

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
Jeanette D. Topham
Philip Marks III

AIRPORT COMMISSION MEETING
July 13, 2021

The meeting was called to order at 5:00 pm by Chairman Arthur Gasbarro with the following Commissioners present: Jeanette Topham, Andrea Planzer, and Phil 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, Airport Manager, Noah Karberg, Assistant Airport Manager, Katy Perales, Office Manager and Lillian Sylvia, Administrative Assistant.

Also present was: Rich Lasdin, McFarland Johnson Inc., Georgie Nugent, McFarland Johnson, Inc., Jim Soukup, Weston Solutions, Lisa Kammer, Weston Solutions and Mina Makarious, Anderson and Krieger.

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

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

Ms. Perales explained that Agenda item 9.b. should read AIP 77, not AIP 71.

Mr. Gasbarro asked for comments on the Agenda; hearing none, the Agenda was adopted with the change noted by Ms. Perales.

Ms. Topham made a **Motion** to approve the 6/8/21 draft minutes. **Second** by Mr. Marks and **Passed** by the following roll call vote:

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

Ms. Topham made a **Motion** to approve the Executive Session Minutes of 5/28/13, 9/10/13, 1/14/14, 3/11/14, 3/25/14, 6/24/14, 8/11/15, 9/8/15, 12/8/15, 2/9/16, 9/13/16, 12/13/16, 5/11/17, 3/16/18, 4/10/18, 5/8/18, 6/12/18, 6/29/18, 7/10/18, 8/14/18, 9/11/18, 11/13/18, 12/11/18, 1/14/19,

2/12/19, 3/12/19, 4/9/19, 5/14/19, 6/11/19, 7/12/19, and 8/5/19. **Second** by Mr. Marks and **Passed** by the following roll call vote:

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

Commissioner Mr. Boscaren joined the meeting.

Mr. Boscaren made a **Motion** to ratify the 6/9/21 and 6/26/21 Warrants. **Second** by Ms. Topham and **Passed** by the following roll call vote:

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

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

- ➔ **Hyannis Air Service, Inc. dba Cape Air/Nantucket Airline-** Counter freight agreement to provide counter freight service utilizing existing premises under the lease. Will pay monthly counter freight fees established by the Airport. Agreement expires 5/31/2022.
- ➔ **Hyannis Air Service, Inc. dba Cape Air/Nantucket Airline-** Airline lease agreement in the amount of \$96,480 plus \$1,500 Annual Business Fee, \$960 Intercom fee and landing and freight fees.
- ➔ **JetBlue Airways Corporation-** Seasonal airline lease agreement in the amount of \$56,337 plus landing fees.
- ➔ **United Airline, Inc.-** Seasonal airline lease agreement in the amount of \$27,817 plus landing fees.
- ➔ **Delta Air Lines, Inc.-** Seasonal airline lease agreement in the amount of \$30,697 plus landing fees.
- ➔ **Blade Urban Air Mobility, Inc., f/k/a Fly Blade, Inc.-** Lease amendment for the flat roof building lease that currently expires 9/30/2021. Amendment extends the lease term for one (1) year with two (2), one (1) year extensions.
- ➔ **Ascent Aviation Group, Inc.-** Contract for temporary fuel farm to support the Fuel Farm Upgrades project in the amount of \$358,625. This amount includes initial and extended term of agreement. Initial term of agreement is five months in the amount of \$259,875.
- ➔ **Schmidt Equipment Inc.-** Contract amendment for replacement of the skid steer in the amount of \$3,100, to add severe duty Lexan door to match the original machine. New contract amount including amendment is \$80,997.
- ➔ **Central Communications System, Inc.-** Contract for support services, advanced replacement of defective components and annual testing of public address system in the amount of \$86,400. This is a three-year contract.

Mr. Gasbarro made a comment to have all airline agreements in place prior to operating at the Airport.

Mr. Marks made a **Motion** to approve the leases, agreements, contract amendment and contracts as enumerated on exhibit 1. **Second** by Mr. Boscaren and **Passed** by the following roll call vote:

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

071321-01 Election of Officers/Assign Sub-Committee Members-

Ms. Topham made a **Motion** to nominate Mr. Gasbarro as Chairman of the Commission. **Second** by Mr. Marks and **Passed** by the following roll call vote:

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

Mr. Bouscaren made a **Motion** to nominate Ms. Planzer for Chairman. **Second** by Ms. Planzer and **Not Passed** by the following roll call vote;

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

Mr. Bouscaren made a **Motion** to nominate Ms. Planzer as Vice-Chairman of the Commission. **Second** by Mr. Marks and **Passed** by the following roll call vote:

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

Mr. Gasbarro is the new Chairman and Ms. Planzer is the new Vice Chairman.

The Airport Commission Sub-Committees members for FY22 are as follows-

Long-Rang Plans/Policy-

Mr. Marks, Mr. Gasbarro and Ms. Planzer

Airfield Policy/Facilities/Maintenance-

Mr. Marks, Mr. Gasbarro and Ms. Planzer

Personnel-

Mr. Bouscaren and Ms. Topham

Noise/Environmental/Energy-

Mr. Gasbarro and Mr. Marks

Service/Public Relations-

Mr. Bouscaren and Ms. Topham

Finance-

Mr. Marks, Mr. Gasbarro, Ms. Planzer, Mr. Bouscaren and Ms. Topham

071321-02 Grant Signing Letter of Authorization-

Ms. Topham made a **Motion** to approve to have the Chairman authorize or in his absence the Vice Chair, to sign on behalf of the entire Commission on Federal or State contracts, grants and other agreements totaling \$50,000 or more, pertaining to projects previously approved by the entire Commission. **Second** by Mr. Bouscaren and **Passed** by the following roll call vote:

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

Pending Matters – Mr. Rafter reported on:

091019-01 Capital Approval Process/Home Rule Petition- Mr. Karberg has been in touch with representatives. Mr. Rafter explained that the tentative Annual Town Meeting (ATM) date is scheduled for May 2022 which could affect the Airports FAA grants. The Town is hopeful this home rule petition will be passed by then.

Mr. Gasbarro stated that if there is no action regarding the home rule petition within the next month or two to have the Commission authorize additional assistance or services.

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.

The water service project on Nobadeer Way continues to accumulate delays to starting work. The excavation contractor is willing and able to perform the work and the plumbing contractor is still interested, but the delays caused by contract review are creating a challenge for them. Will continue to advise on a start date.

A homeowner related to the Nobadeer Way water service project who has the capability and desire to expedite the water service connection, has approached the Airport to see if we can come up with a cost reimbursement agreement. The Airport is working with the resident, town procurement and counsel on this issue. Mina Makarios, Anderson and Krieger, has been working with the Town Counsel and are both in agreement that with respect to private work on private property for just the service connection to existing water main should be able to be done as a reimbursement for a settlement agreement, meaning it would not have to go through a separate procurement process. This is subject to confirming the facts of what exactly the property owner needs to build and what would be left over for the Airport and Water Company to work on with the Town. A settlement agreement would need to be negotiated. Counsel for the property owner expressed willingness to enter into a release but would want to preserve some rights on larger contamination issues in the future.

Ms. Topham asked if insurance requirements are being met. Mr. Karberg explained that the appropriate insurance requirements have been identified.

Mr. Gasbarro asked if a procedure will be put in place to ensure that the work is done to the proper standards. Mr. Karberg asked counsel to draft a procedure as part of the agreement.

Mr. Gasbarro asked if the individual agreements would have to be ratified by the Commission. Mr. Karberg explained that staff would prepare an agreement for the Commissions review and possible execution at the next Commission meeting.

Mr. Marks asked if there is an anticipated cost for each connection. Mr. Karberg explained there is the engineer's opinion of the cost associated with each individual property if the work were to be performed by the municipal entity. It is expected that private work would cost less and not in excess of the municipal costs. Mr. Marks recommended sharing this information with other homeowners about getting this work done privately and being reimbursed. Mr. Karberg explained that some residents do not have the ability to do that and want to see the Airport complete the work.

Mr. Karberg explained that with Commissioner's consent, staff would like to invite residents on Madequecham Valley Road, Monohansett Road and Skyline Drive adjacent to the water main, as well as all residents along the new service routes, not just those within the scope of the investigation, to a meeting to introduce the project, schedule, and review expectations. This meeting is expected to take place in late July or early August and ask that one Commissioner attend.

Ms. Topham asked if all Commissioners should be present for this meeting to show support. The Commission agreed to have the Service/Public Relations subcommittee run this meeting regarding the water line being installed.

Ms. Planzer left the meeting.

Received bids for the Water Main Extension. Mr. Lasdin explained there were five bids submitted and opened on July 2, 2021. The lowest responsible bidder was Robert B Our. Company.

071321-03 PFAS Consultant Presentation: PFAS Soil and Groundwater results Update-

Mr. Soukup and Ms. Kammer, Weston Solutions reviewed a presentation on the status update from April-May Soil and Groundwater Sampling, explaining the following-

- Known Aqueous Film Forming Foam (AFFF) Release Locations
- MCP Timeline and ACK Tasks
- Potential Weston Project Schedule
- PFAS in Groundwater and Drinking Water Contour Map
- Groundwater Grab Samples in the Northern Boundary and Statue Park
- Sampling results at South Ramp at B
- Sampling results at Runway 6 Run-Up
- Sampling results at South Ramp at J
- Sampling results at Snow Removal Equipment Building (SRE)
- Potential Productive Aquifer Exclusion Area Map
- Potential Soil Mitigation Strategies
- Next Steps (3 to 6 Months)

Mr. Soukup explained that a Potential Productive Aquifer Exclusion Area exists for a portion of the airport property. This designation sets less restrictive standards for PFAS concentrations within the PPA.

Mr. Gasbarro asked if the groundwater levels are being measured. Mr. Soukup explained that they are not collecting ground water elevations when collecting samples, that they are strictly getting concentration data.

Mr. Gasbarro asked if the portions of the Airport and the testing within map zone two will stay at the most stringent standard. Mr. Soukup explained that they would not, as the PPA trumps the zone two.

Mr. Marks asked how we are certain the direction of waterflow goes towards the ocean and that the water isn't migrating back towards the wells. Mr. Soukup explained that they measured the water levels in the monitoring wells located in the lease hold area and statue park and calculated the elevation for the groundwater table in that location. This data plotted together on a map shows a consistent result that shows the flow of groundwater as shown in the presentation. Mr. Soukup also explained that due to the aquifer being extremely coarse, there is not really any change in groundwater flows because there is so much water and it is not pulling. There are other potential sources for PFAS in this area that could also be causing the high numbers. Will continue to do work in this area.

Mr. Gasbarro expressed he hopes in the future to determine some groundwater elevations that are just beyond the airport boundaries to create a net. Mr. Soukup explained they will be gathering groundwater elevation data in the fall.

Mr. Gasbarro asked when there will be a schedule for future activities. Mr. Soukup explained they are drafting a schedule now.

071321-04 PFAS Water Service Reimbursement- Mr. Karberg reported in PFAS update.

071321-05 Ratify MassDOT Grant Award Amendment- Environmental Assessment and Environmental Impact Report- \$9,826.02-

Mr. Bouscaren made a **Motion** to ratify the MassDOT grant award amendment for the Environmental Assessment and Environmental Impact Report for \$9,826.02. **Second** by Ms. Topham and **Passed** by the following roll call vote-

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

071321-06 Ratify TSA Other Transactional Agreement “Baggage Belt Reimbursement”- \$155,606.60-

Mr. Bouscaren made a **Motion** to ratify the TSA other transactional agreement “Baggage Reimbursement” for \$155,606.60. **Second** by Mr. Marks and **Passed** by the following roll call vote-

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

071321-07 Ratify FAA Grant Awards

AIP 74 Non- Standard Geometry Study with ALP update- \$216,600-

Mr. Bouscaren made a **Motion** to ratify the AIP 74 FAA Grant in the amount of \$216,600.

Second by Mr. Marks and **Passed** by the following roll call vote-

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

AIP 77 Conduct Airport Related Environmental Assessment/Plan/Study- \$421,622-

On hold because amount appears to be incorrect.

071321-08 Ground Noise Emissions Program Discussion- Mr. Karberg reviewed a draft policy for ground noise and emissions program. Will continue to develop and present to the Commission for adoption in the future.

071321-09 Extension of Parking Benefits to Outgoing Chairman- Mr. Rafter requested to extend Dan Drake, former Chairman of the Commissions' parking pass for his ten (10) years of service.

Mr. Bouscaren recommended the parking pass extension have an expiration date. The Commission agreed to make it the length of service.

Ms. Topham made a **Motion** to extend the parking benefits to Daniel Drake for the appreciation of his long-term service for the length of time served (10 Years). **Second** by Mr. Bouscaren and **Passed** by the following roll call vote-

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

Manager's Report

Project Updates – Mr. Rafter reported:

- **Taxiway E-Work** to start again in the Fall of 2021. Reviewing the work schedule based on the PFAS results.
- **Security Project Phase II-** working on close out and punch list issues.
- **Fuel Farm Rehabilitation-** met with contractor and will continue to meet before the preconstruction meeting to discuss some of the long lead items and supply chain challenges.
- **Hangar Development-** Met with Mr. Turner to review potential environmental impacts and permitting. Mr. Turner's counsel is reviewing the draft lease and he is working to get a survey complete.

- **EA/EIR-** Received Massachusetts Environmental Policy Act (MEPA) certificate, included in packet.
- **FY23 Capital Projects-** Reviewed current proposed schedule. Will present to the Town manager and then will have a meeting with FAA in August to go over five-year Capital Improvement Plan, which could result in some changes. Will remain an agenda item so Commissioners stay updated.

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

- **Waterline Extension-** Received bids on July 2, 2021 and was awarded.
- **Bunker Road #66-** Received no bids.
- **Rental Cars-** Creating RFP for rental cars.
- **Security System Maintenance Program-** Working with consultant to create a maintenance program for the security system.

Operations – Mr. Rafter reported:

- Jet A fuel gallons for FY21 was up 20% over FY20
- June Jet A fuel gallons was up \$244,657 or 150% over last year.
- Been facing fuel supply issues due to mechanical issues on one of the boats.
- Spot Zero, additional commercial aircraft position, was added.
- Will be investigating congestion on the taxiway and potential ways to resolve these issues.
- Will be looking into adding language to Airline Agreements.

Statistics – Mr. Rafter reviewed the May 2021 Statistics:

- Operations are up 176.60% from May 2020; and down 20.77% from last FYTD.
- Enplanements are up 696.75% from May 2020; and down 50.08% from last FYTD.
- Jet A Gallons are up 300.67% from May 2020; and up 2.84% from last FYTD.
- Jet A Gallons are up 155.14% from June 2020.
- AvGas Gallons are up 297.04% from May 2020; and down 3.01% from last FYTD.
- AvGas Gallons are up 106.51% from June 2020.
- Freight is up 59.07% from May 2020; and up 38.22% from last FYTD.
- 3 Noise complaints were filed for May 2021 compared to 0 in May 2020.

Personnel Report- Mr. Rafter reported on:

None.

Commissioners Comments-

071321-10 Commission Meetings: Remote vs. In Person and Location- Mr. Rafter explained there are limited options for where public meetings can be held to be recorded or live. The State granted until April 2022 the option to hold public meetings remotely. The Airport has the option to meet in person at 2 Faregrounds Road at the PLUS Department Building or continue to meet virtually. The town is also preparing another location at the trailer located at the old fire station to host live meetings after September, where the Airport has a spot saved. This location will be fully functional.

Mr. Marks made a **Motion** to meet virtually in August and September and reevaluate at the September meeting. **Second** by Mr. Bouscaren and **Passed** by the following roll call vote-

Mr. Bouscaren- Aye

Ms. Topham- Aye

Mr. Marks- Aye

Mr. Gasbarro- Aye

Ms. Topham asked if the Airport can limit the number of flights Airline's schedule. Mr. Rafter explained the Airport does not control airline schedules. Will be looking into solutions to have better control to avoid any issues.

Ms. Topham expressed concern that the Airport is getting blamed for problems that are the Airlines responsibility.

Public Comment-

None.

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 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. Clause 7: To comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements regarding proposed Transportation Security Administration (TSA) actions, where the Chair has determined that an open session may have a detrimental effect on the security of the Airport. **Second** by Ms. Topham and **Passed** unanimously, by the following roll-call vote:

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

Meeting adjourned at 7:07pm.

Respectfully submitted,

Lillian Sylvia, Recorder

Master List of Documents Used

7/13/21 Agenda including Exhibit 1 (Handout)

6/8/21 Draft Minutes

5/28/13, 9/10/13, 1/14/14, 3/11/14, 3/25/14, 6/24/14, 8/11/15, 9/8/15, 12/8/15, 2/9/16, 9/13/16, 12/13/16, 5/11/17, 3/16/18, 4/10/18, 5/8/18, 6/12/18, 6/29/18, 7/10/18, 8/14/18, 9/11/18, 11/13/18, 12/11/18, 1/14/19, 2/12/19, 3/12/19, 4/9/19, 5/14/19, 6/11/19, 7/12/19, and 8/5/19 ES Minutes

6/9/21 Warrant Approvals

6/23/21 Warrant Approvals

Hyannis Air Service, Inc. Counter Freight Agreement

Hyannis Air Service, Inc. Airline Lease Agreement

JetBlue Airways Corporation Airline Lease Agreement

Untied Airlines, Inc. Airline Lease Agreement

Delta Air Lines, Inc. Airline Lease Agreement (Handout)

Blade Urban Air Mobility, Inc. Lease Amendment

Ascent Aviation Group, Inc. Contract

Schmidt Equipment Inc. Contract

Central Communications System, Inc. Contract

Airport Commission Sub-Committees

Letter of Authorization

PFAS Investigation Status Table

PFAS Presentation

MassDOT Grant Award Amendment- Environmental Assessment and Environmental Impact Report

TSA Other Transactional Agreement “Baggage Belt Reimbursement”

AIP 74 FAA Grant Award (Handout)

AIP 77 FAA Grant Award (Handout)

Draft Ground/Emission Noise Program

MEPA Certificate

May 2021 Monthly Statistical Report

