

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

Thomas M. Rafter, Airport Manager  
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*Commissioners*  
Arthur D. Gasbarro, Chairman  
Andrea N. Planzer, Vice Chair  
Anthony G. Bouscaren  
Philip Marks III  
Jeanette D. Topham

**AIRPORT COMMISSION MEETING**  
**April 12, 2022**

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

Commissioner Anthony Bouscaren was absent.

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

Airport employees present were: Tom Rafter, Airport Manager, Noah Karberg, Assistant Airport Manager, Katy Perales, Office Manager, Jamie Sandsbury, Business and Finance Manager and Boyana Stoykova-Nelson, Administrative Assistant.

Also present: Georgie Nugent, McFarland Johnson Inc. and Rich Lasdin, McFarland-Johnson, Inc. (MJI).

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 asked for comments on the 3/8/22 and 3/28/22 Draft Minutes.

Ms. Topham and Mr. Marks abstained from voting for the 3/28/22 Draft minutes, explaining that they didn't attend that meeting. Mr. Gasbarro suggested to move the 3/28/22 Draft minutes to the next meeting.

Ms. Topham made a **Motion** to approve the 3/8/22 Draft minutes. **Second** by Ms. Planzer and **Passed** by the following roll call vote:

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

Ms. Topham made a **Motion** to ratify the 3/9/22, 3/23/22 and 4/6/22 Warrants. **Second** by Ms. Planzer and **Passed** by the following roll call vote:

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

**Public Comment.**

None.

**Pending Leases/Contracts** – Mr. Rafter presented for approval the following agreements and contracts.

- ➔ **The Hungry Minnow d.b.a The Flying Minnow**– Lease Agreement for Hold Room Concession Space in the amount of \$5,000, percentage Rent Based on Gross Sales, plus \$1,500 Annual Business Fee.
- ➔ **Tidal Creeks**- Lease Amendment to Section “Option to Extend” amended to “None”. Maximum length of Lease thirty (30) years. Lease expires 8/31/49
- ➔ **Town Of Nantucket and Wannacomet Water Company**- Amendment No.1 to Intermunicipal Agreement for Nantucket Water Main Extension. Paving Skyline Drive at the Town’s Expense.
- ➔ **Lima & Fly the Whale**- Operating agreement for an air charter service as a Blade affiliate for an Annual Business Fee of \$1,500 plus landing and ramp fees.
- ➔ **Galore Jets/Flying Zebra** - Operating agreement for an air charter service as a Blade affiliate for an Annual Business Fee of \$1,500 plus landing and ramp fees.
- ➔ **Tradewind Aviation, LLC**- Operating agreement for general aviation part 135 operator for an Annual Business Fee of \$1,500, plus landing and ramp fees.
- ➔ **Wiggins Airways**- Operating agreement for FedEx and UPS air freight for an Annual Business Fee of \$1,500 plus landing and ramp fees.
- ➔ **JetEast Corporation**- License Agreement for Aircraft Maintenance Services for an Annual Business fee of \$1,500. Expires 5/31/23.
- ➔ **GoJet Airlines d.b.a United Express**- Operating agreement for seasonal airline for an Annual Business fee of \$1,500 plus landing and ramp fees paid by United Airlines.
- ➔ **Hyannis Air Service Inc./ d.b.a. Cape Air** – Counter Freight agreement to provide counter freight service. Utilizing existing premises under the lease. Will pay monthly counter freight fees established by the Airport.
- ➔ **Federal Aviation Administration**- Lease agreement in the amount of \$155,155.08 for Air Traffic Control Tower. Five (5) year term, 4030 square feet (sf) at \$38.50 per sf. All utilities and maintenance included.
- ➔ **JetBlue Airways Corporation**- Non-signatory airline lease agreement in the amount of \$79,911.00 plus \$1,500 Annual Business Fee, plus landing, ramp, baggage, and Remain Overnight fees. Expires 03/31/23.
- ➔ **Hyannis Air Service Inc, (Cape Air/Nantucket Airlines)**- Signatory airline agreement in the amount of \$97,615.00, plus \$1,500 Annual Business Fee, plus landing fees. Expires 03/31/23.
- ➔ **Southern Airways**- Signatory airline lease agreement in the amount of \$15,982.00 plus \$1,500 Annual Business Fee, plus landing fees. Expires 03/31/23.
- ➔ **United Airlines**- Non-signatory airline lease agreement in the amount of \$22,863.00 plus \$1,500 Annual Business Fee, plus landing, ramp, baggage, and Remain Overnight fees. Expires 03/31/23.

- ➔ **McFarland Johnson Inc.-** Amendment No.2 to MJ-PN-11 in the amount of \$304,117.58 for PFAS Phase 2 site investigation and POET Decommissioning. New Contract Amount Including Amendment is \$996,806.32.
- ➔ **TRAC Builders, Inc.-** Change Order No.5 for Fuel Farm Rehabilitation, Phase III. Final accounting for minor changes near conclusion of project. No change to total amount.
- ➔ **Lawrence Lynch Corporation-** Change Order No. 3 in the amount of \$503,703.00 for Reconstruct, Strengthen, Mark, Light, and Sign Taxiway E, North ramp paving, Runway 12-30 Decommission, Spot Zero Signage and Marking. New Contract amount including Amendment is \$19,745,787.50.
- ➔ **Jacobs Engineering Group-** Revised Supplemental agreement (SA) No.5 in the amount of \$6,019.00 for Reconstruct, Strengthen, Mark, Light, and Sign Taxiway E. MDOT requested new cover sheet and mistake was found in the total cost fund. Original cost of SA was \$43,784 and new cost of SA is \$49,803.
- ➔ **Jacobs Engineering Group-** Revised Supplemental Agreement No.6 for Reconstruct, Strengthen, Mark, Light, and Sign Taxiway E. Mistake in the total cost found in SA No.5. No change in cost.
- ➔ **P&M Reis Trucking, Inc. –** Contract in the amount of \$60,000 for rubbish removal service. Three (3) year contract- expires 06/30/25. Not to exceed contract amount.

Mr. Gasbarro recused himself from the vote on the Water Main Extension Agreement amendment between the Town of Nantucket and Wannacomet Water Company.

Ms. Topham made a **Motion** to approve the operating agreements, lease agreements, lease amendments, contracts, change orders and supplemental agreements as stated above except the Water main Extension agreement amendment. **Second** by Ms. Planzer and **Passed** by the following roll call vote-

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

Mr. Marks made a **Motion** to formally approve the Water Main Extension Agreement amendment between Town of Nantucket and Wannacomet Water Company. **Second** by Ms. Topham and **Passed** by the following roll call vote:

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

**Pending Matters –** Mr. Rafter reported on:

**091019-01 Capital Approval Process/Home Rule Petition-** No change. Mr. Karberg continues communicating with representatives to keep this moving.

**071420-03 Per- and Polyfluoroalkyl Substances (PFAS) Investigation Update-** Mr. Karberg gave an update on the PFAS Investigation Status Table.

Mr. Karberg reported that on 03/16/22 there was less than five (5) gallon spill of Aqueous Film Forming Foam (AFFF) adjacent to the Aircraft Rescue Firefighter station during a foam cart test. The Airport reported out with the response following Hazardous Material procedures.

Massachusetts Department of Environmental Protection (MassDEP) was notified, and a press release was issued. Mr. Karberg noted that any future work will be coordinated with MassDEP.

Mr. Karberg reviewed a presentation on Tracking PFAS in an Island Environment, explaining the following:

- Location and geologic setting
- Sources of PFAS
- Discovery of contamination
- Investigation current status
- Evaluation of data
- Summary and next steps

Mr. Karberg reviewed briefly slides thirty-five (35) to thirty-eight (38) of the presentation included in the packet.

The Water Service Project on Nobadeer Way/Evergreen Way Area is ongoing.

There are two (2) homes where a single tree planting is owed at each, because it was removed and destroyed during the excavation for the water service. There's one (1) home where work is required to replace and replant a wide excavation for the water service from the road to the house. Mr. Karberg drove by the house with Mr. Lasdin, and it was apparent that planting restoration is warranted. The Airport may have further actions to replace items that were damaged or died as a response to excavating and installing the water line. Mr. Karberg reported that the water line credits are in place and the Airport hasn't received any complaints or questions on the thousand-dollar transitional water bill that the Airport is covering for residents. In addition, Mr. Karberg hasn't received any complaints on the physical work that was done or on the connections received.

The water main work for Skyline and Madequesham Valley road has been tested and completed and work has now begun on the lateral connections and connecting the homes. At the engineer's recommendations, the Airport is proceeding with work in order of received agreements, as the contractors are available and regarding any unique circumstances. Mr. Karberg is grateful to Mr. Willet at WWCO and Mr. Turbitt at the Finance department for helping with construction supervision and contracting, respectively, to keep this project on a rapid pace for implementation. Mr. Karberg reminded the Commission that the physical connection of the work is proceeding in three (3) phases as follows:

- Forty-four (44) lateral connections from the water main to the property edge have been completed and six (6) are in progress.
- Ten (10) water service lines from the property edge to residence have been completed and eight (8) are in progress.
- Three (3) interior plumbing conversions have been completed and fifteen (15) are in progress.

Mr. Karberg concluded that at current production, it is possible that all homes can be completed through all three (3) phases by 04/29/22 and connected to Town water. There will be a role for continued outreach and response as residents will be returning this Spring.

For Skyline Drive, the Airport have an item on repaving and rehabilitation.

- Temporary Maintenance- The airport has made appropriate milling available to contractor to address trench maintenance with work performed and completed on 4/12/22.
- Repaving- The Airport and Town of Nantucket are working collaboratively on the repaving project for late Spring. The Town's consultant will be performing the design and construction inspection with assistance from the Airport and MJI. The Airport has scheduled a site walk through with the Town's consultant on 04/14/22 to review Skyline Drive.
- Plantings- The water line bisected on the cul de sac at the east end of Skyline Drive and replanting native vegetation is required.

#### Public communication.

The Commission had directed the Airport to the changes in the Water Discontinuation policy as included in the packet. The letters were sent out to residents and no feedback was received. The certified mailing cards have been returned. There are three (3) residents in the Nobadeer Way area who refused and continued to refuse original sampling access but are receiving bottled water. Mr. Karberg explained that there's a different standard under the Massachusetts Contingency Plan (MCP) for discontinuing their service, which the Airport is pursuing with Licensed Site Professional (LSP) and Airport Counsel.

#### Resident Communication.

The Airport has had ongoing communication with a property owner who is not eligible for a water service connection. There seems to be a wide-ranging matter of disagreement with the Airport's approach and execution. The Airport offered a face-to-face meeting between the resident and administrative staff, which was rejected. Mr. Karberg believes that the resident has been communicating with other Town departments and will advise the Commission if the situation escalates.

The Airport has received outreach from two (2) residents of Skyline Drive expressing concern for the condition of the trench and with questions on further repaving effort time frame and project approach. The Airport has provided a written response to the above comments.

The Airport received one (1) resident inquiry for further information regarding the 3/16/22 AFFF incident response.

Mr. Marks asked where the AFFF has been used at the Airport and is there any short-term or long-term opportunities that can eliminate the use of AFFF.

Mr. Karberg explained that the fuel farm has been converted to a fluoride free foam, which is a universal green product. The Airport hangars don't have foam suppression systems. The ARFF equipment ties to the Airport certification and Part 139 regulation to use the MIL-SPEC AFFF foam and because of that specific application there is not another currently eligible product. The FAA anticipates offering airports the ability to use a fluoride free alternative by 2024, but none of those foams have been identified yet.

#### **041222-01 PFAS Related Water Service Policy Update**

Mr. Marks made a **Motion** to ratify PFAS related water service policy. **Second** by Ms. Planzer and **Passed** by the following roll call vote:

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

**Finance-** Mr. Rafter reported on:

**020822-05** Final Financial Statement Audit FY2021

**041222-02** Final Passenger Facility Charge Audit FY2021

Mr. Rafter noted that the above items are included in the packet and the Airport's position has changed to the positive.

**041222-03** Fuel Revolver Cap- Mr. Rafter explained that the initial request would have been to increase the Fuel Revolver Cap to \$9,000,000, but the jet fuel price last week went up by \$1.04 per gallon and since 04/11/22 increased another \$2.13 per gallon. Mr. Rafter concluded that the jet fuel price for the last two (2) weeks increased by \$3.17 per gallon. Based on that information and rapidly changing price, the Airport is requesting that the Commission approve a new cap of \$9,500,000 and authorize the Chairman to approve an increase not to exceed \$10,000,000 if necessary due to the timing needed to obtain Finance Committee and Select Board approval.

Mr. Marks made a **Motion** to approve to increase the Fuel Revolver Cap to \$9.5 Million with the option to go to \$10 Million with the Chairman's approval, which will allow the Airport to purchase fuel through the fourth quarter. **Second** by Ms. Planzer and **Passed** by the following roll call vote:

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

## **Manager's Report**

### **Project Updates**

- **Taxiway E-** The contractor has returned and started the final phase of this project. Milling and paving of the North Apron is anticipated to start the week of 04/18/22. The work will be three days and it will impact the area around Hangar Eight, T-hangars and Gate 8.
- **Security Project Phase II-** Final stage of the project. The airport is finalizing redundancy issues and working out some eligibility items with Transportation Security Administration (TSA).
- **Fuel Farm Rehabilitation-** The commissioning of the fire suppression system was on 03/30/22 and went as expected. The Airport will begin taking loads of fuel on 04/13/22.
- **Runway 12-30 Decommissioning-** The project is completed and is now only Taxiway C.
- **Crew Quarters-** As soon as the project has been approved at the Annual Town Meeting the Airport will begin the selection process for an architect.
- **Hangar Development-**
  - **Hagedorn's hangar-** The building is on site. The contractor is waiting for comments from the final line of business from FAA on their 7460 form.
- **Terminal Optimization Project-** The Charette was held on 3/31/22 to explore long-range concepts and develop short-range functional improvements. Report from the consultant is being developed.
- **Taxiway G –** The FAA grant application will be submitted with construction expected to begin in the Spring of 2023.
- **Master Plan Update-** The FAA grant application has been submitted. The Airport negotiated the fees with the consultant, and it was submitted to FAA.

**RFP/IFB Bid Status –** Mr. Rafter reported on:

- **Invitation for Bids (IFB) Maintenance Contract for Security System-** The Airport is reviewing the final Request for Proposal (RFP) and provided comments back to the consultant.
- **RFQ for Owner Project Manager (OPM) Terminal Space Optimization-** The Airport has selected CHA and the contract is being reviewed.
- **OPM Housing Project-** The Airport selected CHA and requested a fee proposal for their OPM services.
- **Hold Room Concession Space-** The Hungry Minnow was awarded, and the lease agreement has been approved earlier on this meeting.
- **On- Call Airfield Electrical IFB-** Received one (1) bid, which is being reviewed internally.
- **On-Call HVAC, Oil, Geothermal IFB-**Received one (1) bid for each discipline which are under review.
- **Taxiway G IFB-** the IFB is being created by MJ. The IFB will be available to the public on 4/13/22 with a deadline for bids of 4/29/22.
- **RFP IT Services-** RFP is being developed.
- **Sun Island Road RFP-** RFP is being developed.
- **Quote Process for Backflow Replacement in the Terminal-** Documents are available to the public and the Quote Deadline is 4/27/22.

**Operations – Mr. Rafter reported:**

- Taxicab Operators have requested that the Select Board hold a public hearing to increase their rate on the island. Mr. Karberg has provided comments on this matter and the letter is included in the packet as a handout. The Airport's primary concern is the booking fee proposed.
- Mr. Karberg had a meeting with BETA Technologies company who manufacture the eVTOL equipment. The Airport has been provided with an agreement to install electrical infrastructure and will be looking at investigating that opportunity.
- The meeting with the Hyline representative to discuss alternatives when flights are canceled was postponed for a later date.
- TSA performed an inspection, and the results were favorable.
- Select Board has an agenda item to approve codification of all Town's rules and regulations including the Airport.
- Next Tenant meeting is scheduled for 04/14/22 at 10:30 am.
- Crosswinds restaurant will be closed on 04/14/22 until late morning of 04/15/22 for repair of the kitchen floor.

**Statistics – Mr. Rafter reviewed the February 2022 Statistics:**

- Operations are up 4.58% from February 2021; and up 19.38% from last FYTD.
- Enplanements are up 44.69% from February 2021; and up 150.34% from last FYTD.
- Jet A Gallons are down 29.57% from February 2021; and up 40.29% from last FYTD.
- Jet A Gallons are down 2.82% from March 2021.
- AvGas Gallons are down 21.77% from February 2021; and up 13.24% from last FYTD.
- AvGas Gallons are down 39.90% from March 2021.
- Freight is down 19.87% from February 2021; and down 31.07% from last FYTD.
- No Noise complaints were filed for February 2022 and February 2021.

**Personnel Report-** Mr. Rafter reported on:

- Christopher Vasquez has been hired as the new Building System Technician.

- The Airport is still seeking to fill the Operations Superintendent and Maintenance Mechanic open positions.

**Commissioners Comments-**

Ms. Topham asked for clarification of the booking fees proposed from the taxicab operators. Mr. Rafter explained that the booking fees is if you call and make a reservation and the taxicab operators believe that because of flight delays they could be held up from taking other passengers which warrants a booking fee. The Airport pointed out two items - The delay is not significant as the bureau of transportation statistics data show and there are multiple applications that allow you to tell when an airplane will land. The Airport believes that the fee must be the same between the ferry and the airport.

Mr. Gasbarro requested a notification to be sent out to the Commission when the commissioning of the fuel farm is successful.

**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 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. Clause 3: To Discuss Strategy with Respect to Pursuing Legal Claims against Manufacturer of Polyfluoroalkyl Substances (PFAS) and other potential sources of PFAS, where the Chair has Determined that an Open Meeting May have a Detrimental Effect on the Litigating Position of the Airport Commission. **Second** by Mr. Marks and **Passed** unanimously, by the following roll-call vote:

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

Meeting adjourned at 5:50 pm.

Respectfully submitted,

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Boyana Stoykova-Nelson, Recorder



**Master List of Documents Used**

4/12/22 Agenda (handout) including Exhibit 1 (Handout)  
3/8/33 Draft Minutes  
3/28/22 Draft Minutes  
3/9/22 Warrant Approvals  
3/23/22 Warrant Approvals  
4/6/22 Warrant Approvals  
The Hungry Minnow d.b.a The Flying Minnow Lease Agreement (Handout)  
Tidal Creeks Lease Amendment  
Town of Nantucket and Wannacommet Water Company Agreement Amendment  
Lima & Fly the Whale Operating Agreement  
Galore Jets/Flying Zebra Operating Agreement  
Tradewind Aviation, LLC Operating Agreement  
Wiggins Airways Operating Agreement  
JetEast Corporation License Agreement  
GoJet Airlines d.b.a United Express  
Hyannis Air Service Inc./ d.b.a Cape Air Counter Freight Agreement  
Federal Aviation Administration Lease Agreement  
JetBlue Airways Corporation Airline Lease Agreement  
Hyannis Air Service, Inc. d.b.a Cape Air Airline Lease Agreement  
Southern Airways Express Airline Lease Agreement (Handout)  
United Airlines, Inc. Airline Lease Agreement  
McFarland Johnson Inc. Contract Amendment No.2  
TRAC Builders, Inc. Change Order No.5 (Handout)  
Lawrence Lynch Corporation Change Order No.3 (Handout)  
Jacobs Engineering Group Supplemental Agreement No.5 (Handout)  
Jacobs Engineering Group Supplemental Agreement No.6 (Handout)  
P&M Reis Trucking Contract  
PFAS Table Status Updated  
PFAS Weston Presentation  
PFAS Water Service Policy  
Nantucket Memorial Airport Basic Financial Statements FY2021  
Nantucket Memorial Airport Passenger Facility Charges FY2021  
Fuel Revolver Cap Increase Request (Handout)  
Noah Karberg's Letter Taxi rates (Handout)  
February Statistics 2022 Presentation