

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: JOINT MEETING - PUBLIC WORKS & PUBLIC SAFETY

DATE: MAY 13, 2008

---

---

**PUBLIC WORKS**

**COMMITTEE MEMBERS PRESENT:**

SUPERVISORS BELDEN  
BENTLEY  
TESSIER  
STEC  
HASKELL  
CHAMPAGNE  
TAYLOR  
GOODSPEED

**COMMITTEE MEMBER ABSENT:**

SUPERVISOR MERLINO

**OTHERS PRESENT:**

WILLIAM LAMY, SUPERINTENDENT OF PUBLIC WORKS  
MARV LEMERY, FIRE COORDINATOR AND DIRECTOR OF  
THE OFFICE OF EMERGENCY SERVICES

DON DEGRAW, MANAGER OF THE FLOYD BENNETT  
MEMORIAL AIRPORT

FREDERICK MONROE, CHAIRMAN

PAUL DUSEK, COUNTY ATTORNEY

HAL PAYNE, COMMISSIONER OF ADMINISTRATIVE &  
FISCAL SERVICES

JOAN SADY, CLERK OF THE BOARD

SUPERVISORS GERAGHTY

STRAINER

THOMAS

**PUBLIC SAFETY**

**COMMITTEE MEMBERS PRESENT:**

SUPERVISORS VANNESS  
O'CONNOR  
GIRARD

PATRICIA NENNINGER, SECOND ASSISTANT COUNTY  
ATTORNEY

BUD YORK, SHERIFF

ROBERT SWAN, UNDERSHERIFF

SHANE ROSS, CHIEF DEPUTY

BRIAN LAFLURE, FIRST DEPUTY FIRE COORDINATOR

RAY RATHBUN, WASHINGTON COUNTY FIRE  
COORDINATOR

JIM CLARKE, LABERGE GROUP

AMANDA ALLEN, SR. LEGISLATIVE OFFICE SPECIALIST

---

---

Mr. VanNess called the joint meeting of the Public Safety and Public Works Committees to order at 9:00 a.m.

An agenda was distributed to the Committee members, a copy of which is on file with the minutes.

Mr. VanNess apprised that Agenda Item 1 pertained to the Fire Training Center (FTC) and questions raised by the Public Works Committee regarding its placement at the Floyd Bennett Memorial Airport; therefore, he advised, a joint meeting had been called to address these concerns. He noted that Patricia Nenninger, Second Assistant County Attorney, and Jim Clarke, of Laberge Group, were in attendance to assist in answering the questions of the Public Works Committee members.

Ms. Nenninger distributed maps of the Airport which consisted of aerial and topographic views of the site, as well as a copy of the ALP (Airport Layout Plan). *Copies of all three maps are on file with*

*the minutes.* Don DeGraw, Airport Manger, explained that these maps gave a clear picture of the Airport in its current state, including notations of current and future obstructions to protected airspace. He explained that the runway incorporated two protected areas which were the 1,000 ft. extension stretching beyond the runway and the airspace extending in a trapezoidal pattern 200 ft. from the end of the runway at a 50:1 elevation ratio.

Subsequent to a review of the maps, Mr. Clarke apprised that the tallest building projected for the FTC would not exceed three stories in height which would not penetrate protected airspace. He noted that the grade of the property from the end of the runway to the site desired for the FTC declined by approximately 30 ft. In order to give some perspective of the scale of the project, Mr. Clarke advised that the tallest building would not be higher than the power lines existing on the north side of the property.

Mr. Goodspeed asked if conclusions had been received from the FAA (Federal Aviation Administration) advising that the FTC plans were safe for the location chosen, allowed for the planned 1,000 ft. extension of the existing runway and also for any expansion expected over the next two decades. Mr. DeGraw replied that such confirmations had not been received from the FAA because they were much like a Planning Board in that they would not make a decision as to what was best for the County, but rather would decide whether or not the plans submitted would be authorized for implementation at the site chosen. However, he noted, it did not appear that the proposed FTC would interfere with Airport operations, nor would it penetrate the protected airspace, and would allow for the future 1,000 ft. expansion of the runway.

Ms. Nenninger advised that currently the main FAA issue had to do with the desired property being designated for Airport use. She explained that the Board of Supervisors had previously adopted a resolution designating both of the parcels in question for Airport use; however, she noted, the ALP used by the FAA did not include such notations. Ms. Nenninger stated that they needed to speak with the proper FAA representatives to determine whether or not the FAA had accepted the resolutions submitted designating the use of the property before deciding their next step in the process. She said that if the designation had been applied, they would have to begin the appropriate process to gain FAA approval to remove the designation prior to identifying the site for the proposed FTC. Ms. Nenninger advised that if the designation had not been applied, a much simpler process would be implemented to notify the FAA of potential construction in the area and seek their approval of project plans.

Ms. Nenninger advised that, unfortunately, the proper FAA representatives would not be available for approximately two weeks. She summarized that the FAA's interpretation of the actions taken by Warren County in adopting a resolution designating the property for Airport use would be determinative of the process necessary to authorize use of the property. Ms. Nenninger added that eventually they would be required to submit detailed project plans for the FTC to the FAA for approval, but they had not yet reached that point.

Mr. VanNess stated that there had been a popular misconception that the FAA was not in favor of the FTC project. He said that this was not a fact and, to the contrary, the FAA had been a proponent of the project whom had helped to progress it thus far.

Chairman Monroe noted that although placement of the FTC at the desired location would not impede the 1,000 ft. runway extension included in future Airport plans, it would eliminate the possibility of ever extending the runway beyond this point. Mr. DeGraw confirmed Chairman Monroe's statement, adding that the runway would never extend further than 6,000 ft. if the FTC was placed in the proposed location beyond the existing runway. Chairman Monroe then asked if this would hamper the ability for commercial flights to the Airport and Mr. DeGraw replied that the 20 year projection for the Airport was to extend the runway to 6,000 ft., which was feasible with the FTC in the desired location. He said that it was very hard to envision the regulatory environment and the type of planes that would be in use in 20 years to make this determination.

Mr. VanNess stated that the Board of Supervisors needed to be realistic in their projections and keep in mind that commercial airlines had declined to service the Floyd Bennett Memorial Airport due to past records of minimal passenger usage of the Mohawk Airline flights which had previously offered service there. He apprised that he had researched the differences in price for flights from the Albany Airport versus the Buffalo Airport, which was somewhat similar in size to the County Airport, and had found that it was actually \$70 more to fly from Buffalo than from Albany. Mr. VanNess said that although he too would like to see commercial airlines fly into the airport, they needed to be realistic in their visions for the future as these were not likely to occur.

Mr. Haskell noted that due to the incline beyond the point projected for extension of the runway, it would be a major earth moving effort to extend the runway to 7,000 ft. and Mr. Lamy confirmed this. Mr. Haskell added that this would incur a considerable cost to the County, which might not be realistic.

Mr. Girard apprised that when planes carrying more than 50 passengers landed the FAA required that Fire Department vehicles and personnel be on scene during the landing. He said that it seemed ironic that further expansion of the runway would bring larger planes with more riders to the Airport but would eliminate the placement of the FTC while fire personnel were required to be on site for flights with larger numbers of passengers. In light of this necessity, Mr. Girard stated that the Committees might consider placing the FTC on the Airport grounds to meet both needs. Mr. VanNess added that expansion of the Airport would require additional firefighting needs that could be housed in the buildings incorporated with the FTC.

Paul Dusek, County Attorney, entered the meeting at 9:28 a.m.

Mr. Taylor asked why the FTC was being located directly in the centerline of the Airport and Mr. VanNess replied that the initial site desired for the FTC had been at ACC (Adirondack Community College); however, he said, due to considerable complaints from surrounding residents, alternate sites

had been considered. He explained that 14 alternate sites had been considered over a five-month period at which time a point scoring system had been incorporated to determine the site best suiting the FTC. Brian LaFlure, First Deputy Fire Coordinator, added that during this exploration they had also determined that the projected costs for the FTC could be lessened considerably by utilizing property already owned by either Warren or Washington County. Additionally, he noted, there were no neighborhoods nearby that would complain about noise or practices. Mr. LaFlure stated that in determining the best site for the FTC they had sought out an isolated area within the water district that had access to municipal sewer, power and natural gas; he added that all of these requirements were met by the Airport site. He said that if one looked across the Country they would find that many such Training Centers were located within close proximity to airports, mainly for the very same reasons. Mr. LaFlure advised that the structures incorporated in the FTC would be less than 40 ft. in height and in consideration of the low level of the property, he did not feel that any of the facilities included in the FTC would be more intrusive than the structures currently in place at the Airport.

When asked for a description of the theatrical smoke that would be used at the FTC, Mr. LaFlure apprised that the smoke would be generated from a vegetable oil base and would be light in color. He said that the smoke was intended for inside use to obscure the vision of firefighters training in the structure and would dissipate when exposed to outside air; he added that the smoke might be visible 15-20 ft. above the structure when being intensively produced. Mr. LaFlure advised that when the Flash-Over Simulator was used, combustible products would be burned, creating a darker smoke; however, he advised, the Simulator incorporated a scrubber system that produced a mist to eliminate any smoke in the air above the unit. He noted that the smoke produced by the Flash-Over Simulator would not exceed the 15-20 ft. height either and would be used approximately three times per year for new firefighter training to acclimate new recruits through simulation of actual fire conditions. Mr. LaFlure advised that the Simulator training would consist of 20 to 30 minute sessions, the majority of which would be held at night, and would be coordinated with Airport activities. He added that the majority of the training exercises provided would be held at night and on the weekends as that was when fire volunteer staff were available.

Mr. Champagne stated that although he supported the concept of the FTC he was also in favor of protecting the Airport and its potential growth. He said that in his opinion, if the FTC could be moved to another site at the Airport, other than on the centerline, those options should be considered more closely. Mr. Clarke replied that no conceptual planning had been done for any other site and they were currently waiting for approval to proceed with any further studies.

Mr. VanNess stated that the problem was not with the height of the FTC structures but rather with the number of people congregated under the landing area. He noted that a big box store had been projected close to the proposed site of the FTC which would have many more people in that area than would the FTC. Mr. VanNess stated that the desired site for the FTC would not be located in the protected airspace currently and would only be slightly so once the 1,000 ft. extension was added. He advised that although the FTC could potentially be located under the landing path of incoming airplanes it would be used primarily at night and on weekends when flights into the Airport were limited, reducing any risk of injuries that might be caused in the event of an accident.

Mr. Goodspeed stated that although they could continue to debate the matter, it was not likely that a decision would be reached without the technical answers sought from the FAA. He said that although he was not an engineer, nor an aviator, he had to believe that Airports of greater dimension than the Warren County Airport went through such analysis' frequently for developments in major metropolitan areas and that the work being done by Ms. Nenninger would result in a scientific engineering answer that would say whether or not the FTC could be placed in this area. Mr. Goodspeed added that he agreed with Mr. Champagne as he fully supported the construction of the FTC, but was also interested in protecting the Airport and its ability to expand for future needs. He said that if all of these things could be accomplished, he would be in favor of placing the FTC at the desired site; however, he said, if all of these issues could not be accomplished he was concerned and would not make a decision until all of these matters were resolved. Mr. Goodspeed concluded that in his opinion, a responsible direction could not be chosen without all of the technical and regulatory information sought.

Mr. VanNess stated that he partially agreed with Mr. Goodspeed's statement in that a decision could not be made until the information was received from the FAA. However, he added, it had been made known that the FAA would only review and either approve or disapprove the plans for placement of the FTC at the Airport once set before them, but would not make any judgement as to whether or not this was the best decision for the Airport or whether it would impede future growth. Ms. Nenninger agreed with this statement and added that the current answers sought of the FAA pertained to whether or not the parcels desired for the placement of the FTC were designated as Airport property on their ALP maps. Once this information was known, she said, they would proceed in the appropriate manner to either request a release of the designation by the FAA if they had designated the property as such, or if the designation had not been applied they would proceed in a much shorter process to reverse the County's designation and release the property to be used for the FTC. Ms. Nenninger reminded the Committee members that these answers would not be known for another two weeks until the appropriate parties were available.

Mr. DeGraw stated that in discussing the matter and reviewing the ALP maps with FAA representatives it had been determined that they could find no reason to stop the FTC from being placed at the desired site. He added that the FAA representatives also did not feel that the FTC would impede the 1,000 ft. expansion included in the 20 year expansion plans intended for the Airport. Mr. DeGraw advised that the only concern was that if the FTC was placed beyond the runway as desired, there could never be any further expansion, beyond the 1,000 ft. already planned and this was the matter that required consideration.

Mr. Goodspeed asked why further expansion would be required and Mr. DeGraw replied that although he could not speculate what the technology would be 30 years into the future, in light of changing aircraft developments and regulatory environments it was better to have the ability to adapt to progressive technology as needed than to be limited in the future. He pointed out that some aircraft were already required to have the ability to land and take off using only 3,000 ft. of runway; however, he noted, shorter runways impeded the ability to land and take off in inclement weather and also limited the amount of fuel that could be purchased prior to takeoff.

---

Mr. Goodspeed stated that he was somewhat confused in the FAA direction given as it seemed that they had given Mr. DeGraw approval of the project yet Ms. Nenninger was still seeking FAA approval. Mr. DeGraw replied that these were two separate issues; his being the technical aspect as to whether or not the project could feasibly be placed at the desired location without impeding Airport operations, while the issue facing Ms. Nenninger was whether or not the property could be used due to its designation.

Mr. Champagne pointed out that the Saratoga County Airport was limited in its abilities as it could never expand further than its current limits and if the large companies projected for the area were realized the Warren County Airport might be more frequently used by these large groups. He reiterated that any other options for placement of the FTC should be seriously considered prior to proceeding with the one that would eliminate any prospects of future runway expansion.

Mr. VanNess replied that a number of sites had been seriously considered over the past two years prior to settling on the Airport location and, furthermore, the Board of Supervisors had approved a resolution authorizing the desired site.

Chairman Monroe said that he agreed with Mr. Champagne's statement that it did not make sense to place the FTC in such a way that it would impede the ability for future expansion if any other options were available.

Mr. Haskell pointed out that further expansion seemed to be a moot point as it appeared that sufficient space was not available to do so.

Discussion ensued with respect to the matter.

Ms. Nenninger advised that although the parcels desired for the FTC were currently owned by Warren County, Washington County desired part interest in the parcel which would mean that Warren County would not be able to make sole decisions regarding the property any longer. Mr. VanNess reminded the Committees that the \$400,000 in grant funding appropriated for the FTC had been received jointly with Washington County, who had been diligently contributing their portion of the matching project funds. He pointed out that the parcels in question had been obtained by Warren County for back taxes and Washington County was aware that if the site was designated for construction of the FTC they would be responsible for half of the costs to clear the taxes owed on the parcels. Mr. VanNess stated that although there was no written agreement to this affect, Washington County had been agreeable to splitting the costs incurred through the use of this property.

Mr. Goodspeed stated that it would be helpful to himself and the other Committee members if Ms. Nenninger would gather as much information as possible on the matter for their education.

Mr. Bentley suggested that a surveyor be brought on board to determine the difference in elevation between the end of the runway and the site proposed for the FTC. Mr. Clarke apprised that this was part of the scope of survey studies that would be performed by Laberge Group.

Mr. Girard advised that as part of the furtherance of the FTC project a fatal flaw analysis was to be performed by Laberge Group in an effort to spend as little funding as possible on this site if it turned out to be inappropriate for the desired use. He stated that currently, the only fatal flaw present seemed to be the Supervisors of Warren County in their indecision as to whether or not the FTC should be constructed at the Airport. Mr. Girard stated that if the Supervisors were not in favor of the use of such placement, the process should stop so that no further monies were wasted on this site. He then expressed his confusion as to how they should proceed with studies on the property if it was not known if the Supervisors would agree to the use of the site.

Ms. Nenninger apprised that there had been no procession with environmental studies, or funds expended, on the property. She said that an inter-municipal agreement between Warren and Washington Counties had been drafted and forwarded to Washington County that discussed various issues to proceeding to the execution of the contract with Laberge Group for wetlands and survey studies. Ms. Nenninger said that the draft had been presented at Washington County's Public Safety Committee meeting, where no objections had been raised. She added that the representatives of Washington County understood the issues currently faced and the desire to expend as little funds as possible until a determination on the use of the property was made. Ray Rathbun, Washington County Fire Coordinator, confirmed that the inter-municipal agreement had been reviewed with no objections or concerns.

Ms. Nenninger asked for confirmation as to whether or not they should proceed with the inter-municipal agreement with Washington County to contract with Laberge Group to undertake additional studies on the property while the additional review was ongoing. Mr. VanNess asked if an agreement with Laberge Group had been signed as of yet and Mr. Clarke replied in the negative. Mr. Clarke advised that although the delay caused by this additional review would have no cost impact on their contract, it would have an effect on the necessary surveys because there was essentially a two week window for the surveys to be easily performed before lines of sight were obscured by full bloom of foliage. He indicated that this window would be missed because the spring season had already begun and the studies and surveys would be delayed for an additional two weeks while awaiting decisions from the FAA.

Mr. VanNess stated that he could not guarantee that the desired answers would be received in two weeks and Chairman Monroe advised that they would have to make decisions based on speculation if they were not received.

Discussion ensued with respect to the matter.

Ms. Nenninger apprised that there would be one open issue that would have to be brought to the attention of Washington County, that being the possibility of a land release which would incorporate a fair market value implication for the parcels. She said that this had not be discussed previously because they had not been aware of what the final decision of the FAA would be. Ms. Nenninger added that once they had received the necessary information from the FAA they could then determine a value range for the property if it was necessary. Mr. VanNess asked Ms. Nenninger to discuss this matter further with Washington County's Attorney to advise them that this might be a

possibility.

Hal Payne, Commissioner of Administrative & Fiscal Services, stated that the FTC Project seemed to be another joint venture between Warren and Washington Counties in which Warren County seemed to be putting forth the bulk of the effort. He said that Ms. Nenninger, Mr. DeGraw and other County staff were spending a considerable amount of time on the project while Washington County representatives were required simply to approve the work being done by Warren County staff, leading to additional costs for the taxpayers of Warren County.

When asked, Ms. Nenninger apprised that she had no issue working with Washington County representatives regarding this issue or in forwarding information for presentation to the Washington County Board of Supervisors. She noted that in situations such as this, it was typical for one party to assume the responsibilities of drafting the documentation necessary for the project. Marv Lemery, Warren County Fire Coordinator and Director of the Office of Emergency Services (OES), pointed out that when applying for the grant funding received for the FTC Project, Warren County had been designated as Lead Agency, therefore the duties assumed were appropriate. Mr. Girard voiced his opinion that Mr. Payne's statement was counter productive and he said he hoped that Washington County representatives would not feel that Warren County held any resentment towards them in any form or manner.

Mr. Geraghty suggested that it might behoove the Committees to view an aerial map of the Airport which reflected both the 1,000 ft. runway extension intended, as well as another 1,000 ft. extension that might be implemented in the future to see if space was available. It was the consensus of the Committee that William Lamy, Superintendent of Public Works, should add these to the maps for presentation at the upcoming joint Committee meeting.

Mr. Belden stated that he felt the Public Works Committee members could be appeased by moving the plans for the FTC to either side of the runway centerline, thereby allowing for future expansion. Mr. VanNess replied that even if the FTC was moved as Mr. Belden suggested, it would still be located in the invisible cone shaped area of the flight path.

Subsequent to discussion on the matter, it was determined that another joint meeting of the Public Works and Public Safety Committees would be scheduled once contact with the proper FAA representatives had been established regarding the designation of the Airport property.

Mr. VanNess thanked everyone for their attendance and for their efforts in attempting to clear any confusion regarding the matter.

Privilege of the floor was extended to Mr. Lamy to discuss Agenda Item 2, which referred to the addition of a Hazard Mitigation Coordinator (HMC). Mr. Lamy advised that the County had developed a team that was involved in hazard mitigation and between the DPW and OES grant funds had been applied for and received to develop a Hazard Mitigation Plan (HMP). He explained that the grant funds would be used to hire a consultant to develop the HMP and they were currently attempting to determine in which Department the HMC position would be most effectively placed

for the benefit of the County.

Mr. Lamy apprised that he and Mr. Lemery had discussed the situation and agreed that it would be most beneficial to locate the HMC within the OES, incorporating a DPW representative in the group involved with the mitigation. He distributed a listing of the 2007 HAZNY (Hazards New York) Workshop, *a copy of which is on file with the minutes*, and he noted that considering the listing of participants, the HMC position would be most appropriately placed with the OES.

Mr. Lemery advised that the County had been awarded \$100,000 in grant funds, with a 25% non-Federal matching share to hire a consultant to develop and prepare a HMP. He said that the listing distributed by Mr. Lamy consisted of those people who were called together in 2007 to discuss the need for such a plan. Mr. Lemery agreed that the HMC position would be best placed with the OES; however, he noted, the work would require additional staff, or the extension of the existing part-time position to full-time. He said that at the present time they could attempt to do whatever was needed to get the work done to hire an appropriate consultant to develop the HMP. Mr. Lamy confirmed that the grant funds would be used to hire a consultant for development of the HMP, and would then coordinate with the HMC to place the Plan.

Joan Sady, Clerk of the Board, asked if any of the grant funds had been received and Mr. Lemery replied in the negative. Mr. Lamy added that the County would supply the funds initially and receive reimbursing grant funds as was typical in these situations. Mr. Lemery advised that the \$25,000 non-Federal matching share could be received in either cash or in-kind services, or a combination of both. He added that no portion of the Local Share could come from a Federal source, with the exception of Community Development Block Grant monies. Mr. Lemery stated that because of the planning process and the involvement that was required, it was recommended that one person be completely dedicated to coordinating the planning effort and that was why a consultant would be hired. He noted that the program would end in May of 2009.

Mr. Payne advised that Washington County had already hired a consultant to develop their HMP, which was currently being written. He noted that they had canvassed five other Counties to determine what steps were being taken and had found varying results. However, Mr. Payne apprised, almost every County had a joint group incorporating members of the Planning, OES and DPW Departments.

Discussion ensued.

Motion was made by Mr. Haskell, seconded by Mr. Girard and carried unanimously to develop an RFP (Request for Proposal) to hire a consultant to develop the Hazard Mitigation Plan.

When asked if action to ratify the placement of the HMC with the OES was necessary, it was the consensus of the Committee that it was not.

Mr. Lamy advised that he had been approached by the organizers of the group of RV (recreational vehicle) owners who camped at the Airport during the Adirondack Balloon Festival requesting

permission to stay at the site for the 2008 Balloon Festival. He stated that he was unsure as to whether or not Committee action was necessary to approve this use and if a charge was assessed thereon. Mr. Tessier replied that he did not recall any resolutions having been approved for this use in previous years, nor was a fee charged by the County.

It was the consensus of the Committee that a County Use Permit should be issued allowing the RV group to stay on the Airport property during the 2008 Adirondack Balloon Festival.

As there was no further business to come before the joint Public Works and Public Safety Committees, on motion made by Mr. O'Connor and seconded by Mr. Girard, Mr. VanNess adjourned the meeting at 10:51 a.m.

Respectfully submitted,  
Amanda Allen, Sr. Legislative Office Specialist