

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**

**August 11, 2015**

The meeting was called to order at 5:04 pm by Chairman Daniel Drake with the following Commissioners present: Arthur Gasbarro, Anthony Bouscaren, and Jeanette Topham. Participating by phone, due to geographical distance, was Commissioner Andrea Planzer. The meeting took place in the 1<sup>st</sup> 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, Jamie Miller, Business & Finance Manager, Mae Williams, Administrative Assistant, and Janine Torres, Office Manager.

Mr. Drake announced the meeting was being recorded.

Mr. Drake asked for comments on the amended Agenda with the addition of the FAA grant acceptance. Hearing none, the Agenda was adopted.

Ms. Topham made a **Motion** to approve the 7/14/15 minutes. **Second** by Mr. Bouscaren 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 7/22/15 and 8/5/15. **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

**031015-2 Public Hearing to consider Proposed Revisions to 2015 Rates & Charges.**

Mr. Drake opened the Public Hearing.

Mr. Rafter reviewed the following proposed changes:

- ❖ Addition of the Britten-Norman Islander aircraft under Landing Fee – Terminal Users
- ❖ Clarification of landings fee under Freight/Mail
- ❖ Recommendation to waive the ramp fee of \$10 for general aviation aircraft under 6,000 pounds with the purchase of 10 or more gallons of fuel.
- ❖ Lost token fee of \$20.00 noting the change was approved at the May 15, 2015 Public Hearing but mistakenly omitted from the final Rates & Charges list. Mr. Rafter added, due to the high number of lost tokens, a new Request for Proposal will be written to revert to a paper ticket/bar code reading system.
- ❖ Removal of seasonal tie-down fees; annual tie-downs fees still valid.

Mr. Drake asked for any **Public Comment**. Hearing none, the Public Hearing was closed.

Mr. Gasbarro made a **Motion** to adopt the proposed changes for the Rates & Charges as presented by the Airport Manager and listed on the draft provided. **Second** by Mr. Bouscaren 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:
  - ❖ A meeting with Army Corps of Engineers (ACE) is set for August 17, 2015 to address the remaining tree debris pile and responsibility for Stockpile X. Senator Markey’s office has contacted ACE in support of the Airport’s opinion on Stockpile X.
  - ❖ The lease amendments with Dutra Landscaping and Wisentaner Landscaping are still being finalized.
- ❖ **11315-2 General Fund Repayment Proposal** - Mr. Rafter reported Town Finance has not provided an updated proposal.

**Carbon Neutral Program Update** – Mr. Rafter suggested the Airport remove itself from the Carbon Neutral Program and terminate the contract with Honeywell Building Solutions, due to the fact that the land designated for construction of the solar array cannot be categorized as a brownfield and therefore the project would not qualify for Solar Renewable Energy Credits (SREC). Without those credits, the project presents too much financial risk to the Airport. He said that the Airport has made its best faith effort and will continue on its own towards the goal of Carbon Neutrality. Mr. Rafter requests the Commission give its approval to go forward working with the Town if a viable project comes along.

Mr. Rafter read a statement prepared by Mr. Karberg, Environmental Coordinator: “Staff recommends that Nantucket Airport elect to decline to enter into a contract that would incorporate such risks that would, which election the Airport is authorized to make in its sole and absolute discretion under Section 1.A of the Technical Audit Agreement. Staff recommends continued pursuit of solar PV development on the area identified for such purpose on the Airport Lay-out Plan. Next steps in such development will involve (a) identifying entities to support development of a solar Photo Voltaic project at the identified site on business and economic terms that are favorable to the Airport and the Town; and (b) complete the environmental mitigation process and cover the associated costs”.

Mr. Drake inquired about the cost associated with declining to enter into the contract. Mr. Rafter responded that the only cost is for the Investment Grade Audit in the amount of \$14K.

Mr. Bouscaren made a **Motion** to terminate the Technical Audit Agreement under Section 1.A, and approve the payment of approximately \$14,000 that is required to end the relationship with Honeywell. **Second** by Ms. Topham and **Passed** by the following roll-call vote:

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

### **Pending Leases and Contracts**

Mr. Rafter presented the following Leases and Contracts:

- ❖ **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**
- ❖ **Weston Solutions, Inc.** – Contract Amendment #1 to Environmental Consulting Services Contract to increase Direct Expenses incurred from \$1,000.00 to \$2,740.06.
- ❖ **Victor-Brandon Corp** – Contract for Airport Improvement Program (AIP) for \$1,852,200.00 for the North Ramp Rehabilitation. 90% FAA Reimbursement (Grant received) 5% DOT Reimbursement expected.
- ❖ **Kobo Utility Construction Corp** – Contract for \$49,337.00 to Repair Perimeter Fence due to Winter Damage. Insurance Claim submitted.
- ❖ **MHQ** – Contract for \$94,829.00 to Purchase two (2) vehicles: Ford E-300 (Ops) and Explorer (Admin).
- ❖ **The Fire Truck Authority** – Contract for \$40,158.00 for ARFF Truck Annual Inspections/Service. Three (3) year term expiring 7/31/18.

Mr. Gasbarro made a **Motion** to approve the leases, contracts, and agreements listed on Exhibit 1 with the exception of Ultimate Air and United Airline. **Second** by Ms. Topham and **Passed** by the following roll-call vote:

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

**081115-1 FY15 – 4<sup>th</sup> Quarter Financial Report** – Mr. Rafter presented the FY15 4<sup>th</sup> Quarter Financial Report noting he will be presenting to the Board of Selectmen on August 19, 2015. Mr. Rafter noted it is the first year a subsidy was not required and a profit was generated.

- ❖ Revenues are at \$13.4 M Expenses of \$11.7million
- ❖ Profit before debt service of \$1.6 million
- ❖ Net profit after Debt Service is \$417K
- ❖ Retained earnings in FY14 were \$1.8M. Higher Retained Earnings are anticipated for FY15.

**022613-2 Master Plan and Sustainability Program Update** – Mr. Rafter reported:

- ❖ Changes to the Airport Layout Plan (ALP) determined at the July 30, 2015 Special Commission Meeting have been submitted to the FAA. Mr. Gasbarro noted the stub taxiways are still showing as well as the removal of the pavement. These items should not be shown.
- ❖ Jacobs Engineering is preparing the final Master Plan document. During discussion it was determined the final Master Plan will be presented during a regular Commission Meeting once the ALP is finalized.
- ❖ The draft Financial White Paper was presented. Various recommendations were discussed including an increase to the rental car Customer Facility Charge (CFC). Mr. Gasbarro suggested having a public hearing to make the increase from \$2.00 to \$4.00 to keep in line with other airports. Discussion concluded with the recommendation that if Hyannis CFC is at \$4.50, the Airport Commission would like the CFC to be set at \$4.50.

**Grant Acceptance**

**081115-2 DOT Grant AIP #62 - Reconstruct a Portion of North Apron**

Mr. Bouscaren made a **Motion** to accept the MassDOT Grant in the amount of \$105,750. **Second** by Ms. Topham and **Passed** by the following roll-call vote:

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

**081115-3 FAA Grant AIP #63 – ARFF Vehicle Tools and Equipment and SRE Snow Blower**

Ms. Topham made a **Motion** to accept the FAA Grant in the amount of \$723,000 with a MassDOT portion to follow. **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

**Manager’s Report** – Mr. Rafter reported:

**Project Updates**

- ❖ Security Project – the final inspection was completed record drawings received.
- ❖ The State of Massachusetts will fund a closed circuit TV/camera project to cover more of Airport property. The improved computer system will provide access to other Airport users (i.e. Air Traffic Control Tower) to utilize some of the cameras.
- ❖ North Apron Rehab pre-construction meeting is scheduled for August 21, 2015.
- ❖ Air Traffic Control Tower project kick-off meeting is scheduled for August 12, 2015.
- ❖ The temporary Mobile Tower is being erected.
- ❖ The parking system exit gate housing should be repaired by August 13, 2015.

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

- ❖ The second round of bids were received for the SRE Equipment with Kodiak North American being the lowest bidder at \$697K
- ❖ Aircraft tug bids are due in August 18, 2015.

- ❖ We are coordinating with the Town on the RFP for the Airport Gas parcel to include fueling of Town of Nantucket vehicles as part of the proposal.

**Operations** – Mr. Rafter reported:

- ❖ On Sunday, July 19, 2015 the Airport ran out of fuel due to a cancellation of the freight boat. A reserve of fuel was held for Medical flights. Fuel was delivered the following day.
- ❖ The Airport fire fighters responded to a car fire on Nobadeer Beach on July 29, 2015, to assist the Nantucket Fire Department who had trouble getting to the scene. A critique and tabletop exercise is being planned with the Nantucket Fire Department to run a scenario regarding an aircraft fire.
- ❖ A Standard Operating Procedure (SOP) was issued regarding two (2) aircraft on the ground on the North Ramp.
- ❖ A wildlife event demonstrated great teamwork to eradicate two (2) deer within the fence.
- ❖ A press release has been released regarding the Air Traffic Control Tower (ATCT) project, the new smart phone APP for flight tracking, and our updated website.
- ❖ The T-hangar lease expires in 2018. A review and recommendation will be provided to the Commissioners.
- ❖ An inquiry has been presented to Town Counsel to seek clarification on ATM 2011 Articles 98, 99, and 111 due to conflicting Articles and associated GIS maps. The goal is to clean-up Airport property on Exhibit A. A subsequent Town Meeting may be needed to resolve uncovered issues. This topic was raised at a BOS meeting and will be discussed again at the August 19, 2015 BOS meeting.

**Statistics** – Mr. Rafter reviewed the June 2015 statistics:

- ❖ Operations are down 7.68% over 6/2014. Year-to-date down 8.70%
- ❖ Enplanements are down 7.21% over 6/2014. Year-to-date down 5.65%
- ❖ Jet A gallons sold are up 13% over 6/2014. Year-to-date up 1.04%.
- ❖ AvGas gallons sold are down 34%. Year-to-date down 6.33%.
- ❖ Freight is up 3% over 6/2014. Year-to-date down 2.44%
- ❖ 19 Noise Complaints filed. 72 Noise Complaints for July.
- ❖ July Fuel sales for Jet A was up 13% and AvGas was down 3%.
- ❖ Boston Pops weekend 72,506 gallons of Jet fuel was sold. 11,176 gallons or 2.5% over 2014 Pops weekend.

**Personnel Report** – Mr. Rafter:

- ❖ Presented a revised Organizational Chart showing the elimination of the Superintendent/FBO position and replacement with an FBO Supervisor position which has been posted internally.
- ❖ Many Operations Seasonal staff have departed. Maintenance personnel have been assisting in Operations.

**Travel Request**

Mr. Rafter requested approval for the Massachusetts Airport Manager Association (MAMA) Conference, September 28-29, 2015 in Brewster MA for two (2) staff and 1-day attendance by Mr. Rafter. Mr. Rafter suggested that any Commissioners who are interested attend as well.

Mr. Bouscaren made a **Motion** to approve Mr. Rafter's travel requests. **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

### **Commissioners Comments**

Ms. Topham commented Cape Air has very limited flights from Hyannis to Nantucket and she feels they show very little interest in servicing Nantucket. Island Air has increased its fares from \$99.00 to \$165.00 same day round trip. She feels the Town of Nantucket is encouraging using boat travel vs. air travel.

Mr. Gasbarro inquired about the status of the RFP for the new parking system. Mr. Rafter responded that it is in draft form.

Mr. Gasbarro asked about the Part 139 inspection report. Mr. Rafter responded that two (2) items were listed and corrected immediately and closed out. The report will be circulated to the Commission.

Mr. Drake made the following comments:

- ❖ Suggest adding a pedestrian gate to the fence near Nobadeer Beach to aide in any future incidents on the beach.
- ❖ Recommends the FY17 Budget include staffing seasonal ambassadors on Sundays to help alleviate problems in the terminal when commercial flights are delayed.
- ❖ Glad to see the amount of comments to the Rates and Charges, albeit some were not favorable.
- ❖ For the record, in the matter stated in Executive Session, Paragraph B, the Airport has retained Anderson & Krieger, a law firm having aviation and municipal experience, as Special Counsel to represent the Airport in this matter. The partner working with the Airport is David Mackey, former Chief Counsel for MassPort and Suzanne Allie, former Associate Chief Counsel for MassPort.
- ❖ Mr. Drake informed the Commissioner that Mr. Rafter has asked for his approval to seek a Board of Directors seat on the Northeast Chapter of the American Association of Airport Executives. The Commission supported this request.

### **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, to review Executive Session Minutes as enumerated on the Agenda for review and possible release; to consider the purchase, exchange, lease or value of real property with respect to Exhibit A of the Airport Layout Plan. The Chair determined if held in Open Session, it may have a detrimental effect on the negotiation position of the Airport Commission; and to consider the purchase, exchange, lease or value of real property and to discuss pending litigation to Gatto vs. Town. The Chair has determined that an open session may have a detrimental effect on the negotiation/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 6:20 pm

Respectfully submitted,

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Janine M. Torres, Recorder

**Master List of Documents Used**

8.11.15 Updated Agenda including Exhibit 1  
7.14.15 Draft Minutes  
7.22.15 Warrant Signature Sheet  
8.5.15 Warrant Signature Sheet  
7.14.15 Revised Rates & Charges  
Ultimate Air Letter dated 8/6/15 re: Airport Fees/Operating Agreement  
Ultimate Air Addendum Idated 6/17/15  
5.15.15 Letter from Dennis Smith re: Rates & Charges  
5.19.15 Letter from Robert Sylvia re: Rates & Charges  
7.17.15 E-mail from Phillipe Samana re: Rates & Charges  
7.27.15 E-mail from Robert Dobson re: Rates & Charges  
7.30.15 E-mail from Arnold Deary via Erika Mooney re: Rates & Charges  
8.7.15 E-mail from N. Karberg Subject: CNAP Language for Packet  
Ultimate Jet Charters 2015 Lease  
United Airlines 2015 Lease  
Weston Solutions Amendment #1to 12/9/14 Contract  
Victor-Brandon Contract for Reconstruction of North Ramp  
KOBO Utility Contract for Fence Repair  
The Fire Truck Authority Contract for ARFF Vehicle Servicing  
MHQ Contract for Vehicle Purchases  
FY2015 Airport Financial Update  
E-mail from B. Richardson Subject: Master Plan Changes per 11AM Conf Call on TWF & RW15 Exit and Related Attachments (MP Pages 217, 218, 219 and 224 and Revised ALP dated 8/4/15  
Parsons Brinkerhoff Draft Revenue Generation Whitepaper dated 7/31/15  
MassDOT Standard Contract Form Reconstruct Portion of North Ramp  
MassDOT Grant Assurances Reconstruct Portion of North Ramp  
7/30/15 E-mail from T. Rafter to J. Giorgio re: Airport Land Question-BOS Action and Related Attachments: Vorce Real Estate Summary dated 7/22/15, 2011 ATM Warrant page 124-126, GIS Map related to Warrant Articles 98 & 99; 2011 ATM Warrant pages 142, 143, and GIS Map A for Warrant Article 111  
Press Release – “Recent Upgrades Take Flight at ACK”  
June 2015 Statistics  
Monthly fuel sold per fiscal year  
Nantucket Memorial Airport Organizational Chart dated July 2015  
Sixel Airports Conference Information  
MAMA Conference 2015 Information  
E-mail from J. LoGiudice to T. Rafter re: AIP #63 ARFF Tools/Equipment and SRE Snow Blower - Handout