

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

July 14, 2015

The meeting was called to order at 5:00 pm by Chairman Daniel Drake with the following Commissioners present: Arthur Gasbarro, Andrea Planzer, and Jeanette Topham. Participating by phone, due to geographical distance, was Commissioner Anthony Bouscaren. The meeting took place in the 1st floor Community room at the Public Safety Facility, 4 Fairgrounds Rd. Nantucket MA.

Airport employees present were: Thomas Rafter, Airport Manager, David Sylvia, Compliance Manager, Noah Karberg, Environmental Coordinator, Mae Williams, Administrative Assistant, and Janine Torres, Office Manager.

Mr. Drake announced the meeting was being recorded.

Mr. Drake asked for comments on the Agenda. Hearing none, the Agenda was adopted.

Ms. Topham made a **Motion** to approve the 6/9/15 minutes. **Second** by Ms. Planzer and **Passed** by the following roll-call vote:

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

Mr. Gasbarro made a **Motion** to ratify the Warrants of 6/17/15, 6/24/15, and 6/30/15. **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. Drake – Aye

Public Comment

None

Election of Officers

Ms. Topham made a **Nomination** to elect Mr. Drake as Chairman. **Second** by Mr. Gasbarro and **Passed** unanimously by the following roll-call vote:

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

Ms. Topham made a **Nomination** to elect Mr. Gasbarro as Vice-Chairman. **Second** by Ms. Planzer and **Passed** by the following roll-call vote:

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

Pending Matters

➤ **042214-2 Formerly Used Defense Site (FUDS) Status**

Mr. Rafter reported the dirt piles have been removed by the Maintenance Department in a much shorter time than expected. The concrete pad has been removed, as well as the Dutra greenhouse. Two (2) small piles remain that will be cleaned up shortly. The debris pile will be taken care of once the work plan is received by the Army Corp of Engineers (ACE).

Mr. Arthur Cunningham from Weston Solutions, briefed the Commission regarding “Stockpile X”. Mmunition debris was found in a stockpile of soil removed from the FUDS site and is now outside of the FUDS boundary. Soil samples filed on July 28, 2014 showed arsenic contents higher than the States reportable concentration. Massachusetts Department of Environmental Protection (MassDEP) requires a Massachusetts Contingency Plan (MCP) stating certain tasks that need to be done within 1 year. Mr. Cunningham, as the licensed site professional, will submit a tier classification. Phase I identifies the level of concern – the initial investigation. Phase II is the scope of work the responsible party needs to do to complete the State requirements. Mr. Cunningham believes the responsibility should lie with the Department of Defense (DOD). Mr. Rafter added, whereas Stockpile X originated in the FUDS site, it should be included in the ACE investigation and remediation. As time is of the essence, Mr. Cunningham suggested to move the issue to a high level in the ACE; such as the General of the Northeast Region or a Congressional Representative. Mr. Drake recommends contacting Tim Madden, our state Representative. Public notice needs to be within 7 days of July 28, 2015.

Ms. Topham made a **Motion** to authorize the Chairman and the Airport Manager, in consultation with Weston Solutions and Mr. Cunningham to take whatever steps are necessary to engage our Congressman in this effort to attempt to persuade the Army Corp of Engineers that this is a problem they should be addressing. **Second** by Mr. Gasbarro and **Passed** unanimously by the following roll-call vote:

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

011315-2 General Fund Repayment Proposal - Mr. Rafter reported that Brian Turbitt, Town Finance Manager, is continuing to work with Town Council to prepare a draft for review.

Carbon Neutral Program Update - Mr. Rafter reported:

A sub-committee meeting was held with the State, Volpe, and Honeywell asking for answers to numerous questions regarding representations made by Honeywell at the prior meeting which did not appear in the term sheet. Written correspondence from Honeywell contradict representations previously made. The Town Energy Consultant, Mr. George Aaronson, has been asked to review the documentation. Discussion continued regarding inconsistencies in the guarantees from Honeywell. A conference call will be set up with Mr. Aaronson for his opinion and advice.

Pending Leases and Contracts

Mr. Rafter presented the following Leases and Contracts:

- **Jet Blue Airways Corp.** – Seasonal Airline Agreement with office space for \$38,280.00; Annual Business Fee of \$1,500.00 plus Landing Fees.
- **Ultimate Air** – Seasonal FBO Building Use Fee for \$7,875.00; Annual Business Fee of \$1,500.00 plus Landing Fees – **PENDING**
- **United Airlines** – Seasonal Airline Agreement with office space for \$15,920.00; Annual Business Fee of \$1,500.00 plus Landing Fees – **PENDING**
- **Jacobs Engineering Group** – Amendment #3 credit for \$5,837.00; Revised contract amount \$665,657.00 for reduction of hours for Construction Management.
- **ShorTel, Inc.** – 3 year Contract of \$34,999.00 for Cloud based VoIP Phone System that includes T-1 Circuit for back-up.
- **Hortonville Consulting LLC** – 3 year Contract of \$25,000.00 for consulting services to provide FAA Part 139 ARFF Training and Triennial Drill.
- **Alpine Systems, Inc.** – Annual Support Agreement of \$5,000.00 for Flight Information Display Screen (FIDS) System.
- **Maron Construction Co., Inc.** – General Construction Contract of \$2,323,000.00 for Air Traffic Control Tower (ATCT) Modernization and FAA Other Transactional Agreement (OTA).
- **Industrial Protection Services LLC** - \$86,758.00 for Aircraft Rescue and Fire Fighting (ARFF) Truck Tools and Equipment. 95% reimbursable by FAA/DOT Grants submitted.
- **Transportation Security Clearinghouse Services** – 2 year Contract with option of 1 year renewal of \$10,000.00 for vetting of Security Badge Applicants and badging.

Mr. Gasbarro made a **Motion** to approve and endorse the listed services and contracts listed on Exhibit 1 excepting Ultimate Air and United Airlines. **Second** by Ms. Planzer and **Passed** unanimously with the following roll-call vote.

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

062513-3 Voluntary Noise Compliance Program Update - Mr. Rafter reported that in June 2015, all Air Taxi operators were in compliance and will receive the incentive. Ms. Planzer made a **Motion** to enforce the incentive program beginning July 1, 2015. **Second** by Ms. Topham and **Passed** unanimously by the following roll-call vote:

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

Mr. Noah Karberg, Environmental Coordinator, reviewed work done with Mr. Topham, FAA Tower Supervisor, and Mr. Joe Rose, Chief Pilot for Island Air, addressing RW 24 noise abatement-related costs as well as altitudes of flights. Reviewing the different proposed routes for single engine aircraft, Mr. Karberg cannot recommend the route that flies over the Nantucket Landfill. Discussion continued regarding the noise abatement routes. Ms. Planzer made a **Motion** to adopt the flight path as discussed. **Second** by Ms. Topham for discussion purposes. Mr. Drake suggested amending the Motion to establish the new routes on a trial basis; until September 8, 2015. Results of sound measurements through August 25, 2015 measuring sound and complaints. The results should be available for the September 8, 2015 Commission meeting. Mr. Rafter asked the Commission to consider that Island Air is a year-round service to Hyannis which is a key element to the Airport and the Island. Mr. Gasbarro agreed adding that we need to balance these studies with community impact. Appreciation to Island Air for working closely with the Airport is extended. Discussion continued quantifying a base line for future decisions to be made.

Ms. Planzer accepted Mr. Drake's proposed amendment to her motion and the motion, as amended, **Passed** by the following roll-call vote:

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

071415-1 Commission Signing Authority – Standard MassDOT Grant Forms

Mr. Gasbarro made a **Motion** to sign the letter of authorization to authorize Chairman Daniel W. Drake to sign on behalf of the entire Commission on agreements totaling \$50,000.00 or more as outlined in the document. **Second** by Ms. Topham and **Passed** unanimously by the following roll-call vote:

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

022613-2 Master Plan and Sustainability Program Update – Mr. Rafter reported that a rough draft of the Financial Feasibility Section has been received, comments have been sent back, and the next draft will go to the Commissioners. Mr. Rafter said he had also received comments from the Federal Aviation Administration (FAA) on certain portions of the Airport Layout Plan (ALP). The Master Plan consultant, Jacobs Engineering, stated once comments from all departments of FAA are received we will respond accordingly. Due to the pending FAA request to offset the taxiways at intersections with the runways, the FAA's Part 109 certification inspector, Laurie Dragonas, has asked that we measure response times through timed response simulations with the

emergency vehicles. At Mr. Rafter request, Mr. Gasbarro made a **Motion** to accept the extension of the Master Plan Grant. **Second** by Ms. Topham and **Passed** unanimously by the following roll-call vote:

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

071415-2 FAA Grant AIP #62 – Reconstruct a Portion of North Apron

Ms. Topham made a **Motion** to approve FAA Grant AIP #62 Reconstruction of the North Apron. **Second** by Ms. Planzer and **Passed** unanimously by the following roll-call vote:

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

071415-3 Electronic Device Policy Review – Mr. Rafter reported:

Changes reflect comments received on the policy regarding listening to music while on duty as well as having the Commissioners be assigned an e-mail account from the Airport website domain. Mr. Drake commented on the wording of “the use of personal audio players is not permitted by an employee when on duty on Airport property or elsewhere”. Mr. Gasbarro made a **Motion** to approve the changes to the Electronic Device Policy. **Second** by Ms. Topham and **Passed** unanimously by the following roll-call vote:

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

031015-2 2015 Rates & Charges Update – Mr. Rafter said that he is recommending waiving ramp fees in General Aviation with the purchase of 10 gallons of fuel or more for aircraft weighing 6,000 pounds or less. A public hearing will be held on August 11, 2015 to coincide with the regularly scheduled Commission meeting. As part of the Master Plan, a white paper detailed Rates & Charges is being prepared by a Master Plan sub-consultant.

Manager’s Report – Mr. Rafter reported the following:

Other Project Updates

- Security Project’s final inspection was on July 1, 2015. Record drawings are being completed and a credit will be given for the SSI portion.
- North Apron Rehabilitation bids have been received and contract has been approved.
- Air Traffic Control Tower (ATCT) contract has been approved. FAA has been on-site, inspecting the flat roof building for modifications that will be required. The Mobile Tower will be arriving and will be stored in the area of the old FBO. Construction will begin the week of August 10, 2015.

In response to Mr. Rafter’s request, Ms. Planzer made a **Motion** to approve issuing the Notice to Proceed on the Air Traffic Control Tower. **Second** by Ms. Topham and **Passed** unanimously by the following roll-call vote:

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

- The Airport now has an App for the public to access the Flight Information Display System (FIDS) and ground transportation. A few corrections do need to be made.
- The State has done a field verification of Taxiway painting needs and funding to accomplish it. State Funding has been identified and is available for closed circuit television security cameras.

RFP/Bid Status – Mr. Rafter reported:

- A Request for Proposal (RFP) is being prepared to replace the existing Parking Lot System.
- Snow Removal Equipment (SRE) bid has been contested. It has been re-bid and the new bids are due in July 29, 2015.
- Fence Repair bid came in excessively high due to a misunderstanding in the scope. A new price has been negotiated and repairs will proceed.
- An RFP for a new Tug is with the Town Procurement Officer for approval.
- Lease policy and RFP for Sun Island Road parcel is still being worked on.

Operations – Mr. Rafter reported:

- Tenant meeting will be held on Thursday, July 16, 2015 at 10:30 am in the ARFF building. Aircraft parking will be reviewed.
- Preston Harimon and his staff did an outstanding job on July 4th weekend. Traffic was more condensed than last year on the Sunday departure. At one point, there were 14 aircraft parked on closed runway 15-33.
- Ocean Wings will be hosting a reception for the Governor and Lt. Governor on Saturday, July 18, 2015.

May Statistics – Mr. Rafter reviewed the May 2015 statistics:

- Operations are down 11.79% over 5/2014. Year-to-date down 8.83%.
- Enplanements are down 22.42% over 5/2014. Year-to-date down 5.45%.
 - i. Cape Air is down 11%.
 - ii. Piedmont is up 15%.
 - iii. Delta is up 20%
 - iv. Island Air is down 6%.
 - v. JetBlue is neutral
 - vi. Nantucket Air is down 18%
 - vii. Tradewind Aviation is up 20%
 - viii. USAirways is down 5%
 - ix. Monthly total is down 5%
- Jet A gallons sold are down 10% over 5/2014. Year-to-date down .91%.
- AvGas gallons sold are up 18% over 5/2014. Year-to-date down 2.07%.
- Freight is down 7% over 5/2014. Year-to-date down 3.12%.
- 9 Noise Complaints filed.

Personnel Report

071415-4 Non-Union COLA Increases –After a discussion by Mr. Rafter who provided supporting documentation, Ms. Topham made a **Motion 1)** to approve a 2% Cost of Living Adjustment (COLA) for Debra Crooks, David Sylvia, Robert Tallman, Janine Torres, and Mae Williams and 2) approve an additional increase for Jamie Miller to bring her annual salary from \$76,500.00 to \$85,000.00. (Mr. Rafter and Mr. Karberg were excluded from receiving COLAS for 2015- 2016 because of recently granted increases in excess of the COLA amount.) **Second** by Ms. Planzer and **Passed** unanimously by the following roll-call vote:

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

Other personnel matters:

- i. A seasonal Operations individual resigned. Appropriate coverage should remain adequate.
- ii. Operations Superintendent FBO position was posted and has received no response. Mr. Rafter will complete a review and make a proposal to the Personnel Committee to consider potentially restructuring the organization.

Travel Request

Mr. Rafter asked to attend the September 20-22, 2015 conference of American Association of Airport Executives (AAAE) in Savannah GA. Ms. Planzer made a **Motion** to approve the travel request. **Second** by Mr. Gasbarro and **Passed** by the following roll-call vote:

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

Sub-Committee Reports

There were no changes after a review of sub-committees assignments.

Commissioners Comments

Ms. Topham received a request via the Commission on Disability to see if the Airport could make a disability parking spot van accessible at the terminal building. The General Aviation building meets the requirements.

Mr. Gasbarro commented on the liberties being taken advantage of at the General Aviation building handicap parking spots. There should be zero tolerance for violations.

There was a brief discussion continued on the resolution of these issues.

Public Comment

None

Having no further business for Open Session Mr. Gasbarro made a **Motion** to go into Executive Session, not to return to Open Session, 1) under G.L. c.30A, §21(a), to review Executive Session Minutes as enumerated on the agenda for review and possible release; 2) under Clause 6, to consider the purchase, exchange, lease or value of real property with respect to Exhibit A of the Airport Layout Plan. The Chair has determined if held in Open Session, it may have a detrimental effect on the negotiation position of the Airport Commission; and under Clause 3, to discuss

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strategy with respect to threatened litigation with respect to the completion of the GA Building. The Chair has determined that an open session may have a detrimental effect on the litigation position of the Airport Commission. **Second** by Ms. Topham and **Passed** unanimously by the following roll-call vote:

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

Meeting adjourned at 6:36 pm

Respectfully submitted,

Janine M. Torres, Recorder

Master List of Documents Used

7/14/15 Agenda including Exhibit 1
6/9/15 Minutes
6/17/15 Warrant Signature Sheet
6/24/15 Warrant Signature Sheet
6/30/15 Warrant Signature Sheet
A. Cunningham to N. Karberg 6/18/15 Email re Tier Classification of Stockpile X
JetBlue Airways Corporation 2015 Lease Agreement
Ultimate Jetcharters, LLC Addendum #1 Letter
Ultimate Jetcharters, LLC 2015 Lease Agreement
United Airlines, Inc. 2015 Lease Agreement
Jacobs Engineering Group, Inc. Amendment #3
Shore Tel, Inc. Amended and Restated Agreement
Hortonville Consulting LLC Agreement
Alpine Systems, Inc. Agreement
Maron Construction Co., Inc. Owner-Contractor Agreement
Industrial Protection Services, LLC Contract
Transportation Security Clearinghouse Services Agreement
N. Karberg to J. Rose Email 6/30/15 Email re Compliance Threshold
Commonwealth of Massachusetts Contractor Authorized Signatory Listing
Nantucket Memorial Airport Letter of Signing Authorization
MassDOT Maximum Obligation Contract Airport Master Plan (\$22,341.81)
US DOT Grant Agreement Reconstruction of North Ramp 3-25-033-062-2015
100-04 Electronic Device Policy Manual
Nantucket Memorial Airport Proposed Rates and Charges 2015 Revision
Notice to Proceed to Maron Construction, Co., Inc. for ACK-ATCT2015
May 2015 Statistics
Identification of 2015 Seasonal Employees
C. Willenborg, MassDOT 7/8/15 Email re Capital Budget Fiscal Year 2016 Update
Rafter Travel Request AAAE National Airports Conference September 20-22, 2015
Handouts:
#1 Carbon Neutral Airport Project Financial Overview dated June 30, 2015
#2 Nantucket Memorial Airport Electronic Device Policy amendments
#3 Non-Union employee Cost of Living Adjustment Increase List
#4 Airport Commission Sub-committee Assignments 7/1/15 – 6/30/16