

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
March 10, 2020

The meeting was called to order at 5:05 pm by Chairman Daniel Drake with the following Commissioners present: Jeanette Topham, Anthony Bouscaren, Arthur Gasbarro and Andrea Planzer.

Tom Rafter, Airport Manager, was away at a conference. Noah Karberg, Assistant Airport Manager participated on behalf of Mr. Rafter.

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

Airport employees present were: Noah Karberg, Assistant Airport Manager, David Sylvia, Safety and Compliance Officer, Katy Perales, Office Manager and Lillian Sylvia, Administrative Assistant

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 draft minutes dated 2/11/20. **Second** by Ms. Topham and **Passed** unanimously.

Ms. Topham made a **Motion** to ratify the 2/19/20 and 3/4/20 Warrants. **Second** by Mr. Bouscaren and **Passed** unanimously.

Public Comment

None.

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

- ➔ **Gama Aviation-** License agreement for aircraft maintenance, with an annual business fee of \$1,500.
- ➔ **McFarland Johnson, Inc.-** Contract Amendment for on-call financial planning in the amount of \$35,000. Extends the contract through to 6/30/2022 and increases the Not to Exceed (NTE) contract amount to \$45,000. This is an operating expense.
- ➔ **McFarland Johnson, Inc.-** Task Order in the amount of \$14,700 for Review of Hangar Development. This is an operating expense.

- **Weston Solutions-** Pending contract for licensed professional services to install prefilter point of entry treatment system at the Thompson House (seasonal Airport employee housing). Mr. Karberg asked that the Commission authorize the Chairman to sign this contract at a later date, due to its critical, regulatory need.
- **McFarland Johnson, Inc.-** Task Order in the amount of \$22,200 for Tank Compliance Services. This is an operating expense.

Ms. Planzer made a **Motion** to approve the agreement with Gama Aviation and contract amendment and two contracts with McFarland Johnson, Inc. **Second** by Mr. Bouscaren and **Passed** unanimously.

Ms. Topham made a **Motion** to approve the contract with Weston Solutions, not to exceed \$15,000 and to authorize the Chairman or Vice Chairman to sign the contract when it is ready on behalf of the Airport Commission. **Second** by Mr. Bouscaren and **Passed** unanimously.

Pending Matters – Mr. Karberg reported on:

- **050916-1 Crew Quarters Development-** There were two follow up items from the Long-Range Planning Subcommittee meeting on 2/18/2020:
 - Act on recommendation to transfer \$300,000 from Retained Earnings to the Employee Housing Capital account;
 - After reviewing the previous housing article at Annual Town Meeting (ATM), Mr. Karberg explained that a new appropriation r article would be required for construction and bonding

The Long-Range Planning Subcommittee is still discussing whether to move forward with the Employee Housing development.

- **091019-01 Town Government Study Committee-** Mr. Karberg reported that Article 94 as printed in the warrant has been distributed. The Government Study Committee reached out to Town Administration and Mr. Rafter for language process clarification, which was provided.

031020-1 MassDOT ASMP Grant Awards & Associated Grant Assurances-

- **Purchase Loader with Forestry Mulcher- \$95,784**

Mr. Gasbarro made a **Motion** to accept the the MassDOT grant for the purchase of loader with a mulcher **Second** by Ms. Planzer and **Passed** unanimously.

031020-2 North Ramp Allocation Policy- Pending

Mr. Karberg reported that the North Ramp space allocation policy been reviewed with proposed changes finalized and will be presented at the April meeting for review and potential approval.

Finance- Mr. Karberg reported on:

031020-3 Budget Transfers- Mr. Karberg explained several proposed budget transfers all from Retained Earnings for action at ATM; A \$400,000 transfer to the Operating Budget; a \$119,200 transfer to Capital for funding of the SKID steer loader; a \$50,000 transfer to Salaries and Wages for an increase in seasonal wages to help attract and maintain qualified help ;\$62,336.70 to Capital for replacement of Airport 4, which is a 20+ year old utility truck. (The old truck will go the Department of Public Works.); a \$4,178.31 transfer to Capital for the sponsor share of the Apron Area 3 resurfacing project, \$178,613.71 transfer to Capital for for runway markings removal and painting beads;\$300,000 Transfer to Capital to further move along the Crews

Quarters project; and a \$300,000 Transfer to Capital for the sponsor share of the Security System Project Upgrades.

Mr. Gasbarro made a **Motion** to approve the transfers as listed printed in Article 17 prior to submission to Annual Town Meeting **Second** by Ms. Planzer and **Passed** unanimously.

031020-4 Fee Waiver- Mr. Karberg reported that the flat fee Hold Room charge in the Airport's Rates and Charges for the temporary Seasonal Hold Room has a disproportionate impact on nine seat carriers compared to 76-100 seat carriers. This issue was originally raised by Southern Airways, who is returning for the season and will have a sterile route to Providence, Rhode Island. Mr. Karberg asked that the Commission at its discretion, entertain a fee waiver related to this charge at a future Commission meeting. Mr. Karberg recommended the option for the Commission to entertain reopening the Public Hearing on Rates and Charges for consideration of this specific item, or the Commission could entertain giving staff direction to purpose modifications to the Air service Incentive Program, or the Commission could choose not to entertain this option.

Mr. Drake explained that any such fee waiver would only apply to year-round service.

Mr. Gasbarro expressed concern that a service may come into the summer season, intending to be year-round and make money in the summer season, but then decide to discontinue year-round service after already receiving the waiver. Mr. Gasbarro recommended proposing an incentive that requires an operator to maintain year-round service.

Mr. Gasbarro asked if Southern Airways will have an interline agreement with American Airlines this year. Mr. Karberg confirmed that an interline agreement is in place. The Commission agreed that that would be considered a new service in exploring incentives associated with the hold room fee.

The Administration team will consider any items needed for review regarding this matter and include them at the April Commission Meeting.

Manager's Report

Project Updates – Mr. Karberg reported:

- **Security Project Phase I-** Work has begun, which includes installation of conduits and data and wire runs. Critical works that will take place within the next couple of weeks is to bring the new access control system online.
- **Security Project Phase II-** Received bids and was awarded to LaVangie Electric, which came in at just under \$3.2 Million. The award letter has been sent out, pending appropriation at ATM.
- **EA/EIS-** Phone call was held with Massachusetts Environmental Policy Act (MEPA), who required that the project include some level of greenhouse gas and energy analysis and additional public archeologic lab survey work.
- **PFC Application #2-** Airline consultation meeting scheduled for April 14, 2020. Supplied the FAA with requested information on the Airport deicing truck.
- **Fuel Farm Rehabilitation-** Pausing project to address stakeholder disagreement on the best path for bidding the project under Massachusetts Procurement Law. Waiting to hear back from Attorney General's office on their opinion of how to best move forward.
- **Taxiway E-** Held 100% design meeting. The FAA raised concerns that the Modification to Standards, Airport Certification Manual and the 50-10 Master Record documents may contain conflicting language with regards to the separation distance between Taxiway E,

Taxiway Fox and Taxiway Gulf. The FAA wants to make sure that all these items align to avoid any delay for Taxiway E funding. Mr. Karberg noted that these issues have been addressed previously to the FAA's satisfaction and the proposed that was received by FAA is not workable from an Air Traffic control standpoint. The Airport advised the FAA of these conflicts and is waiting for a response. He also said that a stub on Taxiway Fox will most likely be deemed ineligible for reimbursement and will be addressed as an addendum to the contract.

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

- **Request for Expression of Interest- Hangar Development-** Task order was approved. Will continue to meet and move forward with George Turner, who is interested in building a hangar.
- **Request for Expression of Interest (REOI)- Freight Hangar-** Revised REOI based on information from the Long-Range Planning Subcommittee meeting and working on scheduling dates for REOI release and response.
- **Hold Room Concession-** Request for Proposal (RFP) is under review by the Town. Anticipating a release date of March 18, 2020 with responses due mid-April. Commissioners interested in being on the RFP Evaluation committee should contact Administration.
- **On-Call Engineering-** Request for Qualifications (RFQ) issued on February 19, 2020 and bids are due March 20, 2020.
- **On-Call Planning-** Request for Qualifications (RFQ) issued on February 19, 2020 and bids are due March 20, 2020.
- **Fuel Farm Inspections-** Received two bids and are under review.

Operations – Mr. Karberg reported:

- Southern Airways service is returning with a new route to Hyannis, MA a secured route to Providence, RI and continued service to Norwood, MA starting April 17, 2020.
- JetBlue is reviewing schedule that was previously posted.
- System wide COVID-19 concerns are present in the air travel system. No affect seen on ACK yet, but will monitor. United reduced flights by 10% and JetBlue by 5%. These seem to be immediate March and April reductions.
- FBO point of sales system is transitioning to new software.
- The staff is Preparing for Annual Certification Inspection, now scheduled to take place May 27-29th.
- Representative Fernandez advanced an amendment in the House Transportation Bill which would allow the Airport to assess a charge on ride share company's fees for operating at the Airport.
- MassDOT is bidding out a multi-airport crack sealing effort with a value of about \$500,000 to Nantucket Airport. Working on scope and effort with Administration.
- Had conference call among multiple Airports to discuss TSA back belt reimbursement legislative strategy. Letters were sent to congressional delegations urging funding. The ask Nationally is \$50 Million in appropriation.
- In Statue Park, located on the corner of Old South Road and Airport Road, a line of vegetation has been removed.
- Airfield mowing has occurred in support of Natural Heritage and Endangered Species Conservation Management permit, utilizing a new piece of machinery that works well
- Meeting of the Technical Advisory Committee has been scheduled for March 27, 2020.

- Consultant on behalf of the Airport has put forth a Notice of Intent (NOI) to local Con Com as part of the Security Project to put 1400-1700 feet of fencing fabric around the South end of the Airport and on Nobadeer Beach. A site walk with Con Comm staff is scheduled for March 16, 2020, with a hearing to follow at a later date.
- Martha's Vineyard Airport reached out regarding the Airport's Fair Market Value (FMV) policy for escalation costs in leases as it is dealing with the same issue of the rapid escalation of FMV.
- Licensed site professionals tested for Polyfluoroalkyl Substances (PFAS), a group of manmade chemical compounds, at five (5) well locations on the Airport. Three of the five locations tested above the Massachusetts Department of Environmental Protection (MassDEP) exceedance of 20 parts per trillion for the regulated PFAS compounds. Two of the three wells are monitoring wells on the Airport, that do not feed ground water to any location. The third location was at the Thompson House, seasonal employee housing. Mr. Karberg reported that it is very early in the testing and analysis process and further testing will be scheduled for off Airport sites, so consultants and MassDEP can better understand the distribution and nature of any contamination. The Airport will address the Thompson House immediately, by installing a treatment system to guarantee that all water in the Thompson House can meet MassDEP criteria. Moving forward the Airport will conduct further testing, focusing on dispersion and how the compound moves through the ground water and determining the types of PFAS that are found in each well. The Airport will continue to reach out through the licensed site professional to the MassDEP and to the homeowners in potentially affected areas as testing is coordinated.

Mr. Bouscaren asked who sets the maximum number that is to not be exceeded and if it is known if that limit is exceeded all over the island. Mr. Karberg reported that it is currently a state standard set by MassDEP which has regulatory authority over the issue, currently at 20 parts per trillion. Mr. Drake explained that whether PFAS is present or exceeds the MassDEP limit throughout the island is beyond the scope of the Airport's authority.

Mr. Bouscaren asked if MassDEP could restrict the Airport from using the Thompson House. Mr. Karberg explained that if the Airport were not to take the steps to address the hazard then he believes that yes MassDEP could do so.

Statistics – Mr. Rafter reviewed the January 2020 statistics:

- Operations are up 14.59% from January 2019; and up 19.14% from last FYTD.
- Enplanements are down 23.50% from January 2019; and up 5.95% from last FYTD.
- Jet A Gallons are up 13.18% from January 2019; and up 2.49% from last FYTD.
- Jet A Gallons are down 43.74% from February 2019.
- AvGas Gallons are down 5.69% from January 2019; and down 1.87% from last FYTD.
- AvGas Gallons are up 45.21% from February 2019.
- Freight is down 4.37% from January 2019; and down .65% from last FYTD.
- 0 Noise complaints were filed for February 2020 compared to 1 in February 2019.

Personnel Report- Mr. Karberg reported:

- Lillian Sylvia, Administrative Assistant, passed the second of three classes for Massachusetts Procurement Certification.
- The maintenance supervisor position is being backfilled via internal posting with interviews to follow.

Commissioners Comments-

031020-5 Long Range Planning Sub-Committee Meeting Recap- 2/18/20- Mr. Drake gave a briefing on the Long-Range Planning Subcommittee meeting held on February 18, 2020. The topics of discussion included the issuance of REOI to help determine the best use of the freight hangar, where the current lease expires at the end of March and has been renewed on a month-to-month basis. Other topics of discussion included employee housing, prioritization of uses of Retained Earnings and the use of concrete vs. asphalt in runway and taxiway construction.

Mr. Gasbarro expressed concern with the NOI for the moving the fence back to where it previously was on Nobadeer beach. Mr. Gasbarro would like to revisit this topic and look at other options.

Mr. Gasbarro repeated his concern of storm drainage from Airport Gas into Statue Park. Mr. Drake suggested that this an issue to discuss with Mr. Rafter when he returns.

Mr. Gasbarro mentioned that the Commission and staff should be prepared for Annual Town Meeting, should any articles pertaining to the Airport be called.

Ms. Topham asked if the Airport is going to revisit the idea of installing solar panels. Mr. Drake explained that when previously discussing this topic and going through exercises it was discovered this was not feasible due to mitigation requirements by Natural Heritage, requiring a substantial cash payment and the unavailability of tax credits to the Airport as it is not a non-profit organization, but it is something that can be looked at again at a later date. When asked why Barnstable Airport has a substantial solar array, Mr. Drake said it was his understanding that the Barnstable facility was built on a “brownfield”, or previously disturbed property, which is not subject to Natural Heritage mitigation.

Mr. Gasbarro said that he had given someone who inquired about installing solar panel at the Airport Mr. Rafter’s and Mr. Karberg’s contact information.

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 the Gatto claim, where the Chair has determined that an open session may have detrimental effect on the litigating 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; 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. **Second** by Ms. Planzer and **Passed** unanimously, by the following roll-call vote:

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

Meeting adjourned at 6:03pm.

Respectfully submitted,

Lillian Sylvia, Recorder

Master List of Documents Used

3/10/20 Agenda including Exhibit 1

2/11/20 Draft Minutes

2/19/20 Warrant Signature Page

3/4/20 Warrant Signature Page

Gama Aviation License Agreement

McFarland Johnson Inc., Contract Amendment for On-Call Financial Planning

McFarland Johnson Inc., Task Order MJ-N-22

McFarland Johnson Inc., Task Oder MJ-N-21

MassDOT Standard Contract Form

MassDOT Grant Assurance

Budget Transfer- Article 17

Cape Cod Times Article "Legislation targets ride-sharing companies at local airports"

January 2020 Monthly Statistical Report

