

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 9, 2016

The meeting was called to order at 5:02 pm by Chairman Daniel Drake with the following Commissioners present: Vice Chair Arthur Gasbarro, Jeanette Topham, and Andrea Planzer. Anthony Bouscaren participated remotely by phone due to geographic distance.

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, Janine Torres, Office Manager, and Mae Williams, Administrative Assistant.

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

Mr. Rafter announced the Federal Aviation Administration (FAA) will be on Island to conduct Compliance Training on October 11, 2016 at 3:00 pm. The meeting will be held at the Public Safety Facility prior to the regularly scheduled meeting.

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

Mr. Drake noted the minutes from ATM, 4/2/16 and 4/5/16 are still pending.

Ms. Topham made a **Motion** to approve the 7/12/16 minutes. **Second** by Ms. Planzer and **Passed** by the following roll-call vote:

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

Ms. Topham made a **Motion** to approve the 7/19/16 minutes. **Second** by Ms. Planzer and **Passed** by the following roll-call vote:

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

Mr. Gasbarro made a **Motion** to ratify the 7/20/16 and 8/3/16 warrants. **Second** by Ms. Topham and **Passed** by the following roll-call vote:

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

Public Comment

None

Pending Matters

042214-2 Formerly Used Defense Site (FUDS) Status – Mr. Rafter reported the Airport has received the final Draft of the Remedial Investigation Report from the Army Corps of Engineers (ACE). The report showed no significant issues except for one minor concern that will be addressed by Mr. Karberg, Environmental Coordinator. A meeting with ACE will take place in September or October and once the site is cleared by ACE, the Airport can issue the RFP for new leases.

011315-2 General Fund Repayment Proposal and Discussion of In-Kind Services – Both the FAA and MassDOT-Aeronautics have responded with similar questions regarding the exhibits accompanying the agreement, as well as the time frame for some of the payments for which reimbursement is claimed.. Those questions have been forwarded to the Finance Director and we are awaiting for the additional information.

060716-3 McGrath Family Trust request to Sub-Lease to Eastern Air Freight, LLC – Mr. William McGrath has become the official liaison between FAA and Island Shuttle to determine the status of obtaining the certificate. Depending on where they are in the process, Mr. McGrath may use a Part 135 operator in the interim solution for freight operations. Town Counsel is working on the consent to subordination agreement for the sub-lease to the freight hangar.

Pending Leases and Contracts

Mr. Rafter presented the following Leases and Contracts:

- **United Airlines** – 2016 Seasonal Lease Agreement for \$15,920.00 plus \$1,500.00 Annual Business Fee plus Landing Fees. – *Pending*
- **KOBO Utility Construction Corp.** – Contract for \$1,054,611.00 for AIP #64 “Airfield Electrical Vault Modifications”.
- **Infax, Inc** – Contract for \$359,446.00 for AIP #65(b) “Upgrade Public Address System and Flight Information Display System”.
- **American Association of Airport Executives (AAAE)** – Contract for \$182,770.00 for AIP #65(a) “Install Computer Stations and Interactive Employee Training System”.
- Nantucket Auto Supply** – 3 year Contract not to exceed \$34,000.00 for parts and supplies to maintain vehicles and equipment owned by Nantucket Memorial Airport.

Mr. Rafter noted the Infax and AAAE Contracts are still at Town Counsel’s office for review; but due to timing, requested the Commission authorize the Chairman and two other Commissioners to execute subject to approval by Town Counsel and Town Finance.

Mr. Gasbarro made a **Motion** to approve the contract with KOBO Construction. **Second** by Ms. Topham and **Passed** by the following roll-call vote:

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

Mr. Gasbarro made a **Motion** to approve the contract with Nantucket Auto Supply. **Second** by Ms. Planzer and **Passed** by the following roll-call vote:

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

Ms. Topham made a **Motion** to approve the contracts of AAAE and Infax subject to receiving the necessary sign-offs from Town Counsel and Town Finance. **Second** by Ms. Planzer and **Passed** by the following roll-call vote:

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

080916-1 Gift Shop Lease Discussion – Mr. Drake summarized discussions and events leading to a request by Diana Nascimento of Planet ACK, Inc. to mutually agree to terminate the Gift Shop Lease as of October 31, 2016. Mr. Rafter added that when another RFP is written, different business terms and other concessions should be explored. If the lease is terminated, there will be a gap between leaseholders. Mr. Drake requested that the Airport obtain an official request with the date for the termination to happen.

Mr. Gasbarro made a **Motion** to proceed with the mutual termination agreement of the Gift Shop Lease as of October 31, 2016 subject to review and approval of Legal Counsel. **Second** by Ms. Planzer and **Passed** by the following roll-call vote:

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

080916-2 Blade Sub-Lease Discussion – Mr. Rafter reported that due to Town Building Dept. violations that were issued on Monday, August 8, 2016, combined with past history of lack of consideration for established Rules & Regulations, he has contacted Legal Counsel on how to proceed with the proper mechanism for termination of the sub-lease from Emily Air to Fly Blade. Emily Air has been notified they are in violation of their lease as well.

Melissa Tomkeil, President of the fixed wing division of Fly Blade and Greg Ramey, Senior Director of Blade, addressed the Commission. After a lengthy discussion concerning the current issues at hand, the Commissioners expressed their unanimous agreement for Mr. Rafter to proceed with the termination of the sub-lease.

071216-1 Flat Roof Building Disposition Discussion -- Mr. Rafter would like to have as much input as possible prior to an RFP being written that would allow for as much creativity as possible for the use of the building on-site or elsewhere.

122215-1 Air Service Update – Mr. Rafter indicated the Airport is still in the process of finding avenues for distributing the survey in the downtown area to obtain passenger travel habits.

050916-1 Nobadeer Farm Development Update – Mr. Rafter is working on the land release and is working with Andrew Vorce, Director of Planning and Land Use Service (PLUS) for verification of zoning. Mr. Vorce recommended “deregistering” the large parcel on Nobadeer Farm Road with the Land Court. After brief discussion of the pros and cons of such, the Commission mutually agreed to defer to Mr. Dave Mackey of Anderson & Kreiger, Airport Counsel. Mr. Rafter added the next step of the project involves surveys to define the road.

080916-3 Airport Commission Letter of Authorization for Grant Signing – Mr. Rafter noted the Airport must annually update the Letter of Authorization for Grant signing authority.

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

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

080916-4 FY2016 4th Quarter Update – Mr. Rafter presented the 4th Quarter financials noting there may be minor adjustments by Brian Turbitt, Town Finance Director. Mr. Rafter then summarized Revenues at \$13,055M, Operating expenses at \$11,349M, Debt Service of \$1,679M, and Fuel Revolver and Retained Earnings usage, leaving \$341K overall Surplus.

Manager’s Report – Mr. Rafter reported:

Project Updates

- ATCT – A change order for \$1,964 was presented for ratification to rectify an issue with the HVAC System. The project is in the process of being closed out, however, some punch list items still need to be resolved and there are issues with the cab glass for which retainage will be withheld.
- The annual Capital Improvement Projects meeting with the FAA and MassDOT is scheduled for Wednesday, August 17, 2016 at the MassDOT offices. Mr. Rafter stated a ramp rehabilitation project may need to be advanced in the schedule due to significant rutting caused by larger aircraft upon north ramp pavement that is beyond its useful life.
- Other projects in development include:
 - Fuel Farm piping replacement.
 - Repair of the Fuel Farm fire suppression system. Paul Rhude, Nantucket Fire Chief is assisting with researching a manual system.
 - The Terminal fire alarm panel replacement is being scheduled.

- Airfield painting will be broken up over a four (4) year period due to overall costs.

Appropriations for these projects cannot be included at Special Town Meeting in October due to pending certification of retained earnings and FY16 audit. A transfer from the fuel revolver at the next Annual Town Meeting would cover the projects.

RFP/Bid Status – Mr. Rafter reported the following RFP's and RFQ's are being worked on:

- On-call engineering
- Airport Gas
- Sun Island Road, which includes a FAA land release process.
- Fuel Farm Pipe Painting
- Parking Lot Equipment Scope of Service
- Restaurant
- Automatic door and on-call service

Operations – Mr. Rafter reported:

- July fuel sales were 3% over 2015; the highest in seven (7) years.
- Fire truck foam solution is in the works.
- Family Assistance Program training is continuing.
- Rules and Regulations are being updated but put on hold due to FAA requirement to update our Snow & Ice Control Plan by September 1.
- A meeting is set up for Tuesday, August 23, 2016 with Martha's Vineyard and Hyannis airports to coordinate efforts on various matters.
- A number of VIP visits are pending.
- Magellan Jets hosted a Static Display
- Nantucket Project will be hosting an event September 23, 2016. Discussion regarding this and special events in general took place.

Statistics – Mr. Rafter reviewed the June 2016 overall statistics.

- Operations are down 1.71% from June 2015. Year-to-date is down 2.78%.
- Enplanements are down 13.30% from June 2015. Year-to-date is down 15.54%.
- Jet A gallons sold is up 3.31% from June 2015. Year-to-date for FY16 is up 5.79%.
- Jet A gallons sold is up 2.98% from July 2015.
- AvGas gallons sold is up 51.96% from June 2015. Year-to-date is up 10.64%.
- AvGas gallons sold is up 14% from July 2015.
- Freight is down 28.56% from June 2015. Year-to-date is down 16.77%.
- 15 Noise Complaints were filed in June 2016.

Personnel Report – Unusual challenges are occurring with seasonal help departing.

Commissioners Comments

Mr. Bouscaren is pleased with the increase of sales.

Mr. Gasbarro addressed concerns regarding the terms of present and future sub-leases.

Mr. Drake would like the Airport to inform Diana Nascimento, Planet ACK, that if the current lease is terminated, the gift shop space RFP will be open to broader uses than just a gift shop.

Mr. Drake informed the Commission, after conferring with Dave Mackey of Anderson & Kreiger, the Gatto land issue should now be discussed in open session and therefore, items emailed to the Commission for tonight's Executive Session will be included in the Open Session materials. However, discussions regarding evaluation of damages should take place in Executive Session.

All Executive Session minutes pertaining to this topic will not be released until the matter is resolved.

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 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 that an open session may have a detrimental effect on the negotiation/litigation position of the Airport Commission. And under Clauses 3 & 6 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. Also Clause 3 to discuss strategy with respect to pending litigation related to the closure of Island Airlines. 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** by the following roll-call vote:

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

Meeting adjourned at 5:42 pm

Respectfully submitted,



Mae R. Williams, Recorder

Master List of Documents Used

8/9/16 Agenda including Exhibit 1
7/12/16 Draft Minutes
7/19/16 Draft Minutes
7/20/16 Warrant Signature Sheet
8/3/16 Warrant Signature Sheet
Federal Aviation Administration (FAA) Letter re: Memorandum of Understanding between Nantucket Board of Selectmen and Nantucket Airport Commission dated July 25, 2016
United Airlines 2016 Lease Agreement
KOB0 Utility Construction Corp. – Contract for Airfield Electrical Vault Modification AIP 64 \$1,054,611.00
Infax, Inc. – Contract to Upgrade Public Address System and Flight Information Display System AIP 65 \$359,446.00
American Association of Airport Executives (AAAE) – Contract to Install Computer Stations and Interactive Employee Training System AIP 65 \$182,770.00
Nantucket Auto Supply – Contract not to exceed \$34,000.00 to supply parts and supplies to maintain vehicles and equipment
8/1/16 Email from Diana Nascimento to Rafter Subject Gift Shop Lease
Commission Letter of Authorization dated August 9, 2016
FY16 4th Quarter Update
ATCT Construction Change Order log dated 8/2/16
ATCT Change Order 17
Nantucket Project Special Events Application
June 2016 Statistics
BOS Notice of Taking – Gatto Lot 24 Okorwaw Avenue, dated 7/29/16

HANDOUT

October 17, 2016 Special Town Meeting Timeline