

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

Noah Karberg, Airport Manager
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Commissioners
Arthur D. Gasbarro, Chairman
Andrea N. Planzer, Vice Chair
Anthony G. Bouscaren
Jeanette D. Topham
Philip Marks III

AIRPORT COMMISSION MEETING
January 10, 2023

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

This meeting was conducted remotely by video conference via Zoom app and posted after the meeting on the Town of Nantucket YouTube Channel.

Airport employees present were Tom Rafter, Former Airport Manager, Noah Karberg, Airport Manager, Boyana Stoykova-Nelson, Office Manager, Jamie Sandsbury, Business Finance Manager, and Preston Harimon, Compliance Manager.

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

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

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

Mr. Gasbarro noted that the 12/13/22 draft minutes are still pending and will be reviewed in the next meeting.

Ms. Topham made a **Motion** to ratify the 12/21/22 and 01/04/23 Warrants. **Second** by Mr. Bouscaren and **Passed** by the following roll call vote:

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

Public Comment

None.

011023-01 Public Hearing to Consider Proposed Revisions to Airport's Rates and Charges

Mr. Gasbarro read the public hearing opening statement.

Mr. Gasbarro highlighted the proposed revisions as follows:

- Setting an across-the-board five percent increase to landing, ramp, tiedown and hanger fees.
- Increasing the signatory exemption for year-round service.
- Defining the reimbursement method for Law Enforcement Officer (LEO).
- Increasing penalties for operation without an agreement
- Increasing additional optional service fees, Transportation Network Companies (TNC) fee.

Mr. Karberg reviewed the redline version of the proposed Rates and Charges document included in the packet. Mr. Karberg reviewed the data regarding the Commission's feedback to waive the \$10.00 ramp fee exemption for FBO (Fixed Base Operator) users with the purchase of 10 (ten) gallons of fuel. It is a small fee waiver to encourage the owner/operator/pilot class to fly to Nantucket. Mr. Karberg agrees with the Commission to keep the fee waiver, because the data shows that the pilots come to Nantucket, buy fuel, ask for transportation, go to lunch and it's good to keep for the business community. Mr. Karberg reviewed the other options including accepting the deletion or increase fuel purchase to 15 (fifteen) or 20 (twenty) gallons. All other rates reflect what Mr. Gasbarro mentioned in the opening statement.

Mr. Bouscaren spoke in favor of the recommendation to waive ramp fee when purchasing fuel.

Public Comment:

Mr. Ferreira, Cape Air, requested the assessment of the cost of LEO accurately reflects all beneficiaries of the LEO's presence at the terminal, not just the airlines exclusively.

Mr. Ferreira applauded airport leadership for working with TSA (Transportation Security Administration) to get the set up and approval for off-season response time. This reduces the burden of charges for the users and law enforcement.

Mr. Ferreira explained that due to the increased costs of fuel, salaries, time and wear and tear on the engines Cape Air would like to review the current percentage deducted from landing fees that is offered for abiding by the noise abatement procedures. This would ensure compensation for the additional cost incurred. Mr. Ferreira will be working on Cape Air's financial assessment of the situation for future discussion.

Mr. Karberg responded that the assessment of the cost of LEO is an item at the Commission's discretion. It was chosen to assign full LEO recovery costs to the airlines, but the officer on duty responds to other areas of the airport (parking lot, restaurant and general aviation). There is a range of options of assigning costs to specific subgroups.

Mr. Gasbarro responded that it will take more work to figure out alternative options to distributing the cost of the LEO. Mr. Gasbarro believes that the users of the airlines are receiving the benefit and the current cost recovery methodology seems appropriate.

Ms. Planzer noted the reason it is allocated to the airlines is because it is required by TSA.

Mr. Karberg agreed but noted it doesn't tie directly to FAA regulations. Mr. Karberg added that the airlines operating aircraft with sixty-two (62) or more seats require the on-site response for LEO services. Tying it specifically to the regulations would shrink the user group to seasonal airlines. Over the next few months, the incidents reports could be reviewed to identify where and why the LEOs have responded.

Mr. Bouscaren indicated a two-tier fee schedule charging Cape Air or Southern less than larger airlines.

Mr. Gasbarro asked Mr. Ferreira if he had an alternative structure. Mr. Ferreira responded that it does merit more discussion as to if the cost is equitably assessed by all of those who benefit from the service.

Hearing no other comments, Mr. Gasbarro closed the Public Hearing and opened it to deliberation by the Commission.

Mr. Marks feels that the charges should be equitable based on the requirement of LEO. Whomever requires the LEO being there should be charged that expense. Mr. Marks asked why the restaurant should pay for the LEO services if LEO is only there because of Jet Blue. Mr. Marks suggested if LEO is not required for Cape Air to operate, maybe their rate should be less or based on the capacity that LEO is there for them.

Ms. Planzer agreed with Mr. Marks that they need to look at how it is equitably calculated.

Mr. Karberg shared a table of the 80/20 split and mentioned the possibility of waiving the PAX (Passenger Requirements) based on signatory exemption.

Mr. Karberg suggested the Commission consider waiving a portion of the fees for Signatory Terminal Users, Cape Air and Southern. The percentage waived is not recoverable by the airport.

Mr. Karberg believes that is fair for everyone to pay a percentage for the summer because everyone benefits from the LEO presence.

Ms. Planzer asked if the airport would have LEO on site if the airport was not required to have one.

Mr. Karberg responded that this is a Law enforcement and management question. Mr. Karberg believes that the LEO brings benefits to the airport and even if it wasn't required it's a really good item to have.

Mr. Gasbarro supports the idea of having the LEO presence in the summer for everybody's general safety and well-being. Mr. Gasbarro requested the Commission to consider an amendment to the proposed rates and charges on item J which would exempt the signatory user from the 80% share.

Ms. Trebincevic suggested removing the 20% portion and allocating the cost based on enplanements and proposed to set allocation for other users such as the restaurant and General Aviation.

Mr. Bouscaren would like to approve Rates and Charges as proposed and not to look at amendment reducing the charges for signatory airline, because the airport will lose revenue.

Ms. Planzer would like other options for splitting LEO costs for consideration and revisit this issue in the next meeting.

Mr. Gasbarro asked what the implications to the airport are of holding this open for further discussion at the February 2023 meeting.

Course of Action:

Mr. Karberg advises adopting all changes exempting the LEO charges issue so the preparation of the airline leases and deck pages can move forward. Keep the public hearing open, but limit to just the item under consideration page 2, 1.1.J. Airport Law Enforcement Officer (LEO) Services.

Mr. Bouscaren made a **Motion** to adopt the rates and charges as published exempting item 1.1.J. on page 2 for Airport Law Enforcement Officer (LEO) Services, which would be continued for discussion at the February meeting. **Second** by Ms. Planzer and **Passed** unanimously by the following roll-call vote:

Ms. Topham -Aye

Ms. Planzer -Aye

Mr. Marks -Aye

Mr. Bouscaren -Aye

Mr. Gasbarro -Aye

Pending Leases/Contracts – Mr. Karberg presented for approval the following contracts.

- ➔ **CHA Consulting Inc.-** Contract in the amount of \$268,571.00 for Owners Project Manager for Crew Quarters Project (vertical construction). Includes design and construction phases. Contract Expires 1/11/26.
- ➔ **CHA Consulting Inc.-** Contract in the amount of \$404,465.00 for Owners Project Manager for Terminal Optimization Project. Includes design and construction phases. Contract expires 01/11/26. Funding is not guaranteed and is competitive.

Ms. Planzer made a **Motion** to approve the contracts as set forth on Exhibit 1. **Second** by Mr. Marks and **Passed** by the following roll call vote-

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

Pending Matters – Mr. Karberg reported on:

091019-01 Capital Approval Process/Home Rule Petition- House Bill 3792 was adopted by both Chambers of the House and signed by the Governor. Next step is to review with counsel, Select Board and Commission. Will report back in February 2023.

071420-03 Per- a Polyfluoroalkyl Substances (PFAS) Investigation Update- Mr. Karberg gave an update on the PFAS Investigation Status Table. All data and reports are available via website, www.ack-pfas.com.

Mr. Karberg reported that the airport is still holding at 540 samples taken from 80 individual wells. Activity table report update in packet.

The Task Order/Phase2 Status: Mr. Karberg reviewed the Task Order MJ-PN-11, Amendment 2. Status items are the same as last month. Work is ongoing with the Downgradient Property Status and Potentially Productive Aquifer Exclusion. Draft documents for an internal review are expected in February 2023.

Task Order MJ-PN-11, Amendment 3, sampling results are delayed. Sampling labs are experiencing a national backlog due to interest in PFAS. The samples remain in good storage.

Madaquesham Valley Road (MVR) residence: The airport has been monitoring the residence throughout cycles and exceeded 20 ppt. (parts per trillion). The house will be connected to the town's water. The house is vacant and winterized and the next step is to make the connection this winter/spring.

Airport Gas Stormwater improvements are complete. The airport is waiting on as-builts.

011023-02 Ratify MassDOT Grant Award AIP 81

Mr. Gasbarro reported the request for the ratification for a MassDOT Grant Award AIP81 for the relocation of Taxiway G and sign and mark Taxiway F and Taxiway C, States share \$340,304.11.

Mr. Bouscaren made a **Motion** to ratify the MassDOT Grant Award AIP81. **Second** by Mr. Marks and **Passed** by the following roll call vote-

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

Finance

121322-03 FY24 Revised Operation Budget

Mr. Karberg reviewed the minor changes.

- Small increase to commercial ramp revenue.
- Decrease in payroll consistent with staffing changes.
- Corresponding increase to expense categories (vehicle, equipment, and professional services)

Mr. Bouscaren made a **Motion** to adopt the budget as drafted. **Second** by Ms. Planzer and **Passed** by the following roll call vote-

Ms. Topham -Aye

Ms. Planzer -Aye

Mr. Marks -Aye

Mr. Bouscaren Aye

Mr. Gasbarro -Aye

Manager's Report

Project Updates – Mr. Karberg reported:

AIP Projects

- **Taxiway E-** No updates.
- **Airport Master Plan-** The next step is to have an aerial survey of the airfield. The airport is working on membership for the Technical Advisory Committee with the consultants.
- **Geometry Project-** A meeting with the stakeholders is scheduled for 01/18/23 to address non-standard conditions.
- **HVAC Project-** The project is nearing substantial completion. The airport is waiting to receive training materials on system use.
- **Taxiway G-** The Grant has been accepted and the reimbursable agreement is in place with the DOT.
- **Southwest Ramp Expansion-** It's a future AIP project that the airport is submitting a grant application with a 05/01/23, deadline, based on our engineer's estimate. No date yet for an upcoming design meeting. An amended application will be submitted in July 2023.
- **Runway 6/24-** Large funding project associated with this work in calendar year 2026. The amount to fund the project is more than the entire New England region receives in a year which makes it a Washington office-level concern.
- **ARFF (Aircraft Rescue and Fire Fighting) Truck-** Increase in the ARFF truck index for fiscal year 2025. FAA has been notified regarding JetBlue's scheduled service increase, next year they intend to fly Airbus 220. The airport will be

- required to meet a C index, and this is one of the formal steps for requesting an index change.
- **South Shore Fencing Project-** Proactively working to move the project plan up. The Commission will be informed when there is an updated project list.
 - **Crew Quarters-** The Owner's Project Manager (OPM) scope was approved. Working with consultant and the OPM on the McFarland Johnson Inc. (MJI) scope with coastal engineering, reviewing site plan and defending project in the Annual Town Meeting (ATM).
 - **Town Of Nantucket (TON) Surfside Area Water and Transportation Group Meetings-**
 - The town asked for use of a small amount of airport land that abuts the road to create a bike path on Monohansett Road and Okorwaw Ave. Future license agreements will be coming to the Commission for review and potential adoption.
 - Future town watermain west of the airport (watermain extension). They need two (2) access points to the water main on the airport property. The current Inter Municipal Agreement (IMA) should be sufficient.
 - **Hanger Development-** The Hagedorn hanger is substantially complete.
 - **Lightning Arrestor Project-** Moving forward with McFarland Johnson Inc. for the outdoor boarding area and the fuel farm. This will happen in two (2) phases. The is installing in-line circuits and fuses or upgrading the current ones. The second is to evaluate the soil potential and conductivity. This could be why current system has not been adequate for the recent storms.
 - **Stranded Passenger Plan-** Tom Rafter has been working with Liz Holland at the Hyline on an interagency plan where the airport would have resources available that would complement the Family and Assistance Program (FAP). This plan would also allow for a process for coordinating a major on island transportation issue (such as Winter Stroll).

RFP Bid Status – Mr. Karberg reported:

- **Bunker 60 and 66-** Bid responses are due in by 2:00 P.M. January 12, 2023.
- **Future Lots L and K-** Will bring minor scope of work amendments with environmental consultants just to codify the permitting required. The renting of this land far exceeds minor cost of the amendments.
- **RFQ for On-Call Planning and Engineering -** Proposals due in February 2023.

Operations – Mr. Karberg reported:

- On 12/26/22 There was a frozen sprinkler head that was repaired quickly by a contractor. Total cost was about \$5,000.00.
- We are managing 70 acres of mixed scrub oak and coastal heap land through a system of ecological mowing. Creating great habitat.
- We are developing our ARFF service maintenance plan. We have received new radios for equipment upgrade. We are sending two (2) staff members to ARFF training this winter.

- December fuel sales are up. We have received out Steamship ferry reservation schedule for summer fuel deliveries.
- The Nantucket Historical Association was in contact for loan of the PBA model aircraft for a summer program. The Commission will be contacted to see if they would like to retain approval of any potential load agreements.

Statistics – Mr. Karberg reviewed the November 2022 Statistics:

- Operations were down 11.84% for November and 11.85% for the year.
- Southwest Ramp operations were down 5% for November, but still up for the year.
- Enplanements were down 35.94% in November, but up 3.5% for the year.
- Cape Air, Boston was down 13% for November.
- Cape Air, Hyannis was down 83% for November.
- Jet A sales were up 4.38% for November and up 16% for December.
- AvGas was down 934% for November and up 9% for December.
- Freight was down 38.05% in November and down 6% year to date.
- We received two (2) noise complaints for November 2022.
- In 2021 there was a huge jump in Jet A uplift and has not relented into 2022. It is both a volume issue and seasonal concern. It has been a system-level stressor from Fuel supply to the Boston Terminal, trucker availability, few but impactful boat issues and we have had a few but impactful issues such as the fuel farm lightning strike. We are working daily on coordinated logistics. Despite the threat of recessionary environments, we are currently up for January to date.

Personnel Report- Mr. Karberg reported:

- Laura Scott accepted the Receptionist position and started on January 3, 2023.
- We are looking to refill the Administrative Assistant position.
- Advertising internally to fill the Operations Supervisor position that will become vacant with Mr. Buckley’s retirement.
- In the process of filling a Maintenance and Maintenance Mechanic position.
- Opening an external search for a Maintenance 1 position.
- Received resignation from Operations Specialist Joeanna Rodriguez.
- We would like to have 22 seasonal staff members only had 11 last year. Discussing enhanced advertising strategies as well as bonus and attraction items.

Questions or comments related to Mr. Karberg’s report-

None.

Commissioners Comments-

None.

Public Comment-

None.

Having no further business for Open Session, Mr. Marks 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, where the Chair has determined that an open session may have detrimental effect on the bargaining position of the Airport Commission. 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. **Second Ms. Topham and Passed** unanimously, by the following roll-call vote:

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

The meeting adjourned at 6:13 pm.

Respectfully submitted,

Boyana Stoykova-Nelson, Recorder

Master List of Documents Used

01/10/23 Agenda including Exhibit 1 (Handout)
12/21/22 Warrant Approvals
01/04/23 Warrant Approvals
Final Draft Rates and Charges redline 1.10.23.
CHA Consulting Inc. OPM for Crew Quarters Project contract (handout)
CHA Consulting Inc. OPM for Terminal Optimization Project contract (handout)
PFAS Investigation Status Table
Grant award letter AIP 81
Grant Assurances AIP 81
Grant Application AIP 81
FY24 Revised Operation Budget
November 2022 Monthly Statistics presentation
Airport Commission Fuel sales (handout)