

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

Thomas M. Rafter, Airport Manager  
Phone: (508) 325-5300  
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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**  
**August 11, 2020**

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

Commissioner Andrea Planzer was absent.

This meeting was conducted remotely by video conference via Zoom app and broadcasted 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, Katy Perales, Office Manager and Lillian Sylvia, Administrative Assistant.

Also present was: Rich Lasdin, McFarland Johnson, Inc.

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; hearing none, the Agenda was adopted.

Mr. Gasbarro made a **Motion** to approve the 7/14/20, 4:15PM draft minutes and the 7/14/20, 5:00PM draft minutes. **Second** by Ms. Topham and **Passed** by the following roll call vote:

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

Mr. Bouscaren made a **Motion** to ratify the 6/30/20, 7/22/20 and 8/11/20 Warrants. **Second** by Mr. Gasbarro and **Passed** by the following roll call vote:

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

**071420-1 Election of Officers/Assign Sub-Committee Members-**

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

Mr. Boscaren- Aye  
Ms. Topham- Aye  
Mr. Gasbarro- Aye  
Mr. Drake- Abstain

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

Mr. Boscaren- Aye  
Ms. Topham- Aye  
Mr. Gasbarro- Abstain  
Mr. Drake- Aye

Mr. Boscaren made a **Motion** to approve the reappointment of the Sub-Committee members as constituted for FY20 to serve in FY21. **Second** by Ms. Topham and **Passed** by the following roll call vote:

Mr. Boscaren- Aye  
Ms. Topham- Aye  
Mr. Gasbarro- Aye  
Mr. Drake- Aye

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

- **JetBlue Airways Corporation-** Seasonal Airline agreement in the amount of \$40,586.68. Plus landing fees.
- **United Airlines, Inc.-** Seasonal Airline agreement in the amount of \$24,666.68. Plus landing fees.
- **Delta Airlines, Inc.-** Seasonal Airline agreement in the amount of \$27,547. Plus landing fees.
- **Ross Rectrix HYA, LLC-** Operating agreement for ground handling for JetBlue for an annual business fee of \$1,500.
- **Reliant Air-** Operating agreement for a scheduled service operator for an annual business fee of \$1,500. Plus landing fees.
- **Verrill Dana, LLP-** Letter of agreement for a sub under Airport council, Anderson and Krieger to represent the Airport regarding the Hertz bankruptcy proceeding.
- **LeVangie Electric Company-** Contract in the amount of \$3,119,900 for the safety and security project phase II for security cameras, door/door, hardware, gates and fencing. This project will be 100% funded by FAA and MassDOT.
- **Stantec Consulting Services, Inc.-** Contract for AIP and on-call engineering and architectural services. Task orders are assigned for each project with an amount. This is a three-year contract.
- **Jacobs Engineering Group-** Contract amendment in the amount of \$220,403 for supplemental agreement No. 1 for Taxiway 'E' task order to increase funds related to environmental permitting efforts. Anticipated funding is 95% FAA and 5% MassDOT.

The last four McFarland Johnson Inc. contracts as shown on Exhibit 1, regarding PFAS and the South Apron Noise Berm study will be discussed as items shown later on the Agenda.

Mr. Gasbarro made a **Motion** to approve the agreements, contracts and contract amendments as presented. **Second** by Mr. Bouscaren and **Passed** by the following roll call vote-

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

**071420-2 Airport Manager Contract Discussion-** Mr. Drake reported that Mr. Rafter is not seeking any changes in the current Airport Manager's contract.

Mr. Bouscaren made a **Motion** to approve Mr. Rafter's Airport Manager's contract in its present form with the updated salary to be affective for three years starting July 1, 2020. **Second** by Ms. Topham and **Passed** by the following roll call vote-

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

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

- **050916-1 Crew Quarters Development-** No change. This item will be removed from the Agenda indefinitely.
  
- **091019-01 Capital Approval Process/Home Rule Petition (Formally Town Government Study Committee)-** Mr. Rafter reported that Article 94 in the warrant was passed at Annual Town Meeting (ATM). The town clerk is preparing a certified copy of the vote and Town Administration will forward to Legislative Representatives.

**071420-03 Per- an polyfluoroalkyl substances (PFAS) Investigation Update-** Mr. Rafter asked the Commission to authorize the Chairman to execute necessary contracts for emergency Point of Entry Treatment (POET) systems purchase and installations, because as results come back if they are over 200 PPT, a POET system needs to be installed as soon as possible.

Ms. Topham made a **Motion** to authorize the chair to sign contracts for any additional POET systems. **Second** by Mr. Bouscaren and **Passed** by the following roll call vote:

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

Mr. Karberg gave an update on the results of Madequecham Valley Road and the West Side of the Airport.

Mr. Rafter reported on a question that was asked regarding testing employees for PFAS. The short answer is that government agencies have stated that nothing useful can be gained by testing individuals for PFAS as the information is of no use in diagnosing or treating a medical condition. This information will be put on the website at [www.ack-pfas.com](http://www.ack-pfas.com).

- ➔ **McFarland Johnson, Inc. Task Order- PFAS Management and Mitigation- Update on Funds Available-** Mr. Rafter asked for the Commission's approval to have the chairman sign a letter to increase to the full amount of \$963,000 for the Task Order with McFarland Johnson Inc. for planning services for PFAS management and mitigation assistance that was approved at the 7/14/20 Commission meeting. This was approved because Town Finance received the additional authorization from the Department of Revenue (DOR). This task order assumed that all homeowners on the West Side of the Airport would have to be provided bottled water and support of twelve (12) POET systems, which was a conservative estimate compared to the results that have come in so far for the West Side testing. Mr. Rafter proposed increasing this task order up to the full amount and use the remaining amount of money on the McFarland Johnson, Inc. Task Order- Nobadeer Way Area.

Mr. Bouscaren made a **Motion** to direct the Chair to sign the letter to McFarland Johnson, Inc. to increase the amount available for the task order to the full amount of \$963,000. **Second** by Ms. Topham and **Passed** by the following roll call vote:

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

- ➔ **McFarland Johnson, Inc. Task Order- Nobadeer Way Area-** Mr. Rafter explained that seven (7) wells will be sampled and tested on Nobadeer Way. If it is an option, the Commission supports having the parcels on Nobadeer Way going on town water right away rather than installing POET Systems. Work in this task order regarding Airport Gas will be put into its own task order.

Mr. Gasbarro made a **Motion** to create a task order for McFarland Johnson, Inc and Weston Solutions in the amount of \$48,000 to sample groundwater from Airport Gas. **Second** by Mr. Bouscaren and **Passed** by the following roll call vote:

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

Mr. Bouscaren made a **Motion** to modify the McFarland Johnson, Inc Task Order for PFAS Management and Mitigation approved at the 7/14/20 Commission meeting to include the cost of testing the seven (7) parcels on Nobadeer Way in the amount up to \$79,000. **Second** by Mr. Gasbarro and **Passed** by the following roll call vote:

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

- ➔ **McFarland Johnson, Inc. Task Order- Town Water Main-** Mr. Rafter explained that this task order needs to be reviewed.

- **McFarland Johnson, Inc. Task Order- Plume Identification-** Mr. Rafter explained that plume identification must be done sequentially after the testing and remediation phases of homeowner wells is completed. This task order will remain as pending until the other phases are completed.

**Public Comment-**

None.

**Environmental Assessment/Environmental Impact Report (EA/EIR)-** Mr. Rafter reported on: **081120-1 McFarland Johnson, Inc. Task Order- Noise Berm Permitting-** Contract in the amount of \$15,000 to conduct studies to incorporate south apron noise berm into the EA/EIR.

Mr. Gasbarro made a **Motion** to approve Task Order MJ-PN-05 in the amount of \$15,000.

**Second** by Ms. Topham and Passed by the following roll call vote:

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

**Ratify FAA Grant Acceptances-** Mr. Rafter reported on:

**081120-2 AIP 71 “Security and Safety Enhancements (Equipment Upgrade)- Phase II (Installation)”- \$3,820,461.**

**081120-3 AIP 72 “Reconstruct Taxiway E; and reconstruct Realign Stub Taxiway A”- \$19,998,693.**

Both projects will be 100% reimbursed.

Mr. Bouscaren made a **Motion** to ratify the AIP 71 Grant and AIP 72 Grant. **Second** by Mr. Gasbarro and **Passed** by the following roll call vote:

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

**081120-4 Aircraft Policy Review- Aircraft Wet Washing and PFAS Product Ban-** Mr. Rafter reported on a request to approve the policy that does not allow aircraft wet washing and to ban products containing PFAS from being used for washing airplanes.

Mr. Bouscaren made a **Motion** to adopt the Aircraft wet washing and PFAS product ban policy.

**Second** by Ms. Topham and **Passed** by the following roll call vote:

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

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

**071420-4 Lease Payment Abatement/Deferment Discussion-** Reviewing potential alternatives to address Crosswinds Restaurant request for some sort of lease payment abatement/deferment.

### **Manager's Report**

**Project Updates** – Mr. Rafter reported:

- **CIP Meeting-** Scheduled for August 28, 2020 with FAA and MassDOT.
- **Security Project Phase I-** Work is in the final stages.
- **Security Project Phase II-** Contract was approved. Work is scheduled to begin in September or October.
- **EA/EIS-** McFarland Johnson, Inc. developed a task order to conduct studies to incorporate a south apron noise berm into the EA/EIR that was approved.
- **Fuel Farm Rehabilitation-** Finalizing agreement with the Owners Project Manager (OPM).
- **Taxiway E-**Preconstruction meeting scheduled for September 2<sup>nd</sup>. Material has started arriving on the island.
- **Watermain Installation-** McFarland Johnson, Inc., Wannacomet Water Company and Mr. Karberg performed a site visit and developed a conceptual layout for the waterline. Also working with the water company and MCFarland Johnson to determine roles and with Legal Counsel to develop the necessary agreements.

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

- **Fuel Farm Rehabilitation-** Selected an OPM. Information for Bids (IFB) to go out to bid in August.
- **On-Call Engineering-** Has been awarded to Stantec and McFarland Johnson, Inc.
- **On-Call Planning-** Has been awarded to McFarland Johnson, Inc.
- **Request for Expression of Interest- Hangar Development-** Was set back due to Covid-19. Mr. Turner has reached out and would like to move forward with the hangar development. Working with Legal Counsel to develop a lease agreement and begin negotiations.
- **POET Systems-** IFB will be available to the public August 13<sup>th</sup>.

**Operations** – Mr. Rafter reported:

- Freight draft term sheet was updated. This will allow freight to go through the terminal at this time, working directly with Cape Air. In the future this will be incorporated into the Minimum Standards and made applicable to all users.

Ms. Topham made a **Motion** to approve the agreement with Cape Air on freight. **Second** by Mr. Bouscaren and **Passed** by the following roll call vote:

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

- The Airport hosted the Vice President and the Governor on July 25<sup>th</sup>. Mr. Rafter reported that all staff did a great job working that weekend.
- FAA Certification Inspection has been postponed till further notice.

- Mr. Rafter reported that due to the COVID-19 pandemic it was difficult to estimate the traffic volume and the Fuel Revolver Cap was lowered to \$2 Million. Mr. Rafter reported that sales are at \$1.6 Million and expense are at about \$870,000, which may result in the need to increase in the Fuel Revolver Cap.
- Air Service Update (subject to change):
  - JetBlue added White Plains and LaGuardia services in August.
  - American Airlines will be running their regular proposed schedule.
  - Delta will have one flight daily on Fridays, Saturdays and Sundays.
  - United will be flying one flight on Saturdays only, June 6<sup>th</sup> through mid-August.
  - Southern Airways has begun new schedule, which includes Hyannis, MA and Providence, RI.

**Statistics** – Mr. Rafter reviewed the June 2020 statistics:

Mr. Rafter noted that because of the reduced hours in the Air Traffic Control Tower statistics may not be completely comparable to previous years.

- Operations are down 59.26% from June 2019; and down 3.46% from last FYTD.
- Enplanements are down 83.49% from June 2019; and down 16.02% from last FYTD.
- Jet A Gallons are down 28.30% from June 2019; and down 6.42 % from last FYTD.
- Jet A Gallons are down 14.22% from July 2019.
- AvGas Gallons are down 46.08% from June 2019; and down 15.43% from last FYTD.
- AvGas Gallons are down 34.51% from July 2019.
- Freight is down 23.17% from June 2019; and down 10.30% from last FYTD.
- 12 Noise complaints were filed for June 2020 compared to 9 in June 2019.

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

- Mr. Rafter and Mr. Karberg received recognition from the Town Manager for the efforts during the COVID-19 Pandemic. Mr. Rafter extended that thanks to all Airport staff.

**Travel Request- 2020 F. Russell Hoyt  
National Airports Conference  
Savannah, GA September 27-29, 2020**

Mr. Rafter reported that he is moderating a session, but it may become virtual.

Ms. Topham made a **Motion** to approve Mr. Rafter's request to attend the National Airports Conference in Savannah, GA. **Second** by Mr. Bouscaren and **Passed** by the following roll call vote:

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

**Commissioners Comments-**

Mr. Gasbarro commented on the operations and that while there are drastic reductions on the commercial side of service, that the south ramp side of service is not down much. Mr. Gasbarro recommended to start looking at how the Airport will start maintaining balanced budgets and fiscal year health by adjusting and revisiting the rates and charges.

In response to Mr. Gasbarro's comment, Mr. Rafter reported that the Airport has received but not yet fully reviewed the report ending June 30<sup>th</sup> for FY20. Mr. Rafter explained that at a quick glance

it looks positive. Once it is updated by Jamie Sandsbury, Business and Finance Manager, Mr. Rafter will send it to all Commissioners.

Ms. Topham made a comment that FAA has increased the tower hours.

Mr. Drake made a comment that the public is submitting town-related issues regarding PFAS to the Airport. Mr. Drake urges the public to direct these issues and questions to the Town at [PFAS@nantucket-ma.gov](mailto:PFAS@nantucket-ma.gov).

**Public Comment-**

None.

Having no further business for Open Session, Mr. Gasbarro 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; Clause 3: To Discuss Strategy with Respect to Pursuing Legal Claims against Manufacturer of Polyfluoroalkyl Substances (PFAS), where the Chair has Determined that an Open Meeting May have a Detrimental Effect on the Litigating Position of the Airport Commission. Clause 3: To Discuss Strategy with Respect to Potential Legal Claims against the Airport - Polyfluoroalkyl Substances (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 Ms. Topham and **Passed** unanimously, by the following roll-call vote:

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

Meeting adjourned at 6:17pm.

Respectfully submitted,

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Lillian Sylvia, Recorder



**Master List of Documents Used**

8/11//20 Agenda including Exhibit 1  
7/14/20 4:15pm Draft Minutes  
7/14/20 5:00pm Draft Minutes  
6/30/20 Warrant Approvals  
7/22/20 Warrant Approvals  
8/5/20 Warrant Approvals  
JetBlue Seasonal Airline Agreement  
United Airlines Seasonal Airline Agreement  
Delta Airlines Seasonal Airline Agreement  
Reliant Air Operating Agreement  
Ross Rectrix HYA, LLC Ground Handling for JetBlue Agreement  
Verrill Dana, LLP Letter of Agreement  
LeVangie Electric Company Contract  
Stantec Consulting Services, Inc. Contract  
Jacobs Engineer Group Contract Amendment- Taxiway 'E'  
McFarland Johnson, Inc. Task Order MJ-PA-01  
McFarland Johnson Inc. Task Order MJ-PN-02  
McFarland Johnson Inc. Task Order MJ-PN-05  
McFarland Johnson Inc. Task Order MJ-PN-03 (Handout)  
Airport Commission Sub-Committees  
Employment Agreement for Airport Manager  
PFAS Update  
West Side Properties and Madaquecham Valley Road Map (Handout)  
West Side Properties Map (Handout)  
Appropriation Letter for Task Order MJ-PN-01  
AIP 71 Grant Agreement  
AIP 72 Grant Agreement  
Aircraft Wet Washing and PFAS Product Ban Policy  
Draft Term Sheet for Counter Freight  
June 2020 Monthly Statistical Report  
National Airport Conference (NAC), Savannah, GA.

