

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

Thomas M. Rafter, A.A.E., Airport Manager
Phone: (508) 325-5300
Fax: (508) 325-5306



Commissioners
Daniel W. Drake, Chairman
Arthur D. Gasbarro, Vice Chair
David C. Gray, Sr.
Andrea N. Planzer
Jeannette D. Topham

AIRPORT COMMISSION MEETING

November 12, 2013

The meeting was called to order 5:00 PM by Chairman Daniel W. Drake with the following Commissioners present, Vice Chair Arthur D. Gasbarro, David C. Gray, Sr., and Andrea N. Planzer.

Commissioner Jeanette D. Topham was absent.

The meeting took place in the 1st Floor meeting room at the Public Safety Facility, 4 Fairgrounds Rd.

Airport employees present were Thomas M. Rafter, Airport Manager, Ashley Christ, Business Manager, Noah Karberg, Environmental Coordinator and Janine Torres, Office Manager.

Mr. Drake asked to include the Operating Agreement with Wiggins Airways under pending Leases and Contracts although it wasn't listed on the Agenda noting it was effective last April 1st and finally returned. There were no objections and the Agenda was approved.

Mr. Gasbarro made a **Motion** to approve the 10/22/13 Minutes. **Second** by Ms. Planzer and **Passed** Unanimously.

Mr. Drake noted the 10/30/13 minutes are not ready.

Mr. Gasbarro made a **Motion** to ratify the 11/16/13 Warrant. **Second** by Ms. Planzer and **Passed** Unanimously.

Public Comment

None.

Pending Leases & Contracts

Mr. Rafter presented:

- An amendment to the **Northeast Forest & Fire Management Services Inc.** contract explaining the amendment extends the contract for one year expiring 12/31/14 to allow additional time to perform prescribed burns. There is no increase in cost. Mr. Gray mad a **Motion** to approve. **Second** Mr. Gasbarro and **Passed** unanimously.

- A contract with **ID Wholesalers** for \$7,036.50, expiring 12/31/13 for the purchase of a new security ID printer and associated supplies. **Motion** by Mr. Gasbarro to approve, **Second** by Mr. Gray and **Passed** Unanimously.
- A Reimbursable Agreement with the **FAA** for \$329,367 for the installation of PAPI and REIL lights on Runway 33. Mr. Rafter noted the funds will be reimbursed by the FAA after the project is complete. The funds are available from the balance in the Runway 33 extension capital account. **Motion** to approve by Mr. Gasbarro, **Second** by Mr. Gray and **Passed** Unanimously.
- An amendment to the **World Fuel Services** contract for aviation fuel supply to extend the 12/31/13 expiration date by one month to allow additional time to award a new contract as well as avoid a New Year's Day transition. To address Ms. Planzer's question on a previous contract extension, Mr. Drake explained the contract had been extended two previous times for various reasons as allowed under the aviation exemption to the procurement law; however the Commission wanted to put the aviation fuel supply out to bid to ensure receiving the most advantageous service and price. **Motion** to approve by Mr. Gray, **Second** by Mr. Gasbarro and **Passed** Unanimously.
- A one-year Catering License Agreement with **A Taste of Nantucket** to provide catering services to General Aviation which began July 1, 2013. **Motion** to approve by Ms. Planzer, **Second** by Mr. Gray and **Passed** Unanimously.
- A 2013 Operating Agreement with Wiggins Airways who flies air freight for both FedEx and UPS. **Motion** to approve by Mr. Gasbarro, **Second** by Ms. Planzer and **Passed** Unanimously.

022613-2 Master Plan & Sustainability Program Update

Mr. Rafter presented the MassDOT Grant award in the amount of \$73,461 and associated Grant Assurances for acceptance. Mr. Gasbarro made a **Motion** to accept the MassDOT Grant and Assurances in the amount of \$73,461. **Second** by Mr. Gray and **Passed** Unanimously.

Mr. Bill Richardson of Jacobs Engineering gave an update of the Master Plan project noting the work that was done over the summer such as noise monitoring and road traffic counts. Air service analysis, financial data gathering and facility inventory are in progress. The next key piece is the aviation forecasts.

The first meeting of the Advisory Committee (AC) was held earlier in the day explaining the AC will act as a liaison between the Commission and the Community in developing the Master Plan. Mr. Richardson introduced the other Jacobs staff, Anne McKinnon and Steve Berardo who had participated in the AC meeting. Mr. Drake asked Jacobs to provide the entire Commission with copies of the presentation made at the AC meeting. It was also noted the presentation as well as other information can be found on the Airport's website under the Master Plan link.

Mr. Gasbarro asked if the Commission would be provided with reports as they are available or whether it would be one complete package at the end of the project. Mr. Richardson answered as packages are completed indicating the data inventory package is nearly complete. Mr. Rafter indicated study results and other data should be reviewed by the Commission first before being posted to the website.

Other MassDOT Grant Assurances

Mr. Rafter noted MassDOT requires State Grant Assurances with each Grant awarded and have forwarded Grant Assurances for two previously awarded Grants, Airport Improvement Project (AIP) #55 and AIP #56, the Runway 15/33 Extension and the Runway 6/24 HIRLS projects respectively. Mr. Gasbarro made a **Motion** to accept and execute the Grant Assurance for AIP #55 and #56. **Second** by Ms. Planzer and **Passed** Unanimously.

111213-1 Coastal Wings Hangar Sale Request

Mr. Rafter presented the request from Coastal Wings, Inc. to sell their hangar to Emily Air, Inc. explaining that Mr. Tom Cunningham, a principal at Emily Air, LLC. as well as Island Airlines, LLC, intends to Lease the hangar to Island Airlines, LLC and continue to conduct Ocean Wings Air Charter operations as well as sub-lease to Pilgrim Aviation. Mr. Rafter added Ocean Wings and Island Airlines both operate under the same certificate. Emily Air, LLC. is requesting a new twenty-year lease with an option for a ten year extension.

Mr. Rafter noted Town Counsel has obtained a verbal confirmation from the Inspector General's Office that this transaction would fall under the aviation exemption and is attempting to get the opinion in writing.

After brief discussion, Mr. Gasbarro made the Motion to approve the sale of the Coastal Wings Hangar to Emily Air, LLC. in principal as long as Emily Air, LLC. agrees to all current rates and charges including an Annual Business Fee and annual CPI adjustments. Second by Mr. Gray and **Passed Unanimously.**

Pending Matters

120412-3 Existing Bunker Lease Review – Mr. Rafter reported still trying to set up a meeting with Atlantic Aeolus. They have not yet returned their signed Amendment.

021213-2 Supplemental Agreement to the Other Transactional Agreement (OTA) – Air Traffic Control Tower (ATCT) – Mr. Rafter reported a meeting is planned for November 14th in Hyannis with the FAA to review the scope of the Tower rehabilitation. One item on their agenda is the project funding so we should have a clear answer after this meeting. Mr. Drake asked the Scope of Work be shared with the Commission. Mr. Drake added the Airport is responsible for issuing the RFP and it is not yet clear who is responsible for the permits.

061113-1 Bunker Area Environmental Permit – Mr. Rafter shared the letter from NH&ESP indicating the planned leases in the Bunker area do not result in a prohibited “take” meaning the leases can move forward. The Airport is required however to place a fence around the endangered plants to protect them from accidental removal or harm.

062513-3 Noise Abatement – Mr. Rafter shared Mr. Karberg's Noise Complaint Summary for October indicating most were medical or military operations and those that weren't have been addressed with the responsible party.

070913-1 TON Memorandum of Understanding (MOU) – Mr. Rafter reported meeting with the new Procurement Officer, Heidi Bauer, and discussed the new MOU format of a brief MOU with a detailed procedure attached which Ms. Bauer was in favor of.

GA/Administration Building

Mr. Rafter gave a brief progress report noting the interior has been cleaned, the paving is complete and the columns on the air side of the building have been repaired and painted. The Certificate of Occupancy has not yet been awarded due to the lack of required handicap striping and signage in the parking lot which was for the most part cleaning of the interior. Mr. Drake added there may be an HDC question regarding a feature on the original plan was not incorporated on the building so an amendment to the drawing needs to be filed. Mr. Rafter added the movers were scheduled for November 14th but have since been cancelled.

Legal Discussion

111213-2 Kopelman & Paige Fuel Revolver Opinion

Mr. Drake shared correspondence between himself and Town Counsel regarding operations of the fuel revolver account. While some information needs further clarification, there are some definitive answers provided:

- The Fuel Revolver (FR) must be used first before any provision in the budget
- An increase to the FR required application to the Finance Committee and Board of Selectman and does not involve Town Meeting
- A decrease to the FR requires Town Meeting approval
- Any FR surplus has to go into the Enterprise Fund which is comprised of several components, the Operating Budget, the Capital Accounts and the Enterprise Fund itself. Therefore Town Meeting Article must specifically say the excess is to go into the Operating Budget in order for it to be utilized.
- The FR requires “seed money” which we have not had the past two years but will need going forward.

Mr. Drake hopes to have the remaining answers clarified before the next meeting.

111213-3 Labor Counsel

Mr. Drake reported our Labor Counsel Representative Jack Dolan has resigned from Kopelman & Paige and is establishing his own firm. The Commission needs to decide whether to stay with Kopelman & Paige, represented by Senior Partner David Jenkins, follow Mr. Dolan, or seek other representation.

After brief discussion, a **Motion** was made by Mr. Gasbarro to retain Kopelman & Paige for Labor relation matters. **Second** by Ms. Planzer. During discussion Mr. Gasbarro noted the rate is according to the Town Contract which is under \$200 per hour. The Motion **Passed** with Mr. Drake, Ms. Gasbarro and Ms. Planzer voting in favor. Mr. Gray abstained.

Manager’s Report

Project Updates

Mr. Rafter reported:

- The final inspection of the Taxiway Juliet (f.k.a. Taxiway Delta) took place on November 7th. A small lip where the taxiway Juliet and Echo intersect needs grinding. Final payment will be withheld until fixed but will not require another inspection.
- The FAA/MassDOT Capital Improvement Plan (CIP) meeting took place and resulted in some minor changes to the CIP which will be presented to the Capital Program Committee on November 13th.
- The Passenger Facility Charge (PFC) User Consultation Meeting is scheduled for December 3rd.
- The Runway 6 PAPI installation is scheduled for the week of December 2nd and should be done concurrent with the Runway 33 REIL and PAPI now that the Reimbursable Agreement has been approved.

RFP/Bid Status

- The Engineering RFQ is still pending
- The Fuel Supply RFP is advertised and available

Operations

- A Notice of a Public Hearing regarding Windmill Auto Rental request for public parking license is set for November 20th. The Commission discussed this briefly on how this is direct competition with the Airport. After brief discussion, Mr. Gasbarro made a **Motion** for the Airport Commission to go on record with the Board of Selectman at the Public Hearing opposing the application for the open air public license. **Second** by Mr. Gray.

During discussion Mr. Drake pointed out we tried to work with Mr. Conlon but were rebuffed. The Motion **Passed** Unanimously.

- Met with Town Counsel to discuss several Hangar issues including the Coastal Wings discussed earlier as well as catering and other contract items.
- Have a pending Letter of Agreement with the Control Tower in moving to Digital NOTAMS (Notice to Airmen) after which an MOA is signed with another FAA group.
- Nantucket Flying Association (NFA) is working collectively with other groups to establish aviation curriculum at the school known as “Air of Opportunity”.

Staff Update

Mr. Rafter announced Operations personnel have been appointed to the newly established Operations Superintendent positions. Preston Harimon will be the Operations Superintendent/ARFF and Lara Hanson will be the Operations Superintendent/FBO effective November 18th. Ms. Hanson’s position in Operations will be backfilled. Mr. Rafter noted the decision was difficult due to the caliber of the staff that had applied.

Deborah Crooks, who was splitting her time between Finance Assistant and FBO Supervisor, will focus 100% in the accounting office.

100813-1 FY2015 Budget Update

Mr. Rafter presented a draft of the Budget and reviewed the first page of notes as highlights of items included in the budget:

- Certified Retained Earnings are \$1,464,189
- Fuel Revolver Cap is \$5,382,650
- Revenue includes PFC collection but decreases Land Rental Income due to vacancy caused by Marine Lumber assumption of Taylor Hangar.
- Increased Salary/Wage due to superintendent promotions, additional seasonal and possible contractual obligations
- Decreased in excess of fuel expense
- Increased Flight Tracking Expense
- Increased Professional Services based on trend

Mr. Rafter added Debt Service is still under review and will include the FY15 Bonds, current BANS and new BANS. Additionally, the Revolver application and departmental budgets are still in progress.

Mr. Rafter asked the Commission to review and send comments by next week.

Mr. Gasbarro is concerned over the projected deficit and although the Master Plan will include a detailed analysis of rates and charges, feels there may be something that can be done short term to increase revenue. Mr. Rafter noted anticipating increased fuel sales with the fuel incentive cannot be incorporated into the budget due to the Dept. of Revenue’s requirement to have history established. These will show up in the actual but cannot be budgeted. The PFC revenue is being accepted because the process is expected to be in place prior to the budget start date which will produce the history.

Mr. Gasbarro commented on the Contingency Reserve line item that shows no amount budgeted. Mr. Rafter added this relates as well to the mechanism to repay the General Fund.

Mr. Rafter also asked the Commission to review the draft of the power point format for the presentation to the BOS requesting any comments be forwarded in the next week.

Mr. Drake noted the fourth goal listed on page two should include Aeronautical Revenue.

111213-4 Commission Meeting Dates

Mr. Rafter presented two scenarios for 2014 Airport Commission Dates. The first is the standard two meetings per month. The second schedules only one meeting for the months of July, August and September.

Mr. Drake suggested without any objections to try the second scenario with only one meeting during the summer months. Discussion took place regarding the two conflicts in April and November with the determination to have the April Meetings on Thursday, April 10th and Tuesday, April 22nd and the November meetings on Thursday, November 13th and Tuesday, November 25th so long as the PSF meeting room is available.

Sub-Committee Report

Mr. Gasbarro, as representative on the Master Plan Advisory Group, commented on Jacobs' good work in preparing for the meeting and the impressive 100% attendance of the group members.

Commissioners Comments

None.

Public Comment

None.

Having no further business for Open Session, Mr. Gray made a **Motion** to adjourn to Executive Session (ES), not to reconvene in Open Session for the purpose of reviewing ES minutes of 8/28/12, 9/18/12, 12/4/12, 12/11/12, 2/26/13, 4/23/13, 5/28/13, 8/27/13, 9/10/13, 9/24/13, and 10/8/13 for possible release; and 10/22/13 for review and possible release; and to conduct strategy session with respect to collective bargaining where if held in Open Session, may have a detrimental effect on the bargaining position of the Airport Commission; and to discuss 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 Mr. Gasbarro and **Passed** by the following roll-call vote:

Mr. Drake – Aye
Mr. Gasbarro – Aye
Mr. Gray – Aye
Ms. Planzer – Aye

Meeting adjourned at 6:18 p.m.

Respectfully submitted,

Janine M. Torres, Recorder

Master List of Documents

11/12/13 Agenda including Exhibit 1

10/22/13 Draft Minutes

Northeast Forest & Fire Management Services, LLC, Amendment No 1

ID Wholesaler Contract

FAA Non-Federal Reimbursable Agreement AJW-FN-ESA-13-E042

A Taste of Nantucket Catering License Agreement

Wiggins Airways Operating Agreement
Page 3 of the 12/6/11 Airport Commission Minutes re Ascent Aviation Contract Extension
MassDOT Standard Contract (Grant) for Airport Master Plan
MassDOT Grant Assurances for Airport Master Plan
MassDOT Grant Assurances for RW33 Extension
MassDOT Grant Assurances for RW 6/24 HIRLS
Coastal Wings, Inc 10/28/13 Letter re Hangar Sale Request
Coastal Wings Land Lease dated 5/1/1995
Emily Air, LLC Letter dated 10/28/13 request for new Land Lease
Mass NH&ESP letter dated 10/29/13 re Bunker Leases
October 2013 Noise Complaint Summary
11/5/13 Email from Dan Drake to John Giorgio re Fuel Revolver Clarification
FAA CIP dated 11/7/2013
BOS 11/20/13 Public Hearing Notice re Windmill Auto
Tom Rafter Memo dated 11/1/13 re Operations Superintendants
FY2015 Draft Budget
FY2015 Draft Budget Presentation Slides
2014 Airport Commission Meeting Dates Scenario A & B

