

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**  
**October 12, 2021**

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

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: Rich Lasdin, McFarland Johnson Inc., Georgie Nugent, McFarland Johnson Inc. and Christina Marshal, Anderson and Krieger.

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.

Ms. Topham made a **Motion** to approve the 8/11/21 draft minutes. **Second** by Mr. Bouscaren and **Passed** by the following roll call vote:

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

Ms. Topham made a **Motion** to approve the 9/14/21 draft minutes. **Second** by Ms. Planzer and **Passed** by the following roll call vote:

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

Ms. Topham made a **Motion** to ratify the 9/22/21 and 10/6/21 Warrants. **Second** by Ms. Planzer and **Passed** by the following roll call vote:

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

**Public Comment**

None.

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

- ➔ **Atlantic Aeolus Corp.-** Amendment and assignment of lease to assign Atlantic Aeolus Corp. lease to Nantucket Energy, LLC at 30 Bunker Road. Plus, language changes for Fair Market Value (FMV) rent increases and subletting tenant.
- ➔ **Atlantic Aeolus Corp.-** Amendment No. 5 to the lease switching tenant to Nantucket Energy, LLC and subtenant to Atlantic Aeolus Corp.
- ➔ **Jacobs Engineering Group-** Supplemental Agreement No. 5 to reconstruct, strengthen, mark, light and sign taxiway E in the amount of \$43,784 for additional scope to include spot zero. New contract amount including the amendment is \$1,692,336.20
- ➔ **Jacobs Engineering Group-** Supplemental Agreement No. 3 for fuel farm rehabilitation phase III in the amount of \$20,683 for additional scope associated with PFAS management and SPCC/Fire Coordination. New contract amount including the amendment is \$386,908.
- ➔ **LeVangie Electric Company-** Change order No. 1 for the Security Project phase II for changes that resulted in a deduction in the contract amount in the amount of \$52,087 and to change the expiration date from 10/31/2021 to 6/30/2022.
- ➔ **McFarland Johnson Inc.-** Task Order MJ-EA-02 for runway 12-30 decommissioning in the amount of \$10,400 for professional services.
- ➔ **McFarland Johnson Inc.-** Amendment No. 1 to Task Order MJ-PN-10 gate planning in the amount of \$11,600 for updating administrative documents. The new contract amount including the amendment is \$25,700.
- ➔ **ADB Safegate Americas LLC-** Three-year contract for supply and delivery of airfield lighting products not to exceed \$75,000.
- ➔ **South Shore Generator Service, Inc.-** Contract for ARFF generator enclosure with base tank replacement in the amount of \$76,995. Three-year limited warranty included.
- ➔ **McFarland Johnson, Inc.-** Amendment No. 1 for Task Order MJ-PN-11 for PFAS phase 2 source area investigation to include additional sampling activities and plume investigation in the amount of \$495,137. The new contract amount including the amendment is \$692,688.74.

Mr. Marks recused himself.

Mr. Bouscaren made a **Motion** to approve the Amendment and Assignment of Lease for Atlantic Aeolus Corp. and the Lease Amendment for Atlantic Aeolus Corp. **Second** by Ms. Topham and **Passed** by the following roll call vote-

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

Mr. Marks rejoined.

Mr. Bouscaren made a **Motion** to approve the remaining contracts and contract amendments as shown on Exhibit 1. **Second** by Ms. Planzer and **Passed** by the following roll call vote-

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

**091421-01 Mr. Walsh- 8/25/21 Violation of Requirements for Access to the Airport and Notice of Restriction-** Mr. Rafter briefly reviewed that at the September Commission meeting the Commission reaffirmed the Airport Managers action to reinstate the full restriction for use of the Airport by Mr. Walsh. Mr. Walsh's attorney at the time requested additional time to obtain and review documents. Mr. Rafter showed a brief video clip of Mr. Walsh disregarding the Airport's direction by taxing across the grass.

Christina Marshal, Anderson and Kreiger, briefed the Commission that she received an email explaining that Mr. Walsh's attorney, Paul Grocki, no longer represents Mr. Walsh in this matter but as a final act on his behalf requested that the Commission adjourn discussion on this agenda item once more, to give Mr. Walsh the opportunity to obtain new counsel in Massachusetts. Ms. Marshal also explained that based on the email Mr. Walsh does wish to present information to the Commission at some point in the near future but does not have any more details regarding that. Ms. Marshal explained that she believes this is a reasonable request and maintains the no trespass order.

The Commission agreed to wait and continue in the near future when they hear from Mr. Walsh.

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

**091019-01 Capital Approval Process/Home Rule Petition-** No change. Has been referred to the House Committee on bills in the third reading, which is the final step in the process.

**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](http://www.ack-pfas.com).

For the water service project, Robert B Our Company has performed site reviews for the private side plumbing and excavation work for a number of Nobadeer Way and Evergreen Way area homeowners. Waiting to hear pricing information. The public side work is with the contractor for scheduling. There is a possibility that the timeline for Robert B Our would converge and they might take on this scope.

For the water main project, advertising/noticing via the newspaper will take place for the project schedule. Current start date is November 4<sup>th</sup>, but may take a week delay due to supply chain issues. If it is delayed, additional ad will be placed in the newspaper.. It is likely that the delay will reorder the phasing, where Madaquecham Valley Road work may be first and Skyline Drive will be last. Waiting to receive a draft schedule. Continue to coordinate this work with the Town so they are aware of schedule. In addition to the ad in the newspaper we will be handing out flyers to residences along the water main routes. This project still has a 142 day duration. Active outreach is underway to all homeowners on Madaquecham Valley Road and Skyline Drive who will be receiving water service connections to coordinate receipt of assigned access agreements,

schedule walkthroughs and obtain estimates. Also have asked the consultant to perform additional outreach to the Skyline Drive homeowners who will not receive a water service, but who may wish to coordinate with the Airport on the placement of their curb stop.

Reviewed the pre application package for the State Revolving Fund, which could provide low interest loans for funding for the water main or other remediation efforts, with consultant and State Revolving Fund staff. At this time it is unlikely that we can meet qualification criteria. It would involve either rebidding or amending the bid specifications.

Catch basin investigative work and cleaning has been performed adjacent to catch basin C333 by Eastern Pipe Services, which is related to the Fuel Farm Project. Catch basin C333 is the basin we sumped storm water into from the fuel farm. It was found that the catch basin from the secondary containment leads South East, approximately 20 feet to a set of 10 infiltration chambers. It is presumed that a distribution box was lost or paved over. There is no other inflow or outflow to those infiltration chambers.

Mr. Gasbarro asked if there is post treatment for the catch basin. Mr. Karberg explained nothing was immediately proposed but will be discussed, and that the water is tested routinely. Rich Lasdin, McFarland Johnson Inc., explained that the catch basin does have a deep sump and has a hood on the outfall for rudimentary separation.

- i. **101221-01 Update to PFAS Related Water Service Policy-** A revised Water Service Policy document was included in the packet for review. This would revise the existing policy to codify continued provision of bottled water service for affected residences until the water main is commissioned. A final document will be included in the November Commission meeting for approval.

#### **101221-02 Declaration of Surplus Property 10 Sun Island Road- *Pending***

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

**101221-03 FY22 Budget Schedule-** Mr. Rafter explained that there should be a draft budget at the November Commission Meeting for review and final budget for the December Commission Meeting. Mr. Rafter made the Commission aware that they are meeting with Town Administration the same day as the December Commission meeting

#### **Manager's Report**

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

- **Taxiway E-Work** continues. Paving began and should be completed by October 22, 2021, weather permitting. Recently had to close down the area of Taxiway J, which requires lengthy back taxiing for the remainder of the project.
- **Security Project Phase II-** Contractor returning soon to complete additional work and punch list items.
- **Fuel Farm Rehabilitation-** Temporary Fuel Farm is in place. Work has begun on the main Fuel Farm and will continue through early January. There is a slight delay due to permitting with the temporary fuel farm but is expected to be resolved by the end of the week.
- **Runway 12-30 Decommissioning-** Had a meeting with FAA. Looking to close runway 12-30 on October 27, 2021 and have the marking contractor from the Taxiway E project complete the necessary markings.
- **Hangar Development-** Received comments back from Mr. Turner on the draft lease and are continuing negotiations. Mr. Hagedorn has submitted a Tenant Construction Alteration Application for his hangar and is proceeding to HDC.

- **Exhibit A-** Conducting history search on some land to quantify and clean up the Airport's Exhibit A that is required under FAA. Found documents that should be helpful in identifying some of the parcels that need to be updated.

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

- **Security System Maintenance Program-** Working to have RFQ for a contract for maintenance and security system.
- **Terminal Space Optimization-** RFQ for the OPM is due October 14, 2021.
- **Rental Cars-** Working with legal to finalize RFP.
- **HVAC Terminal Project-** Received 90% specifications and drawings. Will be issuing IFB shortly.

**Operations** – Mr. Rafter reported:

- i. Fuel Supply Issue-** have faced some challenges in regard to fuel supply. Will be reaching out to the steamship authority to meet and discuss potential solutions. Some problems are linked to various supply chain issues and logistics as well as the Airport experiencing an unprecedented demand for fuel.
- On the capital plan regarding crew quarters, it had initially reflected funding for an OPM and design. It was suggested by CapComm to look at the possibility of purchasing homes. Included in the packet is a list of advantages and disadvantages for this approach. Major hurdle with buying homes is the lack of FAA approval, which has already been approved for Sun Island Road. Mr. Rafter asked to confirm that they will proceed with building. Will ask consultants to prepare a task order to proceed with the design. Will need to obtain an OPM.

Mr. Gasbarro asked how to convey the decision to build to Cap Comm. Mr. Rafter will ask Mr. Karberg to respond.

**Statistics** – Mr. Rafter reviewed the August 2021 Statistics:

- Operations are up 31.91% from August 2020; and up 40.06% from last FYTD.
- Enplanements are up 164.32% from August 2020; and up 172.64% from last FYTD.
- Jet A Gallons are up 26.57% from August 2020; and up 47.11% from last FYTD.
- Jet A Gallons are up 54.71% from September 2020.
- AvGas Gallons are up 8.84% from August 2020; and up 23.76% from last FYTD.
- AvGas Gallons are up 10.42% from September 2020.
- Freight is up 34.96% from August 2020; and up 36.03% from last FYTD.

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

- i. Telecommuting Authorization-** Mr. Rafter reported that Lillian Sylvia, Administrative Assistant will be leaving the island. In accordance with a telecommuting policy that was previously passed by the Commission, a transition process involving telecommuting was developed that will benefit the Airport and allow another person to be trained for this position. Ms. Sylvia will be telecommuting for a short period of time, as defined in the draft agreement included in the packet. This will need approval by the Chairman.

Hearing no concerns, the telecommuting agreement was approved.

Mr. Rafter explained they are conducting interviews for the FBO customer service representative and administrative assistant position.

**Commissioners Comments-**

The commissioners wished Ms. Sylvia the best in her future endeavors.

**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; Clauses 3 & 4: To discuss strategy with respect to litigation regarding Robert Walsh, where the Chair has determined that an open session may have detrimental effect on the litigating position of the Airport Commission, and further to discuss strategies with respect to the deployment of security personnel or devices in connection with the No Trespass Order issued against Mr. Walsh. 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 requirement- G.L. c. 93H. **Second** by Mr. Bouscaren and **Passed** unanimously, by the following roll-call vote:

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

Meeting adjourned at 5:40pm.

Respectfully submitted,

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Lillian Sylvia, Recorder

**Master List of Documents Used**

10/12/21 Agenda including Exhibit 1 (Handout)

8/11/21 Draft Minutes

9/14/21 Draft Minutes  
9/22/21 Warrant Approvals  
10/6/21 Warrant Approvals  
Atlantic Aeolus Corp. Amendment and Assignment of Lease  
Atlantic Aeolus Corp. Amendment #5  
Jacobs Engineering Group Supplemental Agreement No. 5 Taxiway E (Handout)  
Jacobs Engineering Group Supplemental Agreement No. 3 Fuel Farm Rehab Phase III (Handout)  
LeVangie Electric Company Change Order #1 (Handout)  
McFarland Johnson Inc. Task Order MJ-EA-02  
McFarland Johnson Inc. MJ-PN-10 Amendment No. 1  
ADB Safegate Americas LLC Contract  
South Shore Generator Service, Inc. Contract  
McFarland Johnson IN. MJ-PN-11 Amendment No. 1  
Notices to Walsh (Handout)  
PFAS Investigation Table  
Draft PFAS Water Service Policy  
Crew Quarters Advantages and Disadvantages (Handout)  
August 2021 Monthly Statistical Report (Handout)  
Telecommuting Policy  
Telecommuting Agreement



