

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: **AIRPORT**

DATE: May 29, 2007

**Committee Members Present:**

Supervisors Tessier  
Stec  
O'Connor  
Girard  
Sokol

**Others Present:**

Marshall Stevens, Airport Manager  
William Lamy, DPW Superintendent  
Kim Lussier, Empire East Aviation  
Hal Payne, Commissioner of Administrative &  
Fiscal Services  
Joan Sady, Clerk of the Board  
Supervisor Gabriels  
Supervisor Merlino  
Debra L. Schreiber, Legislative Office Specialist

**Committee Members Absent:**

Supervisors Haskell  
Mason

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Mr. Tessier called the meeting to order at 10:30 a.m.

Motion was made by Mr. Sokol, seconded by Mr. Stec, and carried unanimously to approve the minutes of the March 27, 2007 Committee meeting, 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.

Mr. Stevens related that Mr. Tessier, Kim Lussier of Empire East Aviation, as well as himself recently attended a meeting with American Yankee Association (AYA) to discuss specific responsibilities regarding their upcoming convention in June of 2007. In response to an inquiry by the FBO (fixed base operator), he noted the AYA would be responsible for the unicom frequency.

Mr. Stevens stated they received the FAA (Federal Aviation Administration) reimbursement towards the Capital Project H206.9550 280 - Acquisition of Land and Easement for Obstruction Removal - and he requested to close the Capital Project and that the remaining funds be transferred to the General Fund.

Motion was made by Mr. Stec, seconded by Mr. Girard and carried unanimously approving the request to close Capital Project H206.9550 280 - Acquisition of Land and Easements for Obstruction Removal, and to refer same to the Finance Committee for consideration. *A copy of the resolution request form is on file with the minutes.*

Mr. Stevens requested to increase Capital Project H264.9550 280 - Construction of Runway 1 Safety Area, in the amount of \$2,028,500, with the source of funding to be as follows: Federal Grant: (\$1,928,500); New York State Department of Transportation (NYSDOT) Grant: (\$50,750); Warren County A9950.910 - Transfers - Capital Projects: (\$25,000) and (\$19,556.70), the balance from the closure of Capital Project H206.9550 280; and a transfer of funds (\$4,693.30) from the Airport Improvement Reserve.

Motion was made by Mr. Stec, seconded by Mr. Sokol and carried unanimously approving the request to increase Capital Project H264.9550 280 - Construction of Runway 1 Safety Area as outlined above, and to refer same to the Finance Committee for consideration. *A copy of the resolution request form is on file with the minutes.*

With respect to this project, Mr. Stevens apprised that pages 4 through 8 of the agenda awarded the bid for construction services for the Runway 1 Safety Area improvements and authorized an agreement with Rifenburg Contracting Corporation. He noted that Rifenburg Contracting was the low bidder in June of 2006; however, they had expressed a desire to withdraw their bid. Pursuant to correspondence with the County Attorney, Mr. Stevens apprised that Rifenburg Contracting had since accepted the award of the original bid in the amount of \$1,676,775 contingent upon Warren County receiving their environmental permits. While they were awaiting a response from the Army Corps of Engineers and the NYS Department of Environmental Conservation (DEC), he said, they were currently resolving some remaining issues with the Industrial Development Agency (IDA) that involved the purchase of land. Mr. Stevens related the FAA would like to see this project completed on or before September 30, 2007. He stated the funds (\$182,620) for the proposed contract with C&S Engineers, Inc. for construction inspection services were within Capital Project H264.9550 280.

Motion was made by Mr. Stec, seconded by Mr. Sokol and carried unanimously authorizing the contract with Rifenburg Contracting Corporation as outlined above; and the necessary resolution was authorized for the June 15, 2007 Board Meeting. *A copy of the resolution request form is on file with the minutes.*

William Lamy, Superintendent, Department of Public Works (DPW), entered the meeting at 10:40 a.m.

Motion was made by Mr. Stec, seconded by Mr. O'Connor and carried unanimously authorizing the contract with C&S Engineers, Inc. as outlined above; and the necessary resolution was authorized for the June 15, 2007 Board Meeting. *A copy of the resolution request form is on file with the minutes.*

Continuing on with Item 2 of the agenda, Mr. Stevens distributed a draft Request for Proposal (RFP) relative to the old maintenance hangar. He noted the County Attorney had not reviewed the RFP but indicated that pages 3 and 4 reflected the RFP requirements, while page 5 listed a tentative schedule. In response to an inquiry by Mr. Tessier, Mr. Stevens apprised the hangar was vacant and ready to rent "as is". Mr. Stevens stated it was his understanding, based on previous discussions, the Committee desired a short-term building lease that involved the least amount of repairs.

Motion was made by Mr. Girard, seconded by Mr. Sokol and carried unanimously approving the Request for Proposal as outlined above.

Relative to Item 3, Mr. Stevens apprised that Empire East Aviation had expressed their desire to enter into a second lease agreement for the purpose of constructing additional T-hangars. Mr. Stevens briefly reviewed the plans with the Committee, noting that Mr. Lussier was present to answer any questions. He added that Mr. Lussier proposed constructing two 10-unit buildings (at

the most) north of the existing T-hangars and located in a north/south orientation to eliminate any icing conditions. He indicated Mr. Lussier had a waiting list of 27 people for T-hangar rental space. According to the Airport Minimum Standards, he said the County required a financial plan discussion, which the FBO requested be held in executive session.

Continuing on with Item 4, Mr. Stevens requested a contract with the Adirondack Hot Air Balloon Festival, Inc. commencing September 21, 2007 through September 23, 2007. He noted there were no changes to the original agreement from previous years; however, he said, if the Runway 1 Safety Area project made the road inaccessible at the time of the Adirondack Hot Air Balloon Festival, other back-up plans had already been considered.

Motion was made by Mr. O'Connor, seconded by Mr. Sokol and carried unanimously authorizing the agreement with the Adirondack Hot Air Balloon Festival, Inc. as presented; and the necessary resolution was authorized for the June 15, 2007 Board Meeting. *A copy of the resolution request form is on file with the minutes.*

Mr. Stevens apprised that Item 5 of the agenda related to the ongoing design projects and rehabilitation of Runway 12-30 that runs northwest/southeast. He stated a portion of that project entailed grading in the safety areas beyond the runway, which had some wetland impact. According to the Army Corps of Engineers, if the wetland impact was less than 1/10th of an acre, Mr. Stevens said they qualified for a national permit; therefore, he intended to make such application. Based upon past precedence, Mr. Stevens requested permission to authorize/ratify his actions relative to completing the necessary environmental and stormwater permit applications and notices.

Motion was made by Mr. Girard, seconded by Mr. O'Connor and carried unanimously approving the request as outlined above; and the necessary resolution was authorized for the June 15, 2007 Board Meeting. *A copy of the resolution request form is on file with the minutes.*

Mr. Stec entered the room at 10:51 a.m.

With respect to Item 6, Mr. Stevens related that many years ago, the SPDES (State Pollution Discharge Elimination System) was amended to permit not only point sources but stormwater run off, as well. By filing a Notice of Intent and implementing a Stormwater Pollution Prevention Plan, he stated the Warren County Airport qualified for a nationwide general permit for *all* activities. Mr. Stevens indicated that C&S Engineers drafted a Plan that adopted these regulations by performing the necessary annual and monthly inspections; however, he said, it was against the SPDES regulations to discharge any detergents (including biodegradable) into stormwater drains, which affected the washing of the equipment and cleaning of aircrafts.

Mr. Stevens briefly reviewed some of the solutions which were as follows:

- install a valve allowing stormwater to drain into the sanitary sewer system with an estimated cost of \$5,000 to \$10,000;
- install a holding tank for the collection and drainage of stormwater for an estimated cost of \$3,000 to \$4,000;
- install a portable wash rack system which would cost approximately \$10,000 to \$15,000.

In discussions with the Queensbury Sewer Department, Mr. Stevens said the SPDES Plan was permissible; however, he stated, they were concerned the valving system was "idiot proof" so they

were not required to treat stormwater. In conversations with the FBO, he said, they felt they could accomplish a solution that would suit the interests of all parties. Therefore, Mr. Stevens requested authorization to adopt a Stormwater Pollution Prevention Plan, apply for the SPDES permit and allow the Airport Manager to implement the Plan so that the Warren County Airport was in compliance.

Mr. Tessier queried whether the construction of a drainage field met the specifications of the Plan and Mr. Lamy responded that wash water was considered an industrial activity under the SPDES program. In conversations with Town of Queensbury officials, Mr. Stevens stated that as long as appropriate precautions were taken, they would accept the wash water draining into the sewer system. Mr. Sokol added that due to the constraints placed upon the County, perhaps a fee could be assessed to those individuals utilizing the service.

Motion was made by Mr. Stec, seconded by Mr. Sokol and carried unanimously approving the request as outlined above; and the necessary resolution was authorized for the June 15, 2007 Board Meeting. *A copy of the resolution request form is on file with the minutes.*

Mr. Stevens requested an executive session in order to discuss matters relating to the financial history of a particular person/corporation and the proposed acquisition of real property. Motion was made by Mr. O'Connor, seconded by Mr. Sokol, and carried unanimously, that executive session be declared pursuant to Sections 105 (f) and (h) of the Public Officers Law.

Executive Session was declared from 11:00 a.m. to 11:29 a.m.

Committee reconvened.

Pursuant to executive session, motion was made by Mr. O'Connor, seconded by Mr. Girard and carried unanimously authorizing the County to issue a letter of intent to the FBO for the purpose of entering into a land lease for the construction of T-hangars at the Airport.

There being no further business to come before the committee, on motion by Mr. O'Connor and seconded by Mr. Sokol, Mr. Tessier adjourned the meeting at 11:30 a.m.

Respectfully submitted,

Debra L. Schreiber  
Legislative Office Specialist