

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

Thomas M. Rafter, Airport Manager
Phone: (508) 325-5300
Fax: (508) 325-5306



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

AIRPORT COMMISSION MEETING
February 16, 2021

The meeting was called to order at 12:00 pm by Chairman Daniel Drake with the following Commissioners present: Arthur Gasbarro, Jeanette Topham and Andrea Planzer.

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 and Katy Perales, Office Manager.

Also present was: Mina Makarious, Anderson and Krieger.

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; adding public comment to the Agenda, the Agenda was adopted.

Proposed Warrant Article FY2021 Annual Town Meeting- Rental Cars- Mr. Rafter reported that the rental car warrant article was presented to the Select Board on February 10, 2021. It was noted that Town Council created a draft which included a provision allowing the Select Board to develop regulations governing the rental car operators.

Mina Makarious, Anderson and Krieger, has been working with Town Council on this warrant article. He explained that the initial request from the Commission in December was to lift the cap. Town had concerns about removing the cap on the number of rental cars and instead a desire to figure out ways to deal with the problem of rental car agencies holding licenses and medallions per vehicle that were not being used and the anticompetitive impacts this could have. The Airport expressed its concern that if there is no action on this, it could leave the Airport with locked up licenses without potential for any new entrants or expansion of existing entrants. Mr. Makarious explained that Town Council came up with an interim solution to change the bylaw to authorize the Select Board to draft regulations that would replace the existing medallion system with an alternative system where the medallions would expire every year. Town is unsure what the medallion cap should be at this time. Mr. Makarious explained the Airports concerns as follows-

- Concern whether it's necessary to mention online platforms and nontraditional car rental arrangements. These are already covered by the bylaw as they are commercial rental car agencies, whether they acknowledge it or not. Mr. Makarios said Town Council doesn't believe it will be an issue to have this language removed.
- The bylaw is authorized by the Select Board, making it responsible to create the necessary regulations. Airport will have to collaborate with the Select Board to ensure discussions continue creating the regulations in a timely manner.
- With the way the draft language is written, it doesn't raise or remove the cap. Mr. Makarios suggested whether the Commission wants to recommend a floor or minimum number of medallions be available. The number is currently 700 Medallions.

Mr. Gasbarro asked if legislation would be required to change the minimum number of medallions. Mr. Makarios explained there is no need to go to the legislature to change that, Legislation would only be required to change the fee. Mr. Makarios explained that the minimum number of 700 is not necessarily for the boards regulations but because he didn't want to move it to a lower number and cause misperception or discourage the rental car agencies.

Ms. Planzer asked if the timing issue was related to keep the momentum with the Select Board. Mr. Makarios explained that is correct and it's up to the Commission whether it wants to push for Town meeting to set that deadline or is willing leave it up to discussions between with the Select Board and the Town.

Ms. Topham asked why some agencies are not using all the medallions. Mr. Makarios reviewed potential incentives that might be creating license holders to not use them 1) The fee is limited at \$100 per license, per car without an expiration date and are transferable. Therefore the license holder has some economic incentives, whether they put cars out to rent or not, to hold onto the license:2) either to sell it in a resale market or sell the right to use it for more then what they are paying to keep it. 3) the anticompetitive nature of retaining unused licenses 4) not knowing seasonal fluctuations year to year.

Mr. Drake asked if this is the Airport's article or the Select Board's article that the Airport is pushing for. Mr. Makarios explained that from his understanding this was an issue that some knew existed in the Town, but the Airport raised it as a concern due to the limitations and ability to bring in competitors. Mr. Rafter added the issue of how the bylaw is written today came up when writing a Request for Proposal (RFP) and it limiting who could be selected and meet the criteria to operate is a viable concern.

Mr. Drake asked if this is the Select Boards warrant article and therefore their prerogative to decide when and how they would implement the provisions of the warrant article. With the bid process for rental car renewals coming up, would it be unreasonable for the Airport to ask that this be affective by next January 1st. Mr. Makarios explained he doesn't believe it's unreasonable to ask for that amount of time, but would need to know if the Town has the time and resources to get it done.

Mr. Drake asked if the draft of the article requires the rental car operators to provide the registration numbers of every vehicle they want covered by a medallion. Mr. Makarios explained that this is in the current bylaw.

Mr. Drake asked if it's feasible for a rental car company to have this list of license plate numbers available by January 1st for the following season. Mr. Makarios explained there is concern of how

this would be regulated. A question for Town would be to ask if they know if they have all license plates numbers or if they get incomplete compliance with the request.

Mr. Drake suggested to request to the Select Board that the regulations issued under the article be made affective as of January 1, 2022.

Mr. Gasbarro doesn't believe that the by-law should established the minimum number of medallions

Mr. Bouscaren made a **Motion** to recommend to the Select Board the approval of the language of the amended bylaw including, regulations to be affective on or before January 1, 2022 and include the floor of 700 medallions. **Second** by Ms. Topham and **Passed** by the following roll call vote:

Mr. Bouscaren- Aye
Ms. Topham- Aye
Ms. Planzer- Aye
Mr. Gasbarro- No
Mr. Drake- Aye

Mr. Gasbarro made a **Motion** to amend the previous motion to eliminate the second recommendation to have a floor of 700 medallions. **Second** by Mr. Bouscaren and **Passed** by the following roll call vote:

Mr. Bouscaren- Aye
Ms. Topham- No
Ms. Planzer- No
Mr. Gasbarro- Aye
Mr. Drake- No

Mr. Makarios will convey this feedback to Town council.

Public Comment-

Judith Wegner, Chairman of the Planning Board, expressed concern with traffic and congestion on island. Mr. Drake explained that the Airport is not advocating an increase in the number of medallions as that will be up to the Select Board.

Having no further busines, Ms. Topham made a **Motion** to adjourn. **Second** by Mr. Gasbarro and **Passed** by the following roll call vote:

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

Meeting adjourned at 12:49pm.

Respectfully submitted,

Lillian Sylvia, Recorder



Master Documents:

2/8/21 A&K Proposed Revisions of Changes to Car Rental Bylaw

2/14/21 A&K Draft Rental Car Warrant Article

