

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: COUNTY FACILITIES

DATE: JANUARY 27, 2015

COMMITTEE MEMBERS PRESENT:

SUPERVISORS GIRARD
WOOD
WESTCOTT
CONOVER
SEEBER

OTHERS PRESENT:

JEFFERY TENNYSON, SUPERINTENDENT OF THE DEPARTMENT OF PUBLIC WORKS
FRANK MOREHOUSE, SUPERINTENDENT OF BUILDINGS
ROSS DUBARRY, AIRPORT MANAGER
KEVIN HAJOS, DEPUTY SUPERINTENDENT OF THE DEPARTMENT OF PUBLIC WORKS
KEVIN B. GERAGHTY, CHAIRMAN OF THE BOARD
PAUL DUSEK, COUNTY ADMINISTRATOR
JOAN SADY, CLERK OF THE BOARD
FRANK E. THOMAS, BUDGET OFFICER
SUPERVISORS BEATY
MCDEVITT
MERLINO
SIMPSON
TAYLOR
MICHAEL SWAN, COUNTY TREASURER
TRAVIS WHITEHEAD, TOWN OF QUEENSBURY RESIDENT
DON LEHMAN, *THE POST STAR*
THOM RANDALL, *ADIRONDACK JOURNAL*
CHARLENE DIRESTA, SR. LEGISLATIVE OFFICE SPECIALIST

COMMITTEE MEMBERS ABSENT:

SUPERVISORS MONROE
STROUGH

Mr. Girard called the meeting of the County Facilities Committee to order at 10:27 a.m.

Motion was made by Ms. Wood, seconded by Mr. Westcott and carried unanimously to approve the minutes of the previous Committee meeting, subject to correction by the Clerk of the Board.

Privilege of the floor was extended to Frank Morehouse, Superintendent of Buildings, who distributed copies of the agenda packet to the Committee members; *a copy of the agenda packet is on file with the minutes.*

Commencing the agenda review, Mr. Morehouse requested authorization for an agreement to continue the contractual relationship with Cornell Cooperative Extension Association of Warren County for lease of the Extension Services Building located in Warrensburg, New York. He noted the annual lease amount was \$30,000 payable in four installments of \$7,500.

Motion was made by Ms. Wood, seconded by Mr. Conover and carried unanimously to authorize the agreement with Cornell Cooperative Extension Association of Warren County as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the February 20, 2015 Board meeting.*

Jeffery Tennyson, Superintendent of the Department of Public Works (DPW), requested approval to award the bid and authorize a contract with Clark Patterson Lee (CPL) for periodic professional multi-discipline engineering services (WC 75-14) commencing April 1, 2015 for a one year term, with the option to extend for two additional one year terms. He explained this term contract was for building type systems, HVAC (heating, ventilation and air conditioning), plumbing, architectural work, asbestos removal, lead abatement, etc. He recalled the request had been presented at the previous Committee meeting and had been tabled pending further information on the selection criteria. He

informed a memorandum which began on page 10 of the agenda packet detailed the analysis methodology and selection process. He added page 13 reflected a summary of the calculated cost comparison which showed CPL to be the lowest responsible bidder. Ms. Seeber asked if it would be necessary to obtain Committee approval to exercise the option to extend for two additional one year terms and Mr. Tennyson replied the resolution would authorize the option to extend the contract. He explained the Purchasing Agent would send an extension letter to CPL at the end of the first year to ask if they were willing to extend the contract under the same terms for an additional one year period. He noted the DPW completed an internal review prior to the issuance of the extension letter to ensure the firm's work had been satisfactory. Once the extension letter was signed, he continued, it was attached to the original contract. He commented a one year contract with the option to extend for two additional one year terms was common practice. He said the DPW used this format for roofing, plumbing and electrical contracts, as well as for the term contracts for consultant services.

Mr. Westcott commended Kevin Hajos, Deputy Superintendent of the DPW, for doing an excellent job on the analysis and selection paperwork. He thanked Mr. Tennyson for getting the material out to the Committee members in advance of the meeting. He advised he had reviewed the documentation thoroughly with the assistance of an engineer. Although he was disappointed that the local firm, The Chazen Companies, had not been awarded the bid, he continued, he understood how the Department had determined the lowest responsible bidder which was clearly CPL.

Motion was made by Ms. Wood and seconded by Mr. Westcott to award the bid and authorize the contract with CPL as outlined above.

Travis Whitehead, Town of Queensbury resident, said he understood the reason for the periodic professional multi-discipline engineering services contract was for small projects but he asked if there was a threshold in place to determine when this type of work should be subjected to the RFP (Request for Proposal) process. Mr. Tennyson responded there was no threshold for professional services; however, he added, if it was for a Public Works project the threshold was \$35,000. Mr. Whitehead clarified there was no requirement and Mr. Tennyson replied affirmatively noting they had the option to utilize the RFP process. Mr. Whitehead asked if the RFP process could be used if there was reason to believe there would be a cost savings and Mr. Tennyson replied affirmatively.

Mr. Girard called the question and the motion was carried unanimously to award the bid and authorize the contract with CPL as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the February 20, 2015 Board meeting.*

Pertaining to the referrals/pending items, Mr. Tennyson advised the first item concerned the RFP for solar power conversion of Cornell Cooperative Extension, Countryside Adult Home and the Town of Warrensburg Well Field. He informed they had been active on the RFP's and the consultant had requested clarification and additional information from the proposers to allow the best analysis. He said they had received some initial responses and had developed additional questions. He mentioned they were comfortable with the time line and anticipated having a recommendation at the next Committee meeting. He explained that would give the selected company enough time to proceed in obtaining NYSERDA (New York State Energy Research and Development Authority) approval to begin construction in the spring. Mr. Westcott asked if the Committee members would receive the materials at least 5 days in advance of the Committee meeting to allow time to review the documentation and Mr. Tennyson replied affirmatively.

Regarding the next pending item, Mr. Morehouse informed this pertained to reviewing the available space in the Human Services Building (HSB) to meet the needs of the New York State Justice

Department Center. He advised he had received an email from the Justice Department a few weeks prior which indicated they were no longer interested in leasing space at the HSB. He noted 1,200 square feet in the HSB had been earmarked for use by the Justice Department and would now be available for other uses.

Mr. Tennyson advised the last pending item could be deleted as it pertained to the contract with CPL for periodic professional multi-discipline engineering services which was approved by the Committee earlier in the meeting.

Mr. Tennyson stated the last item on the agenda was to provide the Committee with an update on the Court Space Expansion Project. He recalled the Board of Supervisors had approved moving forward with Concept 1 at the November 21, 2014 Board meeting. He said Concept 1 had included an addition on the north end of the Municipal Center and the remodeling of the existing court space. He advised the plans had been forwarded to the New York State Office of Court Administration (NYS OCA) for review and comment. He said the project had been placed on hold until the comments from the NYS OCA Architects had been received following which many of the issues were easily addressed. He informed many of the comments had been minor, such as the orientation of tables and the number of chairs. He said the NYS OCA Architect's review had been thorough and detailed but there had been no major concerns. Mr. Tennyson reported that CPL's engineers and architects, in particular Jon Norris, of CPL, had reviewed the changes and modified the plans as needed. He added there had been consensus among all parties that there would be no issues with the changes. He recalled the last meeting with CPL had uncovered some areas where internal County discussions would be necessary between the Courts and Court-related Departments. He expressed his hope was to reach a consensus among the involved Departments within the next couple of weeks in order to present a revised plan at a special County Facilities Committee meeting to be scheduled on or around February 13, 2015.

Mr. Tennyson mentioned his intention to have representatives from CPL attend the meeting to explain the revised concept plans so the Committee could approve them and authorize proceeding with the final design. He noted he would also discuss the next steps and the construction schedule at that meeting. He said he anticipated moving forward in order to go out to bid and begin construction as early as possible. He stated the Committee members would be informed by the end of next week, as to when the special Committee meeting would be held. Mr. Girard apprised they hoped to resolve any issues quickly so that CPL would feel comfortable with proceeding and approval could be received at the February 20, 2015 Board meeting. He noted each month of delay was critical because the new Family Court Judge would take office on January 1, 2016.

Mr. Westcott asked if it would be possible to receive a status report on the current debt of the County as well as the projected costs of this project. Michael Swan, County Treasurer, responded he had provided a future County debt service estimate at a previous County Facilities Committee meeting and Board meeting. He said he would send it out again to the Committee members for their reference. He explained the estimate had been based on an anticipated project cost of \$16 million and included the County's current debt projected out to the end of each of the bonds. Mr. Westcott asked if all of the County's current debt was included and Mr. Swan replied affirmatively. Mr. Swan reiterated he would send the information to the Committee members and Mr. Westcott replied he would look the information up in his saved emails. Mr. Tennyson advised the estimate had been completed a couple of months prior and he would work with the Treasurer's Office on any necessary updates. He mentioned the possibility that bond rates might have increased since the estimate was completed. Mr. Swan pointed out he would be making a presentation at the next Finance Committee meeting to determine the County's Bond Counsel as it would be necessary to establish this in order to bond the project. He noted the County already had a Fiscal Advisor who would be the entity that

sold the bonds. Mr. Girard recalled Mr. Monroe had stated that bond rates were at an all time low and the County would need to expedite the process in order to take advantage of the low rates. He asked if there had been any significant changes in the bond rates and Mr. Swan responded the bond rates usually stayed consistent over the holiday season. Mr. Swan advised he had received projections for bond rates which anticipated they would increase towards the middle of 2015. Mr. Girard asked at what point the County would be locked into an interest rate and Mr. Swan replied when the bonds were sold. Mr. Girard asked when the sale of bonds was anticipated and Mr. Swan replied once the County selected a Bond Counsel there were several things they would have to do in order to proceed including adopting resolutions and executing agreements. Mr. Swan commented it would be necessary to determine the amount which would be bonded and he said the process took a couple of months to complete; however, he continued, he anticipated the bonds would be sold in March or April of 2015. Mr. Girard stated the best case scenario would be to have approval to go forward with the design and construction at the February 20, 2015 Board meeting. Mr. Swan mentioned that once the Bond Counsel was selected the Board would need to approve a resolution to authorize the County Treasurer to bond the project and he anticipated the Bond Counsel would draft the resolution for presentation at the March 20, 2015 Board meeting.

Mr. Beaty apprised that he had been openly opposed to the Court Space Expansion Project from the onset because he felt there were less expensive options available. He said he felt it was extravagant to bond \$16.5 million for the project. He stated his understanding was that an additional 5,200 to 5,400 square feet was needed for the new Family Court Judge and support staff. He commented that Mr. Morehouse had shown him the vacant County-owned building on Gurney Lane which was about 2,400 square feet and could be renovated at an estimated cost of approximately \$80,000. He mentioned the HSB had 1,500 square feet of vacant space and Mr. Morehouse had just indicated that an additional 1,200 square feet of space was available because the Justice Department was no longer interested in leasing it. Mr. Tennyson interjected the Justice Department had not been previously occupying the space which had been included in the 1,500 square feet of vacant space reported for the HSB. Mr. Beaty said he had misunderstood and thought there was now 2,700 square feet of vacant space at the HSB that when coupled with the 2,400 square feet on Gurney Lane would have allowed for the relocation of County Departments to make additional room for the Courts in the Municipal Center. He reminded the Committee members that he had previously suggested relocating the Tourism Department off campus. He opined that tourists did not visit the Municipal Center in order to obtain tourism information and he felt the Office would serve the County's needs better, such as in the Town of Lake George. He stated for the record that he felt the County did not explore other options for the Courts needs as well as they could have.

Mr. Beaty asked if bonding the Court Space Expansion Project would cause the County to exceed the 2% tax cap. Paul Dusek, County Administrator, responded a separate analysis would need to be completed and he explained the 2% tax cap referred to the allowable amount of increase to the tax levy or the amount to be raised by taxes. The question, he continued, would be the impact to the 2016 County budget from the bonding. He noted he had suggested selling one of the County-owned land parcels in 2015 and utilizing the funds to make the bond payments for 2016 and possibly 2017, as well. He acknowledged the County would need to blend the bond payments into the County budget; however, he continued, over the course of time some of the County's other bond payments would be expiring which would offset the difference. He acknowledged it would be difficult for the first 2 or 3 years to maintain the 2% tax cap but there were some strategies which could offset the funds.

Mr. Conover commended Mr. Girard and the involved staff on how well the Court Space Expansion Project had gone thus far. He stated the process had been very open and all of the options were reviewed. He said a financial plan was in place which was anticipated to not have a significant impact

on the County budget. He recalled that during the Board meeting which had been attended by the Judges, the Chairman asked if anyone had any questions and none were posed. He said this was a sign that everyone understood the project and there were no major issues or concerns. He apprised this was a large and complicated project and he felt it was being handled very well. Mr. Girard informed that New York State would receive 16 new Judgeships in 2016 and the NYS OCA was taking a detailed look at how all of the Counties were proceeding with the housing of the new Judges. He stated the NYS OCA had been very cooperative and had responded quickly to all inquiries. He said Warren County was fortunate with the cooperation they had received thus far and other Counties had indicated a lot more difficulty with the process. He stated Warren County's review by the NYS OCA was a precursor to how other Counties would proceed. He said Warren County was in a great position and CPL had done a great job with the design. He added Mr. Norris was the perfect person to spearhead the project design and had a great deal of experience. He recognized the input and cooperation received from the Judges, the NYSOCA and the 4th Judicial District.

This concluded the Buildings & Grounds portion of the Committee meeting and the Airport portion commenced at 10:52 a.m.

Privilege of the floor was extended to Ross Dubarry, Airport Manager, who distributed copies of the agenda packet to the Committee members; *a copy of the agenda packet is on file with the minutes.*

Commencing the agenda review, Mr. Dubarry requested to amend the existing contract with Kevin Downes Tree Service Company, Inc. to include a change order to decrease the contract amount by (-\$98,707) to reflect the actual amount of work completed. He noted this contract had been part of the Runway 1 End Obstruction Removal Project and pages 2 and 3 of the agenda packet detailed the changes to the project resulting in the deletion of about 4 acres of tree removal work.

Motion was made by Ms. Wood and seconded by Mr. Conover to amend the existing contract with Kevin Downes Tree Service Company, Inc. as outlined above.

Mr. Westcott asked for an explanation on the deletion of 4 acres of tree removal from the project and questioned if it had been determined unnecessary. Mr. Dubarry explained that originally the 4 acres had been included in the project because it was absolutely necessary to remove those trees for the instrument approach procedures to the runway; however, he continued, in 2006 when the original environmental assessment was completed for this project, this area had not been included in the Federal environmental assessment. He noted they had obtained the State approval for the tree removal work. He stated the Federal approval had been included in the runway extension environmental assessment anticipating that the work would have been accomplished by this point in time; however, he continued, the work had not been completed and without Federal environmental approval of the tree removal, Federal grant funding could not be used. He stated the intent was for County work forces to remove the trees this winter and move forward with the project. He noted this change order would be the final one for this project and the next step would be to process the project close out. Mr. Westcott asked if there would be a proposal for the County to cover the cost of the tree removal and Mr. Dubarry replied the work would be completed in-house with Airport staff. Mr. Dubarry anticipated the area would later be cleaned up during a future tree removal project.

Mr. Girard called the question and the motion was carried unanimously to amend the existing contract with Kevin Downes Tree Service Company, Inc. as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the February 20, 2015 Board meeting.*

Mr. Dubarry requested authorization to attend the New York Aviation Management Association (NYAMA) Aviation Advocacy Day Program on May 10-11, 2015 in Albany, New York with a registration fee of \$95. He apprised this was an annual program which would allow for meetings with the State representatives to discuss State-wide aviation issues. He noted the necessary funds were available within his Departmental budget.

Motion was made by Ms. Wood, seconded by Mr. Westcott and carried unanimously to authorize attendance at the program as outlined above. *A copy of the Authorization to Attend Meeting or Convention form is on file with the minutes.*

Mr. Dubarry requested authorization for two Airport Firefighters to attend Specialized Aircraft Fire Fighting Training at the Northeast Fire Training Center in Rochester, New York on April 13-15, 2015 at an anticipated total cost of approximately \$900 plus the cost of meals and tolls. He noted the necessary funds were available within his Departmental budget. He commented this was an FAA (Federal Aviation Administration) required re-certification and live burn for the Airport Firefighters.

Motion was made by Mr. Conover and seconded by Ms. Wood to authorize attendance at the training as outlined above.

Mr. Westcott asked for clarification on the fire services available at the Airport and he noted he was aware of the facility and the fire truck but he asked if the Firefighters worked 7 days a week. Mr. Dubarry explained the Airport offered Index B ARFF (Aircraft Rescue Fire Fighting) coverage which provided for an ARFF truck with the capacity to hold 1,500 gallons of water and 200 gallons of foam. He commented the Airport had trained two Firefighters who worked at the Airport 5 days per week during normal business hours and were on call 24 hours per day, 7 days per week. He mentioned that having 2 trained Firefighters allowed for coverage if one of them was on vacation. He noted the Airport also utilized mutual aid for all of the fire fighting and emergency medical services. Pertaining to the capabilities of the truck, Mr. Dubarry reiterated that the Airport had a KME 1,500 gallon ARFF truck which was a highly specialized piece of equipment and was housed in the ARFF Building located just north of the Airport Terminal Building. He apprised he would be happy to give any of the Supervisors a tour of the ARFF Building and show them the equipment. He noted the ARFF truck was displayed during the Adirondack Balloon Festival and he added it was a remarkable piece of equipment. He commented the Fire Fighting Training at the Northeast Fire Training Center in Rochester was top rate and included a full fit propane simulator. He expressed the Airport Firefighters were well trained and prepared for the worst case scenarios. Mr. Tennyson clarified that the Airport Firefighters were existing Airport Maintenance staff members who were on site 40 hours per week completing maintenance work and had assumed the role of Firefighters as an additional duty. He said they were trained in the event that they were needed or if there was a request for the services. Ms. Wood pointed out that when the Airport first received the new ARFF equipment, the County Facilities Committee had toured the Airport and she commented it was a very impressive piece of equipment. She suggested the County Facilities Committee plan on holding a meeting at the Airport during the summer and include a tour of the facilities and equipment. She advised it would be helpful and provide a better understanding for the newer members of the Committee to see the facilities and equipment.

Mr. Westcott pointed out the majority of the traffic at the Airport was in the summer and on the weekends and he asked about the fire fighting coverage on the weekends. Mr. Dubarry responded the 2 Firefighters worked Monday through Friday and were on call in the evenings and on weekends in the event of an emergency. Mr. Tennyson pointed out the 2 Firefighters were not the only responders in the event of an emergency because the mutual aid system and Town of Queensbury Fire Department would respond to a fire at the Airport. Mr. Dubarry stated they maintained an

Airport Emergency Plan and completed tabletop exercises on an annual basis with mutual aid and the involved agencies. He noted there were numerous methods for notification in the event of an emergency. Mr. Westcott thanked Messrs. Dubarry and Tennyson for the explanation of the fire services at the Airport.

Ms. Seeber thanked Mr. Dubarry for the tour of the Airport he had provided for her during last year's Adirondack Balloon Festival. She said it had provided a great education on the Airport and the Airport fire services which was helpful as a County Facilities Committee member. She asked if the Airport Firefighters receive a stipend for assuming this additional duty and Mr. Dubarry replied there was a small stipend of \$1,200 to \$1,500 per year each. Ms. Seeber asked if there was grant funding which covered any of the costs associated with the Airport fire service and Mr. Dubarry responded all of the equipment had been grant eligible and the ARFF gear was reimbursable under Federal grants.

Mr. Girard called the question and the motion was carried unanimously to authorize attendance at the training as outlined above. *A copy of the Authorization to Attend Meeting or Convention form is on file with the minutes.*

Mr. Dubarry informed that page 12 of the agenda packet reflected a copy of the Airport Capital Improvement Program (ACIP) which was a document required by the FAA. He noted the document was updated on a regular basis and this was the latest version update on November 4, 2014. He commented they had met with the FAA on December 3, 2014 to review this document and ensure that funding had been programed for all of the listed projects. He noted there was no action required by the County Facilities Committee or the Board regarding this document. He pointed out all of the significant projects listed on the ACIP were already included in the Airport Master Plan but the document also included some other projects, such as equipment replacement. He advised the ACIP was a planning tool and some of the funding would likely shift as priorities changed with the advancement of the projects. He mentioned the ACIP was a 5 year view of the Airport's capital improvements and the funding was the customary 90% Federal share, 5% State share and 5% local share. Mr. Tennyson expressed the ACIP was a working document which changed based on the progress of the projects listed. He commented the FAA staff who were managing projects across New York State among dozens of airports would have a similar ACIP based on information received from each airport. He said the FAA staff were required to ensure there was enough funding in each Federal fiscal year to complete all of the projects. He reiterated this was a working document which was used as a tool and would be modified as priorities changed at the FAA or as projects were delayed or accelerated at the local level. He mentioned the Airport, the County's consultants, the FAA, and the New York State Department of Transportation (NYSDOT) Aviation Bureau all worked off the same document to ensure everyone was kept up to date on the status of the projects.

Mr. Westcott asked to make a formal request that he be allowed to attend the next FAA meeting. He said a County Facilities Committee meeting was held on December 2, 2014 and there had been no mention of the FAA meeting scheduled for December 3, 2014. Going forward, he asked that he be included in the attendees for the FAA meeting. He said he was aware that Mr. Girard and Ms. Wood had attended and he commented that he had confidence in them. He pointed out Mr. Girard represented the City of Glens Falls and Ms. Wood represented the Town of Thurman and since this was a Town of Queensbury project in excess of \$10 million, he wanted to attend the next meeting as a representative of Queensbury. He added that at the very least he would want Mr. Strough or Ms. Seeber as fellow representatives of the Town of Queensbury to attend the meeting. Ms. Wood disagreed with Mr. Westcott and she expressed this was not a City of Glens Falls or Town of Queensbury or Thurman project, this was a Warren County project and she had attended as a representative of Warren County. She stated the members of the Board of Supervisors were here

to represent Warren County and the best interests of the residents of the County as a whole, as opposed to any particular municipality. Mr. Westcott asked Ms. Wood if there was an \$8 to \$10 million project in the Town of Thurman which involved Federal and State agencies would she appreciate being informed about meetings particular to the project and having the opportunity to participate. Ms. Wood said the FAA meeting was held annually with Mr. Girard having attended for the last three years and herself having attended for several years. Ms. Wood opined it was unfair to say that Mr. Westcott was unaware of the annual FAA meeting which had been reported on at previous County Facilities Committee meetings. She stated it was appropriate for Mr. Girard to attend the meeting as the Chairman of the County Facilities Committee and he had invited her to attend as the Vice Chairman which was his prerogative. Ms. Wood pointed out it was important to be conscious of the quorum requirements and the size of the Committee. She noted the number of members on the County Facilities Committee had increased this year and if Mr. Girard decided he wanted to make a change in the attendees at the FAA meeting that was his decision. She mentioned if a number of Supervisors attended the FAA meeting, it could trigger a quorum, constituting a public meeting and requiring the Clerk of the Board staff to attend and take minutes. She acknowledged it would be up to Mr. Girard, as Chairman of County Facilities Committee to decide who attended the next FAA meeting. Mr. Westcott commented that he appreciated the discussion on quorum requirements and he acknowledged that Ms. Wood was very good at keeping track of the rules. He stated his request was to have the opportunity to attend the next FAA meeting; however, he continued, if he was not allowed to attend or could not because of a possible quorum situation and another Supervisor was not willing to allow him to attend in their place, then he requested the opportunity to review the agenda for the meeting beforehand in order to submit questions and comments for response by the FAA representatives. Mr. Westcott said he felt this was a fair request and Mr. Girard agreed.

Ms. Seeber informed she had spoken to Rich Schermerhorn, FBO (Fixed Base Operator), over the holidays pertaining to possible ways to increase revenues and decrease expenses at the Airport. She said Mr. Schermerhorn had some really good ideas and she suggested his attendance be requested at a future Committee meeting to discuss them. Mr. Girard recalled an email from Mr. Westcott indicating that Mr. Schermerhorn had discussed ways to decrease expenses at the Airport with Ms. Seeber. He commented that he and Chairman Geraghty wanted to meet with Mr. Schermerhorn upon his return from vacation. Ms. Seeber offered her assistance and noted she felt there were some really good ideas which were worth pursuing.

Mr. Dubarry said the last page of the agenda packet reflected a few photos of the renovations to the old café space in the Airport Terminal Building. He informed Mr. Schermerhorn had begun construction on the site for the new stand alone restaurant. During the construction, he continued, the asphalt in the parking lot was saw cut for the new building and when they began to excavate soil a fuel odor was detected. He announced the construction project was halted and the New York State Department of Environmental Conservation (NYS DEC) was notified of the contaminated soil. He stated the project was placed on hold until an environmental remediation company was contracted to clean up the contamination. Mr. Dubarry informed that DPW Engineering staff would work with the NYS DEC to develop a work plan to remedy the situation. He pointed out the project site was immediately adjacent to the old aviation fuel farm where there had been a couple of underground fuel tanks and he recalled this area had been remediated in 1996. He stated the extent of the contamination was unknown but the situation would be remedied in the appropriate manner. Mr. Tennyson clarified this was an old fuel spill and there were no issues with the current fuel tanks which were all above ground. He advised he had spoken with Bill Lamy, former Superintendent of the DPW, who recalled a spill which had been opened and closed. Mr. Tennyson said it was not uncommon for a spill number to be opened, an investigation and remediation to be completed and further contamination to be found years later on the same site. He informed the Airport had shallow

ground water and it was common in the past to bury steel fuel tanks even in ground water and expect them to last. He stated these underground steel tanks leaked all over New York State. Mr. Tennyson said the problem would be the timing and schedule but he noted they had a good working relationship with the NYS DEC who understood the County would be responsive and complete the necessary investigations. He said he hoped to resolve the matter as quickly as possible to allow Mr. Schermerhorn to continue with construction in the spring. He anticipated apprising the Committee of the approximated costs by the next meeting.

Mr. Westcott asked if there was any further information about whether or not there would be a breakfast service at the new stand alone restaurant. Mr. Dubarry responded he had contacted Mr. Schermerhorn who indicated he would not require the new restaurant operator to serve breakfast as it would be left to their preference. He explained that given the particular market for the Airport it may not be possible to serve three meals a day due to staffing issues. Mr. Dubarry informed that Mr. Schermerhorn's preference would be to offer three meals per day; however, he continued, the decision would be made by the new operator. He noted an operator had not been contracted with yet and more information would be available once Mr. Schermerhorn negotiated a contract. Mr. Tennyson recalled the topic had been discussed in a previous Committee meeting and he had requested Mr. Schermerhorn to attend a future meeting. He advised it would be appropriate to hear directly from Mr. Schermerhorn regarding his intent for the restaurant. Mr. Tennyson commented there were some constraints in the FBO contract. He pointed out Mr. Schermerhorn had multiple agreements in connection with the Airport, as he was the FBO through Rich Air and had the ground leases through Schermerhorn Aviation, LLC. He said he was sure Mr. Schermerhorn would attend a future Committee meeting when his schedule permitted him to do so.

Mr. Conover informed that when he became a Supervisor in 2010, the Airport had been under the Public Works Committee of which he was a member; he said it was later decided that the business of the Airport was so vast that it would be moved to the County Facilities Committee for which Mr. Girard was the Chairman. He stated he would appreciate a tour of the Airport including all of the assets during warmer weather and he suggested an Airport tour be provided to the Committee annually. Mr. Westcott suggested the tour include the tree removal projects and the wetlands. Pertaining to breakfast service at the Airport, he apprised he had breakfast with 6 pilots just prior to the closing of Carol's Airport Café and the pilots had indicated the County's FBO contract with Rich Air carried an obligation to have a dining facility within the Terminal Building. He said he had asked Martin Auffredou, County Attorney, in a previous Committee meeting if the new contract superceded the previous contract. He added Mr. Auffredou had indicated he would look into the matter and report back to the Committee; Mr. Girard said he believed Mr. Auffredou was doing so. Mr. Tennyson mentioned that County Facilities Committee meetings had been held at the Airport in the past and had included field tours. He said they would be willing to hold a future Committee meeting at the Airport as requested.

As there was no further business to come before the County Facilities Committee, on motion made by Ms. Wood and seconded by Mr. Conover, Mr. Girard adjourned the meeting at 11:18 a.m.

Respectfully submitted,
Charlene DiResta, Sr. Legislative Office Specialist