

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

Thomas M. Rafter, A.A.E., Airport Manager
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Commissioners
Daniel W. Drake, Chairman
Arthur D. Gasbarro, Vice Chair
Andrea N. Planzer
Neil Planzer
Jeannette D. Topham

AIRPORT COMMISSION MEETING

June 10, 2014

The meeting was called to order at 5:00 PM by Chairman Daniel W. Drake with the following Commissioners present: Arthur D. Gasbarro, Vice Chair, Andrea N. Planzer, Neil Planzer and Jeanette D. Topham.

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, David Sylvia, Training & Compliance Officer, Jamie Miller, Business/Finance Manager, Lara Hanson, Operations Superintendent/FBO and Janine Torres, Office Manager.

Mr. Drake announced the meeting was being recorded.

Mr. Drake asked for comments on the updated Agenda. Hearing none the Agenda was approved.

Ms. Topham made a **Motion** to approve the 5/6/14 Minutes. **Second** by Mr. Gasbarro and **Passed** unanimously.

Mr. Gasbarro made a **Motion** to approve the 5/13/14 Minutes. **Second** by Ms. Topham and **Passed** unanimously.

Mr. Gasbarro made a **Motion** to ratify the 6/4/14 Warrant. **Second** by Mr. Planzer and **Passed** unanimously.

Public Comment

None.

Pending Leases & Contracts

Mr. Rafter presented one pending lease and one pending contract:

- **Island Airlines, LLC**, a terminal lease for \$44,360 annual rental income, plus \$1,500 Annual Business Fee, plus landing and freight fees. **Motion** to approve made by Ms. Topham. **Second** by Planzer. During discussion Mr. Gasbarro noted Island Airlines signing of this document signifies their agreement to comply with Article 9 of the Lease: "Compliance with Airport Rules & Regulation Rules", which includes noise abatement procedures. Motion **Passed** unanimously.
- **Weston Solutions, Inc.**, a contract amendment to increase the amount of their services by \$16,752.32 for soil testing on the stockpile of dirt removed from Bunker Road where the unexploded ordnance was discovered. Mr. Planzer made a **Motion** to approve. **Second** by Ms. Topham and **Passed** unanimously.

Mr. Rafter noted no action was required on the pending contract with World Fuel, explaining Town Counsel is still assisting in finalizing the document.

Pending Matters

070913-1 TON Memorandum of Understanding (MOU) Update – Mr. Rafter reported on a discussion with the Procurement Officer revealed one issue remains on finalizing the Town’s new Procurement Policy. The pre-contract spending limit of \$10K may be Town wide as opposed to per Town department. Town Administration is seeking Town Counsel’s advice on the interpretation of the Statute, the outcome of which may have significant impact to the Airport. Mr. Drake added he has asked Mr. Rafter to discuss with Counsel the fact that the Airport, under Chapter 90, falls under the purview of the Airport Commission, not the Board of Selectman, and may not fall under the same umbrella of the Procurement Law.

042214-2 Formerly Used Defense Site – Mr. Rafter reported the Airport is still waiting for the formal letter from the Army Corps of Engineers on whether activity beyond the formal MRS site is feasible without jeopardizing remediation responsibility and funding.

061014-1 Discussion of Noise Abatement Program – Mr. Rafter reported an internal meeting has determined the need to review the overall Noise Abatement Program (Program). Mr. Karberg has been organizing several documents and will be drafting a new plan to discuss with the Environmental Sub-Committee prior to presentation to the full Commission.

Mr. Drake introduced Mr. Lee Dunn, a Middlebrook Road resident, who wrote the email included in the meeting packet regarding Island Airlines Caravan. Mr. Dunn expressed his concern over the increased use of crossing over the Island by the Caravan creating constant airplane noise. Mr. Dunn noted his understanding that the Program is voluntary, but asked what the present Commission’s position is on the Program.

Discussion moved to the single engine exemption in the current Program as one issue in need of reviewing, as well as improving the tracking system. The Commission assured Mr. Dunn noise is a concern of the Commission and review of the Program will be a priority.

Mr. Gasbarro read the following sentence from the Lease Agreement used for the airlines, noting Island Airlines just signed a renewal lease, therefore acknowledging: “It is further understood that all lessees conducting commercial airlines operations, or general aviation operations, at the Nantucket Memorial Airport are required to comply with those (noise abatement) flight procedures as a condition of their tenancy.”

Mr. Rafter suggests amending the agreement by adding the words, “as amended from time to time” after “those flight procedures” to the sentence read aloud by Mr. Gasbarro. After brief discussion, Mr. Gasbarro made a **Motion** to amend the approval of the **Island Airlines** lease to incorporate Mr. Rafter’s suggestion to Article 9 of the lease agreements as well as any other instance in the agreement where the same terminology may apply. **Second** by Ms. Topham and **Passed** Unanimously.

Mr. Dunn asked to be notified when the Environmental Sub-Committee meets.

061014-2 MassDOT Subordination, Non-Disturbance and Attornment Agreement (SNDA) – Mr. Rafter explained MassDOT, as holder of a Mortgage on the Airport, requires it be a signatory to the SNDA to complete the transaction of the sale of the Ocean Wings hangar to Emily Air LLC, which the Commission approved at its March 25, 2014 meeting. Mr. Gasbarro made a **Motion** to approve signing the SNDA. **Second** by Ms. Topham. During discussion, Mr. Gasbarro noted the detailed plan depicting the lease parcel and said he hoped to see such plans on all further leases. The Motion **Passed** unanimously.

Accept FAA Grant Awards

061014-3 Security Enhancements – **Motion** by Ms. Topham to accept the Security Enhancements FAA Grant award in the amount of \$349,200. **Second** by Ms. Planzer and **Passed** unanimously.

061014-4 Aircraft Rescue Fire Fighting Vehicle – Mr. Rafter noted anticipating the FAA Grant award in the amount of \$573,750 for the purchase of a new ARFF vehicle; but the notification was not received before the meeting. The Commission chose to wait until notification is received before approving.

Finance – FY14 Budget Update – Mr. Rafter presented a handout of FY 14 period 11 noting the numbers were obtained through the MUNIS system and do not include encumbrances. Total Revenue including the Fuel and Operating Revenue is \$11,334,814. Total Expense including Salary & Wage, Fuel and Operating Expense is \$11,018,494 indicating a profit of \$316,320. Mr. Rafter added the Revenue figure include a Town subsidy of \$304,598 noting if that is removed, a slight profit of \$11,722 remains.

Discussion moved to the Fuel Revolver and how to utilize the remaining expense amount under the cap. Last fiscal year's amount left was \$280K and through an Annual Town Meeting (ATM) vote, were allowed to transfer a portion to Retained Earnings. The Commission will need to decide if a transfer should be considered for next ATM. Mr. Drake added the Commission will also need to decide to continue using the Fuel Revolver or petition to alter the process.

022613-2 Master Plan & Sustainability Program – Mr. Rafter reported meeting with Mr. Richardson of Jacobs to discuss outcomes of past Advisory Group Meetings as well as review a rough draft of the Airport Layout Plan (ALP). Mr. Rafter instructed Jacobs to indicate on the draft ALP the alternatives discussed either internally or through the Advisory Group, to present to the Commission at a future workshop for Commission input on the final draft.

Mr. Drake reported communicating with Mr. Richardson via email, asking for in writing and receiving a statement from Jacobs that they stand by their traffic numbers used to develop the forecasts. Mr. Drake's email also took issue with the fact that the enplanement forecasts were presented to the FAA without being presented first to the Commission.

Discussion moved to the overall dissatisfaction with Jacobs' performance through the entire Master Plan process. In addition to the aviation forecasts, poor communication with the Advisory Group and Commission, incomplete progress reports and concern over remaining contract balance vs. performance were mentioned. Mr. Rafter noted reporting to Jacobs' the dissatisfaction with the Master Plan process several months ago and will follow up with Jacobs Management.

Manager's Report

Project Updates – Mr. Rafter reported:

- The FAA approved the Passenger Facility Charge (PFC) application at \$4.50. Letters were sent to the airlines and collections will begin July 1st.
- A pay requisition for the GA building was received. We are sorting through the punch list items and will meet with the architect next week to review.
- The design charrette for the ATCT is scheduled for June 11th and 12th.

Operations – Mr. Rafter reported:

- Delta Airlines began service last week with possible three flights per day.
- The Airport received an Innovative Transportation Solutions award from the Women in Transportation group for the Carbon Neutral project. Additionally, the Governor will attend an event at the end of the month to kick-off the next phase of the project.

- Transportation Secretary Davey along with MassDOT – Aeronautics visit last week was cancelled due to weather.
- Logistics are being reviewed for an MD83 air charter scheduled for June 26th – 29th
- The Town’s new Finance Director, Brian Turbitt is scheduled to begin June 24th.
- The FAA Part 139 Inspection took place last week and went extremely well. No Letters of Correction were issued. The inspector commented that the Staff was impressive. Recommendations from the FAA will be forthcoming.
- 35 applications have been received for the Administrative Assistant position. They are being processed and interviews should start by this Friday.
- Mr. Rafter will be unable to attend the next Commission Meeting.

Sub-Committee Reports

Mr. Gasbarro noted the Environmental Sub-Committee meeting will be scheduled in the near future.

Mr. Drake remarked the Personnel Sub-Committee needs to meet very soon to review the non-union personnel handbook noting one section pertaining to Fair Labor Standards issues need to be addressed immediately, but the handbook as a whole needs to be reviewed as well.

Commissioner’s Comments

Mr. Gasbarro asked if Mr. Rafter was attending the Capital Program Committee meeting. Mr. Rafter responded he has a conflict but did review the material which was mostly the projected debt service.

Mr. Drake reported he emailed the Town Manager asking what non-union salary increases for FY15 were Town personnel and asked this subject be on the next Commission Agenda.

Public Comment

None.

Having no further business, Ms. Planzer made a **Motion** to adjourn. **Second** by Ms. Topham and **Passed** unanimously.

Meeting adjourned at 6:20 pm.

Respectfully submitted,

Janine M. Torres Recorder

- Master List of Documents Used
 6/10/14 Agenda including Exhibit 1
 5/6/14 Minutes
 5/13/14 Minutes (Handout)
 6/2/14 Minutes
 6/4/14 Warrant Commission Approval Sheet
 Island Airlines, LLC 2014 Lease Agreement
 Weston Solutions Inc Contract Amendment
 6/9/14 Lee Dunn Email to Drake Subject: Island Air Caravan on old water tower route (Handout)
 John Johnson Letter dated 6/9/14
 MassDOT Subordination, Non-Disturbance & Attornment Agreement re Emily Air LLC
 FAA Grant Agreement AIP #60
 6/3/14 Drake email to Richardson subject: ACK Master Plan traffic forecast (Handout)
 FY14 Period 11 Report (Handout)