

WARREN COUNTY FACILITIES COMMITTEE MEETING

Tuesday, July 3, 2012
1:30 pm

Airport AGENDA

CALL TO ORDER.....Chairman Daniel J. Girard
APPROVAL OF MINUTES.....Chairman Daniel J. Girard
NEW BUSINESS.....Chairman Daniel J. Girard

FAA GRANT APPLICATIONS FOR 2012

- **1 – RR to authorize the Airport Manager to submit a grant application to the FAA / NYS DOT to have C&S Companies provide Technical Support Services for phase II of the runway 30 approach easement/land acquisition project H325.**

Resolution Request(s)

- **2 – RR to authorize the Chairman of the Board of Supervisors to sign land owner offer letters for the Avigation Easement – Runway 30 project H325.**
... Airport Manager Ross Dubarry

Travel Requests

- **N/A**

Items of Interest

- **Sunkiss Balloon Festival – July 6th - 8th**

OLD BUSINESS.....Chairman Daniel J. Girard
REFERRALS.....Chairman Daniel J. Girard
PRIVILEGE OF THE FLOOR.....Chairman Daniel J. Girard
ADJOURNMENT.....Chairman Daniel J. Girard

RESOLUTION REQUEST FORM NO. 5

Request to Apply for a Grant Application and Grant Agreement

DEPARTMENT NAME: DPW - Airport

DATE: 7/3/2012

- (a) Purpose of Grant: Phase II continuation of project H325 to acquire easements/land acquisition for approach to runway 30. Grant will be used to purchase county easements and fee simple land acquisition, and professional consultant technical support services.
- (b) Name of Grantor: Federal Aviation Administration -AIP / NYSDOT
- (c) Address of Contractor: FAA - ADO, 600 Old Country Road, Suite 446, Garden City, NY 11530 & NYS DOT Albany
- (d) Grantor's Contact Person and Telephone Number: Mr. Steven Urlass, NYADO Manager, 516-227-3803
- (e) Has or Will the Grant Application or Grant Agreement be provided, if so, Please Attach? Attached
- (f) Effective Date of Grant: n/a
- (g) Termination Date of Grant: n/a
- (h) Total Dollar Amount Involved (not to exceed): \$700,000
- (i) Deadline to Submit Grant Application and/or Grant Agreement: 7/16/2012
- (j) Is a Budget amendment required? no If yes, also complete and submit Form No. 7.
- (k) Are the funds to go into a Capital Project or Capital Reserve Project? yes If yes, also complete and submit Form No. 8 or Form No. 9, as applicable.
- (i) Is a Local Share Required? yes If Yes, Where are the Funds? List Budget Code

(with title), Object Code (with title), and Amount **OR** Capital Project **OR** Capital Reserve Project Number and Title and Amount: 90% Federal - \$630,000; 5% State \$35,000; 5% Local \$35,000 to be paid from Code A5610 892.00 Airport Repair and Projects

RESOLUTION REQUEST FORM NO. 20

MISCELLANEOUS

****Please List All Other Requests Not Covered by Previous Resolution Request Forms Here.
Please attach any backup information available and be as detailed as possible.***

DEPARTMENT NAME: DPW - Airport

DATE: July 3, 2012

- (a) Purpose of Request: To authorize the Chairman of the Board of Supervisors to sign offer letters for the runway 30 avigation easement/land acquisition project H325.

- (b) Details: NYSDOT has completed their reviews for the Avigation Easements and Fee Acquisitions for the approach to runway 30. The amount of approved just compensation for each property owner is shown on the attached letter from NYSDOT. The signed and accepted offer letters are required prior to applying for federal grants under the Airport Improvement Program (AIP).

- (c) Previous Resolution Number: 100 of 2011; 429 of 2011; 439 of 2011; and 621 of 2011



STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232
www.nysdot.gov

JOAN McDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

June 22, 2012

Mr. Steve Babcock
C & S Engineers
499 Col. Eileen Collins Blvd
Syracuse, NY 13212

RE: Floyd Bennett Memorial Airport
Appraisal Value Notification

Dear Mr. Babcock:

The appraisal report reviews for the Aviation Easements and Fee Acquisitions for Floyd Bennett Memorial Airport have been completed. AIP grant # 3-36-0033-47-11.

Owner: George L. Sicard
Scenario # 1 – Damages approved at \$106,500
Scenario # 2 – Damages approved at \$93,100

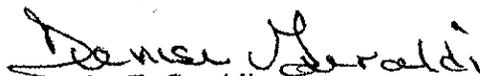
Owner: Queensbury 400 Properties, Inc
Damages approved at \$46,700

Owner: Charon Trust (Ronald W. Chartand, Trustee)
Scenario # 1 – Damages approved at \$467,700*
Scenario # 2 – Damages approved at \$159,000

*If any purchase scenario exceeds \$300,000 a second appraisal will be required

If you have any questions, please call me at 518-457-8438.

Sincerely,


Denise E. GERALDI
Aviation Bureau

cc: R. Gatto, FAA ADO
R. Dubarry, Floyd Bennett Memorial Airport

July ~~XX~~, 2012

Mr. George L. Sicard,
Mr. Charles O. Sicard
19 George Street
Lake George, NY 12845

Re: Floyd Bennett Memorial Airport
Off-Airport Land/Avigation Easement Acquisition
Removal of Obstructions to the Navigable Airspace
Affected Parcel Tax ID #: 297.20-1-2 (Q)

File: 107.039.001

Dear Mr. Sicard:

Warren County is undertaking a project which will ultimately improve the safety of flights into and out of Floyd Bennett Memorial Airport. To remain compliant with regulations from the Federal Aviation Administration, the County must acquire off-airport Land/Avigation Easements for the removal of obstructions to the navigable airspace surrounding the airport. This means that the County must purchase and remove things like trees that penetrate the airspace and have a potential impact on aircraft flying in and out of our airport.

The proposed project has been designed to minimize the disruption to the community and especially to minimize the need to acquire private property or property air rights. However, sound design and cost efficiency require the acquisition of some private property to accomplish the project, including a portion of your property air rights located at 340-366 Queensbury Avenue, Town of Queensbury, Warren County, New York, and as further identified below. The County may only acquire your property upon payment of just compensation to you for the fair market value of the property required and any resulting damages to your remainder property due to the acquisition for the subject project.

To this end, we have had your property appraised by a qualified real estate appraiser with appraisal review performed by the New York State Department of Transportation, and have determined the amount of just compensation for the 8.55+/- acre permanent avigation easement *AND* 2.81 acre fee purchase to be \$106,500.00.

The County of Warren is therefore offering you \$106,500.00 for the purchase of the permanent avigation easement air rights and compensation for all resulting damages. This offer is contingent upon the County receiving a Federal Grant for this purpose, which may take several months to be received from the date of the counties' application. Enclosed for your review, please find a parcel map of your property showing where air rights are to be acquired. As you may recall, we previously provided you with a brochure entitled "Property Acquisition Information Brochure" which explains your rights and benefits in the conveyance of a permanent avigation easement over your property.

The amount offered as just compensation is fair and full compensation for the proposed acquisition, and we sincerely wish to come to an amicable agreement with you for the acquisition of your property air rights. This amount is the approved compensation as authorized by the New York State Department of Transportation. You may contact the Airport Manager, Ross Dubarry at (518) 792-5995 to discuss this matter. He and the Counties' appraisal representative as well as consultant, C&S Engineers, will explain the offer and the proposed acquisition, and are available to answer any questions and concerns that you may have now and throughout the negotiation process.

This offer consists of direct damages and severance or consequential damages. This offer constitutes the amount of the Counties highest approved appraisal of just compensation for said property which amount will be paid, together with the appropriate interest, according to law.

If you wish to accept the offer of the County as payment in full for the acquisition of the property interests referred to above, kindly indicate accordingly at the end of this letter.

If you wish to reject the offer of the County as payment in full, you may elect to accept such offer as an advance payment by indicating accordingly at the end of this letter. Such election shall in no way prejudice your right to claim additional compensation under the provisions of the Eminent Domain Procedure Law. However, your failure to file a claim within the time for filing claims as provided by Section 503 of the Eminent Domain Procedure Law shall be deemed as acceptance of the amount paid as full settlement of your claim.

Upon your acceptance of this offer as payment in full or as advance payment, the County shall enter into an agreement or stipulation with you providing for payment pursuant to such agreement, either as payment in full or as advance payment. Your right to the advance payment shall not be conditioned on the waiver by you of any other right you may have under the law.

After indicating your acceptance of this offer as payment in full or advance payment on the enclosed copy of this letter, please date and sign and return to Ross Dubarry, 443 Queensbury Avenue, Rm. 201, Queensbury, NY 12804.

This offer shall be deemed rejected in the event you fail or refuse to notify the County as set forth in the preceding paragraph within thirty (30) days of your receipt of this letter. If you fail to accept this offer or elect to accept it as an advance payment, the Counties' obligation to pay interest on the amount of the offer will be suspended.

Thank you for your consideration.

Sincerely,
WARREN COUNTY

Daniel G. Stec
Chairman, Board of Supervisors

SUMMARY OF JUST COMPENSATION:

Land:	\$106,500.00
Improvements:	\$0.00
Personal Property:	<u>\$0.00</u>
Total:	\$106,500.00

I / We Hereby:

- Accept the offer of payment in full
- Accept the offer of advance payment retaining my right to claim additional compensation under the provisions of the Eminent Domain Procedure Law

Signed: _____ Date: _____
 Mr. George L. Sicard

STATE OF NEW YORK)
COUNTY OF _____) ss.:

On this ____ day of _____, in the year 2012, before me, the undersigned, a Notary Public in and for said state, personally appeared George L. Sicard, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

Signed: _____ Date: _____
 Mr. Charles O. Sicard

STATE OF NEW YORK)
COUNTY OF _____) ss.:

On this ____ day of _____, in the year 2012, before me, the undersigned, a Notary Public in and for said state, personally appeared Charles O. Sicard, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

Effect of Acquisition on Remainder:

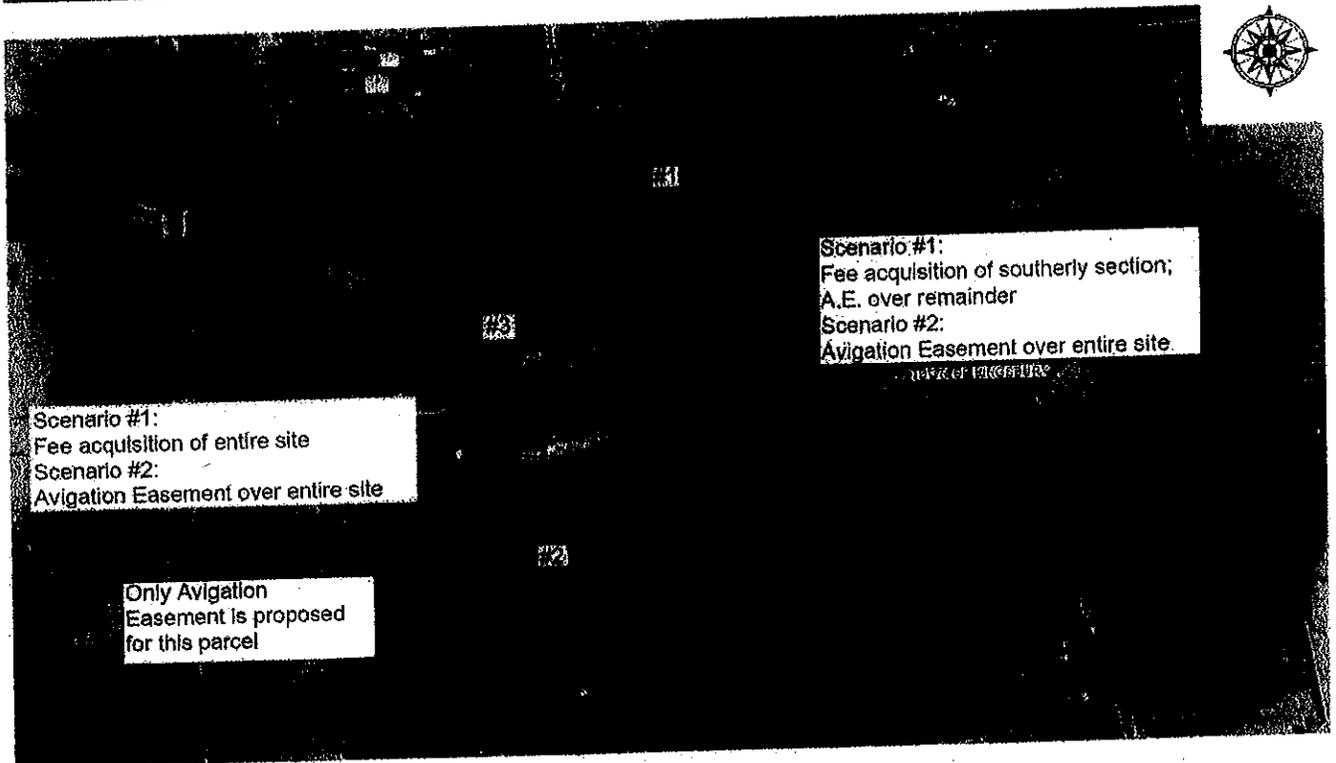
Site: The acquisition's most dramatic effect is the encumbrance of significant acreage below effective maximum building height²³ at existing grade. Although C&S Engineers estimate that much of this could be mitigated with grading, damages are calculated on a worst case basis.

Sub-building height area may allow for some one-story developments, but primarily for parking/driveways, landscaping, and other ancillary uses that do not interfere with the approach. Remaining areas are eased at heights well above those required for typical development or other ancillary uses. Damages are significantly less for this area as a result.

No severance damages apply. Refer to the Site Valuation After Acquisition for computations on damages.

Improvements: The residence is positioned well away from the approach and its corresponding avigation easement heights are 100'+. No damages are applicable.

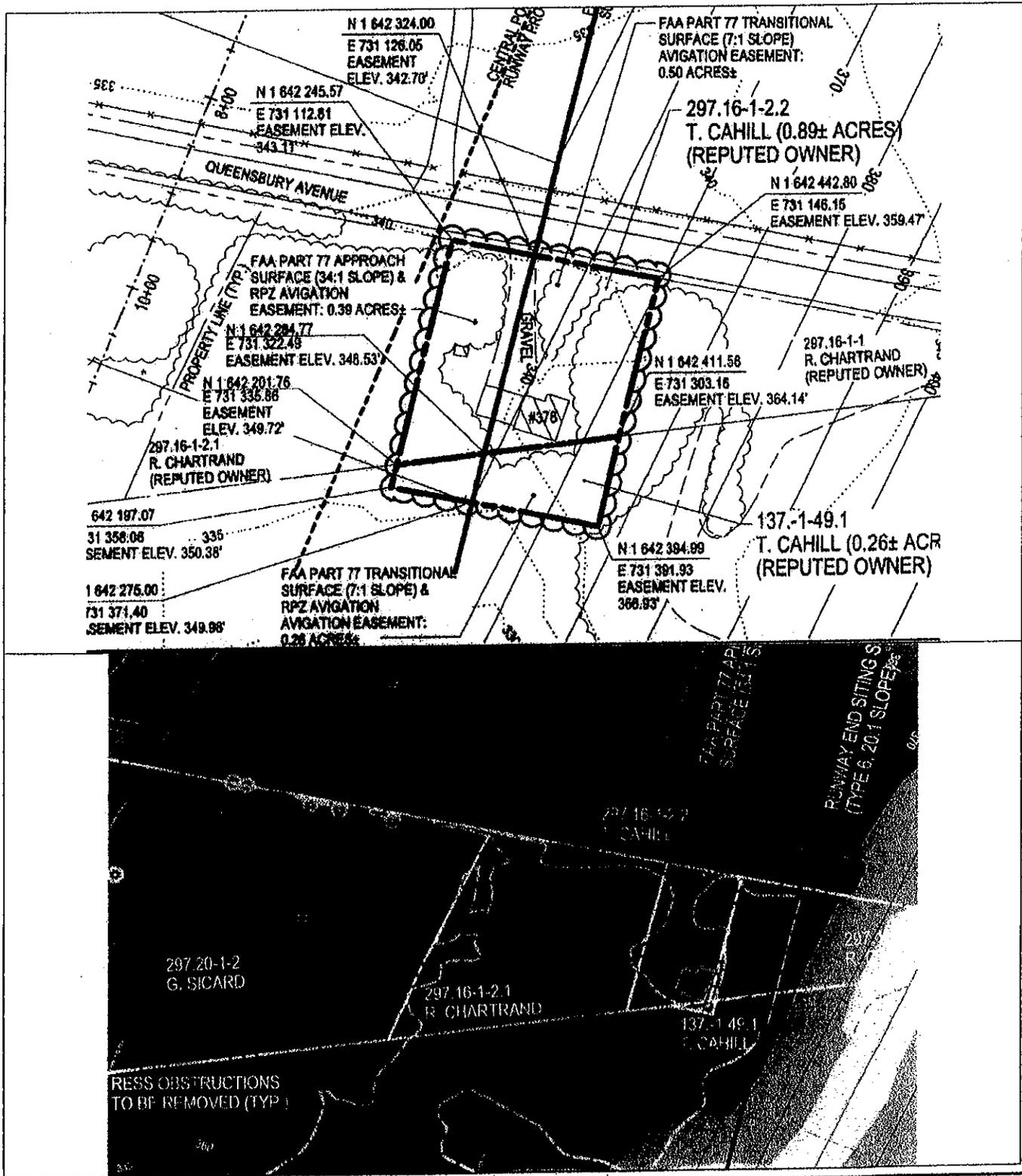
After Sketch:



²³ 60' maximum stipulated by zoning, but practical building height is effectively 35'.

XXVII. ANALYSIS OF DAMAGES

Acquisition Maps:





WARREN COUNTY AIRPORT
JULY 6TH-8TH, 2012
 WAREHOUSES AT 1000

Event Schedule

Friday July 6th, 2012

6:00PM: Opening Ceremonies

Join us at Crandall Park for our opening ceremonies and activities prior to the balloonists splitting up for the "Glow Around the City"

7:30PM: Davidson Brothers Brewery "Glow Around the City"

Mini Moon Glows at various city Parks. Visit Murray Street Park, Crandal Park, East Field, or Montcalm Park.

Saturday July 7th, 2012

5:00AM: Davidson Brothers Brewery Morning Moon Glow

Watch the balloons glow in the darkness just before sunrise (If it is canceled on Sat due to weather; we will have it on Sunday)

5:30AM: Lemon Tree Sunrise Yoga (fee) Contact the studio for reservations at 518.301.3291

6:00AM: Warren County Airport Balloon Mass Ascension (Launch window from 5:30AM-8:30AM)

Enter from the South using Dix Avenue to Queensbury Avenue

10:00AM: Tru Rhythm Zumba (fee) Contact the studio for reservations at 518.681.2819

11:00AM: Kalila Bellydance- There will be a show followed by lessons (fee) Contact Kim for reservations at THAIRISHGRL@YAHOO.COM

12:00PM: Hoop Dancing with Carrie. There will be a performance followed by lessons. Contact Carrie for reservations at imapesco@verizon.net

1:00PM: Kalila Bellydance -There will be a show followed by lessons (fee) Contact Kim for reservations at THAIRISHGRL@YAHOO.COM

2:00PM: Tru Rhythm Zumba (fee) Contact the studio for reservations at 518.681.2819

3:00PM: Hoop Dancing with Carrie. There will be a performance followed by lessons.

Contact Carrie for reservations at imapesco@verizon.net

4:00PM: Kalila Bellydance -There will be a show followed by lessons (fee) Contact Kim for reservations at THAIRISHGRL@YAHOO.COM

5:00PM: Pilot Meet and Greet (on the launch field) & Twisted Twirlers Performance

6:00PM: Lemon Tree Sunrise Yoga (fee) Contact the studio for reservations at 518.301.3291

6:45PM: Warren County Airport Balloon Mass Ascension and Special Shape Display (Launch Window 6:00PM-8:00PM)

7:00PM: Hot Air Balloon Tethered Rides (fee)

Sunday July 8th, 2012

6:00AM: Warren County Airport Balloon Mass Ascension All Day Events

Face painting and airbrush tattoos, Roaming Railroad Rides, Local Business/Non-Profit Vendor Display, Bounce Houses, and Musical Entertainment by DJK Services and Sound Solutions



EVENT SCHEDULE

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