

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: **AIRPORT**

DATE: November 30, 2006

Committee Members Present:

Supervisors Tessier
Stec
O'Connor
Mason
Girard

Others Present:

Marshall Stevens, Airport Manager
William Lamy, DPW Superintendent
Paul Dusek, County Attorney
Kim Lussier, Empire East Aviation
Joan Sady, Clerk of the Board
Don Hess, Town of Queensbury
Debra L. Schreiber, Legislative Office Specialist

Committee Member Absent:

Supervisor Haskell

Vacant: Town of Queensbury

Mr. Tessier called the meeting to order at 11:50 a.m.

Motion was made by Mr. Stec, seconded by Mr. Girard, and carried unanimously to approve the minutes of the October 23 and 31, 2006 committee meetings, subject to correction by the Clerk.

Privilege of the floor was extended to Marshall Stevens, Airport Manager, who distributed copies of his Agenda to the committee members, and a copy of same is on file with the minutes.

Commencing with the first item on the agenda, Mr. Stevens advised a formal agreement with American Yankee Association had not been brought to the committee as they were awaiting review from Banknorth to assure the appropriate insurance coverage was available for the event. He said he was hopeful all the necessary paperwork would be completed by the January committee meeting. Paul Dusek, County Attorney, commented he had forwarded correspondence to Banknorth asking them to expedite the review process.

With respect to the second item on the agenda, Mr. Stevens said they had discussed at prior meetings future events at the airport. After careful consideration, he said, he thought each event should be handled on a case-by-case basis; therefore, he suggested adopting a policy that recommended that any potential event organizer must give the County a minimum of six months notice for committee and attorney review. Additionally, Mr. Tessier recommended a meeting be scheduled with the Airport Committee two weeks prior to the scheduled event to discuss the responsibilities of all interested parties (event organizer, the County, fixed base operator).

Concerning the third item on the agenda, Mr. Dusek related the committee approved an agreement with the fixed base operator (FBO) last month whereby the County would receive \$1,500/month for the new maintenance hangar as well as some additional terms. Subsequently, he said, he received a letter from the attorney for Kim Lussier, Empire East Aviation (FBO), raising such issues as:

- had the County substituted a new maintenance hangar for an old maintenance hangar, why was there an increase in rent;
- if the term of the lease of the new hangar was shorter than the term of the old hangar, would that mean the FBO would be without a maintenance hangar at all;

- had the County received a certificate of occupancy for the building;
- how long was the warranty on the structure; and
- could they have a business plan for the structure.

Based upon the issues raised by Mr. Lussier and his attorney, Mr. Dusek proposed these issues be discussed at today's meeting that had been scheduled for later today at 1:30 p.m.

Relative to the fourth item on the agenda, Mr. Dusek reiterated that Mr. Schermerhorn had requested the right to perform maintenance on his/tenants' aircraft but was not authorized under the current lease to engage in such work. Mr. Dusek said there had been a claim that Mr. Schermerhorn had been engaged in this activity thereby producing some concern as to the affect it would have on the business of the FBO. On the other hand, he stated, Mr. Schermerhorn alleged the FBO apprised him they were not interested in performing maintenance work on his tenants' aircraft. Mr. Dusek indicated this matter would be discussed at the meeting later today.

Concerning the fifth item on the agenda, Mr. Stevens advised he received a request from Scott Sopczyk of Greater Glens Falls Transit to park a few vehicles inside the fence but at the end of the road currently being utilized as a stock pile area. Based upon conversations with the County Attorney, he said this necessitated an agreement holding the County harmless from any liability to vehicles parked on Airport property. Mr. Dusek clarified he did not have an opinion either way, but *if* the committee allowed the parking, a resolution would be required releasing the County of any liability.

Motion was made by Mr. Stec and seconded by Mr. Girard authorizing the Great Glens Falls Transit Authority permission to park vehicles on the Warren County Airport property but holding the County harmless from any damage caused to vehicles.

While Mr. Mason commented he did not understand their desire to utilize County property, Mr. Stevens replied it was his belief Mr. Sopczyk wanted to be inside the fence for security purposes.

After discussion, Mr. Tessier called the question and the motion was carried unanimously as outlined above and the necessary resolution was authorized for the December Board Meeting. A copy of the resolution request form is on file with the minutes.

Continuing on with the sixth item on the agenda, Mr. Stevens requested an agreement with DTN Meteorlogix. He commented DTN Meteorlogix merged with the company that installed the runway weather information system and pavement sensors. He explained this agreement provided a contract through the winter season apprising of specific weather forecasts for the Airport. In addition, he said DTN would maintain a pavement temperature forecast, as well as notification of potential storms and periodic updates that would be forwarded to the appropriate cell phones.

Motion was made by Mr. Stec and seconded by Mr. Girard approving the request as submitted.

Mr. Mason queried whether Mr. Stevens had the funds within the Airport budget and he replied affirmatively.

After discussion, Mr. Tessier called the question and the motion was carried unanimously. A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the December Board Meeting.

Turning to Item 7 of the Agenda, Mr. Stevens requested an agreement with Linstar, Inc. to provide maintenance services for the Airport access control system commencing January 1, 2007 and ending December 31, 2007 in the amount of \$1,260.

Motion was made by Mr. Mason, seconded by Mr. Stec and carried unanimously approving the request as outlined above and the necessary resolution was authorized for the December Board Meeting. A copy of the resolution request form is on file with the minutes.

With respect to Item 8 of the agenda, Mr. Stevens explained New York State revealed the grant applications under the 2005 Transportation Bond Act that required submission prior to the December 15, 2006 deadline. He said he asked the Airport consultant, as well as the DPW engineering staff, to review some of the projects that had been discussed at prior meetings and while he was not 100% comfortable with the figures, because of the deadline he thought they should be on the agenda. Referring to page 15 of the agenda, he said he listed three potential projects:

- Construction of t-hangars based upon the need. Although the funds were not within the Airport budget, he stated, this project could be financed and the revenue stream received from the hangars would offset the finance costs.
- Relocation of the electrical service building. He said he thought the estimated cost appeared somewhat elevated; therefore, he suggested constructing a 20 by 20 block or wood building in-house and utilize the grant funds to purchase supplies.
- Relocation of the aircraft fuel farm. Mr. Stevens apprised there were currently a number of regulations promulgated by the EPA (Environmental Protection Agency) on secondary containment of mobile fuelers, around fuel tanks and loading positions. He explained the loading positions were of concern because that aircraft fuel farm is access to a hangar and if the EPA required secondary containment, then access to that hangar could be in jeopardy. Based upon State and County regulations, he recommended deferring this project until next year. Mr. Stevens said he felt the first two projects were a higher priority and probably the ones that should be pursued.

In response to a question by Mr. Tessier, Mr. Stevens replied none of these projects were within the Airport budget; however, if they applied for the grants, he said he anticipated it would be at least a year before they would be approved. Therefore, he requested authorization to ratify the signing of the grants to provide funds for various improvement projects at the Airport due to the December 15, 2006 deadline.

Motion was made by Mr. Mason and seconded by Mr. Stec ratifying the actions of the Airport Manager relative to the application for the grants as outlined above.

If they were successful with the grants, Mr. Girard commented Warren County could put their share into the 2008 Airport budget. Alternatively, Mr. Stevens said if the County financed the local share on the t-hangar, the cost would be offset by the revenue. As far as the electrical service building, he indicated they may be able to do force account; thereby creating no budget impact.

After discussion, Mr. Tessier called the question and the motion was carried unanimously to approve the request as submitted and the necessary resolution was authorized for the December Board Meeting. A copy of the resolution request form is on file with the minutes.

With regard to the last item on the agenda, Mr. Stevens reported an employee at the Airport who had been employed by the County for 30 years announced his intent to retire on January 26, 2007. He indicated the Airport staff consisted of seven employees, including himself, and would be severely limited by this vacancy. Therefore, he asked the committee for authorization to promote an employee within the department from Airport Maintenance Worker to Airport Facility Maintenance Mechanic and fill the vacant position of the Airport Maintenance Worker.

Motion was made by Mr. Stec, seconded by Mr. Girard and carried unanimously authorizing the requests to fill vacant positions as outlined above and the same was referred to the Personnel Committee. Copies of the Notice of Intent to Fill Vacant Position forms are on file with the minutes

Privilege of the floor was extended to Kim Lussier, Empire East Aviation, who wished to clarify a misunderstanding relative to Item 3 of the agenda. While he agreed to the \$1,500 monthly rent, he stated Item 4 in the Lease Agreement contained no costs associated with the maintenance on the building, and, therefore, he said, he could not sign the agreement. Mr. Dusek suggested discussing these matters at the meeting scheduled for 1:30 p.m.

Mr. Dusek requested the Airport committee go into Executive Session to discuss a claim made by a particular entity against the County and attorney/client privilege concerning the glider event.

Motion was made by Mr. Stec, seconded by Mr. Mason and carried unanimously that Executive Session be declared pursuant to Section 105 (d) of the Public Officers Law.

Executive Session was declared from 12:10 p.m. to 12:20 p.m.

The committee reconvened.

Mr. Tessier, Chairman of the Committee, noted no action was taken pursuant to Executive Session.

There being no further business to come before the committee, on motion by Mr. Stec and seconded by Mr. Girard, Mr. Tessier adjourned the meeting at 12:20 p.m.

Respectfully submitted,

Debra L. Schreiber
Legislative Office Specialist