dissatisfaction and concern over the delay and lack of response. A new delivery date of February 26, 2017 has been reported. Liquidated Damages of \$250 per day will be assessed and withheld from final payment.
- **Security Cameras** – The State contractor is due back on site the week of February 20th to resolve the radio frequency interference that occurred during installation.
- **Capital Projects** – The professional services contract with Jacobs Engineering associated with the Airport Improvement Project (AIP) North Ramp Rehab was approved earlier in the meeting. The professional services contract for the Airport Layout Plan (ALP) update, to address the taxiway geometry study, is being re-negotiated after the Independent Fee Estimate (IFE) resulted in a somewhat large discrepancy in the proposed engineering costs.

- **TSA Full Body Scanner** – has been installed and should be operational at the end of this week once the TSA personnel training has been completed.

RFP/Bid Status – Mr. Rafter reported the RFP's being worked on include:

- **Airport Gas Parcel** – has been approved by the Chief Procurement Officer (CPO) and should be posted very shortly.
- **Parking Lot Management and Equipment Replacement** – has been completed and is advertised. The Parking Facilities Management Agreement is currently under Town Counsel review and will be issued as an addendum to the RFP once finalized.
- **Terminal Concession/Gift Shop area** – has been a challenge to develop due to it being open to any type concession.
- **Sun Island Road Parcels** – the land release has been approved by the FAA but requires a posting in the Federal Register for 30 days.
- **Flat Roof Building** – this RFP has been put on hold after internal discussion regarding the lack of seasonal employee housing has suggested the use of this building for that purpose.
- **Bunker Road Parcels** – Mr. Rafter reviewed a presentation of the parcels that will become available on Bunker Road, Sun Island Road, parcels set aside for future solar development, and other parcels that may become available. In reviewing the ACK Land Plan 2017 in the presentation, discussion was held regarding including the parcels that comprise the Old South Road/Airport Road corner park for potential lease. The discussion concluded with a notation of No Action in the Proposed Lease/Sell column of the plan.

Operations – Mr. Rafter reported:

- **Meeting with Natural Heritage** – Noah Karberg, Environmental Coordinator and Mae Williams, Administrative Assistant met with Natural Heritage (MESA) on Monday, February 6, 2017. Mr. Karberg is working on a document to negotiate a resolution to the Airport's wildlife concerns and MESA's environmental concerns. Another meeting will take place in March.
- **Snow events** – Airport crews work diligently to have the Airport open as soon as possible.
- **Union Negotiations** – are continuing but no final agreements have been reached. Continued negotiations are set for March.
- **Budget presentation** – was presented to Finance Committee (FinCom) on January 26, 2017 and went very well. The Chairman of FinCom asked Mr. Rafter to bring to the Commission's attention the possible idea of selling the Airport to MassPort.
- **Blade Request** – FlyBlade has presented a plan to the Airport asking the Commission to reconsider their decision regarding their sub-lease with Emily Air. Mr. Rafter stated he does not have a problem with them operating on the Airport, but he cannot in good faith recommend them operating as a sub-lease with the plan that was presented. If they develop a new plan, he will present it to the Commission.
- **Advertising Program** – The advertising Consultant, Airport Media Solutions, has presented a draft contract for potential advertisers as well as a schedule of deliverables.
- **Family Assistance Plan** – This will be a major focus of the Triennial Disaster Drill that will take place on Wednesday, September 13, 2017.
- **Maintenance Staff presentation** – Mr. Rafter showed some of the innovations the Maintenance Staff have created to resolve storage and time-solving issues.

Statistics – Mr. Rafter reviewed the December 2016 statistics:

- Operations are up 24.67% from December 2015; and down 1.88% from last fiscal year-to-date (FYTD).
- Enplanements are up 7.52% from December 2015; and down 12.09% from last FYTD.
- Jet A Gallons are up 8.91% from December 2015; and up 1.72% from last FYTD.
- Jet A Gallons for January 2017 are down 41.32%
- AvGas Gallons are up 14.51% from December 2015; and up 10.22% from last FYTD.
- AvGas Gallons for January 2017 are up 16.69%.
- Freight is up 14.40% from December 2015; and down 32.66% from last FYTD.
- 4 Noise Complaints were filed for December 2016.

Personnel Report – Mr. Rafter informed the Commission:

- The Airport has lost another full-time FBO employee due to lack of available affordable housing.
- The H2B Visa program for seasonal help has been put on hold due to the minimum pay requirements that have been required by the program.
- Mr. Rafter will be on vacation from February 20, 2017 until March 1, 2017.

Sub-Committee Reports

Mr. Drake reported after a meeting of the Planning Committee held on January 31, 2017, it was agreed to move forward with the parking consultant for a gateless parking system. The sub-committee instructed the Manager to advertise the RFP eliminating the Town parking alternate so as to not delay the Airport's goal of system implementation before the start of the summer season. The proposals are due March 24, 2017.

Commissioners Comments

Mr. Gasbarro inquired as to the process of accepting ads for the Advertising Program. Mr. Drake suggested that a notice to be sent to all Commissioners to review advertising content for potential advertisers to avoid any potential conflict while leaving the decision with Mr. Rafter's judgement on what will or will not be allowed.

Mr. Drake suggested a future agenda item to address by way of a form letter, the Airport's responsibility in responding to notices received pertaining to zoning changes or residential construction in the vicinity of the Airport.

Mr. Drake was approached by the Chairman of the Land Bank Commission, Allen Reinhard, regarding a two-house sub-division that was approved and is adjacent to Airport land. Mr. Reinhard is concerned the sub-division will eliminate the current path for beach accessibility. Mr. Gasbarro recused himself due to a conflict. After discussion of the path as it relates to the Airport property line and perimeter fence, it was suggested the Land Bank present a proposal to relocate the portion of the path being eliminated by the sub-division.

Public Comment

Dr. Howard Dickler thanked the Commission and Mr. Rafter for efforts in obtaining the TSA's full body scanner.

Having no further business for Open Session, Mr. Bouscaren 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 collective bargaining. The Chair has determined that an open session may have a detrimental effect on the negotiation/litigation position of the Airport Commission; Clause 6 to consider the purchase, exchange, lease or value of real property with respect to Exhibit A. 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 closing 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. Planzer and **Passed** unanimously by the following roll-call vote:

Ms. Planzer – Aye
Mr. Bouscaren – Aye
Vice Chair Gasbarro - Aye
Chairman Drake - Aye

Meeting adjourned at 6:10 pm

Respectfully submitted,



Mae R. Williams, Recorder

Master List of Documents Used

1/10/17 Agenda including Exhibit 1
1/10/17 Draft Minutes
1/25/17 Warrant Signature Sheet
2/8/17 Warrant Signature Sheet
Jacobs Engineering Group Contract FY18 AIP 66 North Ramp Rehab
Hortonville Consulting LLC Contract Amendment Fire Safety Class
McFarland-Johnson Inc. Contract PFC Consulting
ENE Systems Inc. Contract Terminal HVAC System
Jacobs Engineering Group Contract On-call Engineering Services
McFarland-Johnson Inc. Contract On-call Engineering Services
Planning and Land Use Services Letter 12/23/16 re: draft ATM Article on zoning for Daisy Way and Old South Road
FY17 Budget Transfers worksheet
ATCT Modernization Construction Change Orders log
Jacobs Engineering Group CCO #1
Jacobs Engineering Group CCO #2
Nantucket Memorial Airport Potential Land for Lease January 2017 PowerPoint
December 2016 Monthly Statistical Report

Handouts

Record of Vote re: 60 Madequecham Valley Road, Thompson House property
Airport Media Solutions – Airport Advertising Program schedule of deliverables
e-mail: C. Marshall – Anderson & Kreiger re: Settlement Agreement and Mutual Release for 60 Madequecham Valley Road, Thompson House property