

Warren County Board of Supervisors

Committee: County Facilities (*Airport-Buildings & Grounds*)

Date: February 28, 2013

Committee Members Present:

Supervisors Girard
Wood
Loeb
Westcott
Mason

Others Present:

Jeffery Tennyson, Superintendent of the
Department of Public Works
Frank Morehouse, Superintendent of Buildings
Ross Dubarry, Airport Manager
Martin Auffredou, County Attorney
Joan Sady, Clerk of the Board
JoAnn McKinstry, Assistant to the County
Administrator
Frank Thomas, Budget Officer
Supervisors Conover
Frasier
McDevitt
Strainer
Taylor
Mike Swan, County Treasurer
Rich Waters, Schermerhorn Aviation
Jon Lapper, Legal Counsel for Schermerhorn
Aviation
Don Lehman, *The Post Star*
Nicole Livingston, Second Deputy Clerk

Mr. Girard called the meeting of the County Facilities Committee to order at 10:15 a.m.

Motion was made by Mr. Mason, seconded by Mrs. Wood and carried unanimously to approve the minutes of the January 29, 2013 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 his 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 to amend the schedule to the lease agreement with D&G Recycling to reflect a reconfiguration to allow better access to the rented space. He stated D&G Recycling desired to install a higher access door to enter and exit the building.

Motion was made by Mr. Mason, seconded by Mrs. Wood and carried unanimously to approve the request to amend the schedule to the lease agreement with D&G Recycling as outlined above, and the necessary resolution was authorized for the March 15, 2013 Board meeting. A copy of the resolution request form is on file with the minutes.

Jeff Tennyson, Superintendent of Public Works, addressed the referrals portion of the Agenda and noted the meeting with Greater Glens Falls Transit had yet to be scheduled and he would report back to the Committee once that meeting was held.

Mr. Tennyson advised the next referral item pertained to the restructuring of the entrance to the Municipal Center. He informed aerial photos had been taken and forwarded to the Engineer for review and he would return to the Committee with suggestions at a later date.

Mr. Girard remarked that the Cornell Cooperative Extension (CCE) parking lot was in need of re-stripping and he asked Mr. Tennyson if his staff would be able to assist with that. Mr. Tennyson acknowledged he was aware of the request and he recommended utilizing the County's contracted striping; however, he said, a source of funding would need to be identified.

Mr. Girard mentioned the CCE building was maintained by electric heat and the costs had become exorbitant and he wondered if any other heating source could be utilized. Mr. Morehouse apprised he planned to have members of his crew look at the building in the near future.

Martin Auffredou, County Attorney, referred to the County-owned property located on lower Warren Street that was discussed earlier in the meeting. He reported that D&G Recycling had expressed an interest in acquiring the property and he questioned if the Committee had any interest in selling it. Mr. Mason suggested Mr. Auffredou do the necessary research as to the benefits or negative impacts of selling the property and return to the Committee with his findings. He opined that this was a prime industrial property. Mr. Girard pointed out that in the past, the former County Attorney had reservations about selling the property due to the complexity of the contamination issues there. Mr. Auffredou recognized there was an environmental lien on the property. Following discussion, it was the consensus of the Committee that Mr. Auffredou perform the necessary research with regard to the impact of selling the aforementioned property and report back to the Committee at a later date.

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

Mr. Dubarry presented a request to attend the NYAMA (New York Aviation Management Association) Advocacy Day in Albany, New York on March 12, 2013.

Motion was made by Mr. Loeb, seconded by Mr. Mason and carried unanimously to approve the request to attend the conference as outlined above. A copy of the Authorization to Attend Meeting or Convention form is on file with the minutes.

Under the Items of Interest portion of the Agenda, Mr. Dubarry advised of a proposal by Schermerhorn Aviation for construction of a new restaurant and separate office building at the Airport. He referred to the maps included in the Agenda which detailed the locations and dimensions of the proposed new buildings.

Privilege of the floor was extended to Jon Lapper, attorney for Schermerhorn Aviation. Mr. Lapper stated the construction of these buildings would continue Schermerhorn Aviation's investment in the Airport and they had forwarded the proposal to the County Administrator last week. He noted they were looking for conceptual approval at this time and would return to the Committee with detailed designs at the next meeting. Mr. Westcott questioned if the new restaurant would be an expansion of Carol's Diner or if it would

replace the Diner and Mr. Lapper replied it would replace the current restaurant and that location would most likely be turned into office space. Mr. Lapper further explained Carol's Diner would be given the first opportunity to operate the new restaurant. Mr. Mason expressed his satisfaction with this proposal and investment in the Airport. In response to an inquiry, Mr. Lapper said they hoped to have the buildings open within one year. Mr. Westcott asked if there would be any financial obligations to the County if the proposal was approved and Mr. Lapper responded that he did not believe there would be any cost to the County. Mr. Westcott pointed out that he did have concern with regard to Carol's Diner and he hoped that an agreement could be reached because she had done a very good job there.

The consensus of the Committee was to conceptually approve the proposal as outlined, followed by a more detailed presentation at a later date.

Mr. Dubarry apprised the next item on the Agenda was an update on the Forest Enterprises Land/Easement Acquisition. He asserted a response was received from Forest Enterprises indicating that they would accept the County's offer as advanced payment, although they did not agree to the valuation of the County's fair market value appraisal; however, he said, it was good news that they did accept the offer and they were in the process of preparing their own appraisal report. Mr. Tennyson added the FAA (Federal Aviation Administration) was aware that the offer had been accepted as advanced payment and the County would be submitting applications for the grants this spring and early summer.

Mr. Loeb asked for an explanation of the acceptance of the County's offer as advanced payment. Mr. Dubarry apprised there were three possible options in response to the County's offer to purchase the land and the easement and he listed them as follows: Forest Enterprises could accept the offer as payment in full; accept it as an advanced payment, thereby retaining all of their rights under Eminent Domain to claim additional compensation; or reject the offer outright and choose not to participate in negotiations. Mr. Dubarry reiterated that Forest Enterprises had chosen the second option, to accept the offer as advanced payment. The next step in the process, he said, would be for Forest Enterprises to provide their appraisal report, which would be forwarded to the New York State Department of Transportation (NYS DOT) and compared to the County's appraisal report. He noted that pending NYS DOT's review, the approved just compensation may or may not be modified. In response to an inquiry, Mr. Dubarry apprised they hoped to have the runway extension completed by 2015.

Mr. Westcott informed he had recently toured the Forest Enterprises parcel with the owner who had expressed his concern with the extension of the runway because it had devalued his property in that he could not build certain types of buildings due to new height restrictions resultant of the expansion. Mr. Girard countered that any problems with height restrictions was dependent on the Town of Queensbury Planning Board. Mr. Strainer recalled that the property had been zoned residential and the Town of Queensbury had assisted the owner in changing it to commercial zoning once he had shared his desire to do so, which was the reason that height restrictions were now in place. Mr. Tennyson pointed out that the height restriction had been a consistent concern of the owner that had been addressed as part of the valuation per the Federal guidelines for the appraisals, as well as the State guidelines.

Mr. Dubarry advised the next item on the Agenda pertained to a request from the Committee regarding recent letters and articles in *The Post Star*. He distributed a Memorandum to the Committee members which contained a detailed response to the articles, as well as a spreadsheet he compiled comparing Warren County Airport's budget to four other counties which had been referenced in an editorial, copies of which are on file with the minutes. He referenced the spreadsheet and explained each page listed Warren County as compared to Schenectady, Saratoga, Fulton and Columbia Counties budgeted line items. He noted there were blank line items in the other counties budgets which he assumed were either accounted for in other areas of their budgets or such services were not provided by them. Discussion ensued while the Committee reviewed the spreadsheet. Mr. Tennyson pointed out that the spreadsheets listed data, not information; and therefore, they could not draw judgements based on data without understanding that data. Mr. Dubarry mentioned that the counties included in the spreadsheet were not inspected for safety by the FAA or by the State. He added he could not speculate as to whether they complied with FAA Safety Standards and all the various criteria associated with such.

Mr. Mason exited the meeting at 11:25 a.m.

Mr. Westcott questioned why Warren County Airport had Federal and State inspections and other county Airports did not and Mr. Dubarry replied Warren County Airport had a Part 139 Operating Certificate which required an annual inspection by the FAA Safety Compliance Inspector and fire fighting capabilities, which was paid for by the FAA through the Airport Improvement Program (AIP). Mr. Westcott said a former Budget Officer of the County had a strong opinion that it was unnecessary for the County Airport to have the 139 designation and therefore, he requested a cross benefit be prepared as to what it meant for Warren County to be an Airport that had a Part 139 Operating Certificate and what the possible savings would be if the Airport did not have this certification. Mr. Dubarry expounded there was no additional cost to having a Part 139 Operating Certificate, other than the fire fighting requirement, and this was essentially a contract between the County, the Airport and the FAA with an Airport Certification Manual as the guiding document, that stated the County would comply with all of the Federal Safety Standards that all Airports were expected to comply with. He further noted the Part 139 Operating Certificate was very important to corporate pilots because of the fire fighting requirements that were provided.

Mr. Westcott commended the work done on the budget comparisons, although he stated the issue was whether or not the County should be spending approximately \$1.1 million a year on the Airport, which included the operating and capital costs. He added he had met with the FBO (Fixed Base Operator) and discussed the Airport budget and they both believed there were additional areas that could be reduced further. Mr. Girard recalled Mr. Westcott's recommendation to reduce the Airport's budget by \$400,000 and he questioned if Mr. Westcott was still suggesting that reduction and Mr. Westcott responded affirmatively. Mr. Girard acknowledged that Mr. Westcott had requested the reports that were produced and just reviewed by the Committee and that he would like more data to satisfy his position with cutting \$400,000 from the Airport. He opined the majority of Supervisors wanted to move forward with positive growth to the Airport and they had expressed that at the Board meeting last month. Mr. Girard pointed out that when budgets were reduced it was generally in salaries and benefits, which meant the loss of jobs, yet Mr. Westcott expressed concern for the owner of the Airport restaurant losing her job. Mr. Westcott replied she was a private employee. Mr. Girard asked Mr. Westcott if he had any more questions and Mr. Westcott asserted he was responding to the data that was

presented and he would appreciate the opportunity to do so. Mr. Girard advised that Mr. Westcott had been given an ample amount of time to respond and they needed to continue with other matters that were before the Committee.

Mr. Tennyson referred to the comments made about a prior Budget Officer and he reminded the Committee members that if they had any questions or concerns with regard to the Airport budget they should discuss those with Mr. Dubarry, who was the expert on it and had a wealth of information. He added that he relied heavily on Mr. Dubarry's opinion due to the complexity of the Airport budget. He noted that a former Budget Officer was not an Airport expert and he asked that he be referred to the Airport Manager or to this Committee to discuss his concerns. Mr. Tennyson again extended the invitation to all Supervisors to contact himself or the Airport Manager with any questions or concerns they may have.

Mr. Girard apprised the discussions had been healthy to bring the new members of this Committee up to date; however, he said, the continuance of how the meetings were going with one persons opinion resulting in additional work for Mr. Tennyson and Mr. Dubarry when they were all trying to progress in positive ways was hindering that process. Mr. Taylor agreed, noting that the Board of Supervisors should not operate with tunnel vision and one project should not be the focus of discussion for such a length of time. He further stated the County had made tremendous improvements over the last three years and now had a healthy fund balance and an increased bond rating. He opined they were responsible for the entire County and not just the Airport.

Prior to adjourning, Mr. Auffredou advised an executive session was necessary to discuss the employment history of a particular person.

Motion was made by Mr. Westcott, seconded by Mrs. Wood and carried unanimously that executive session be declared pursuant to Section 105 (f) of the Public Officers Law.

Executive session was declared from 11:37 a.m. to 12:14 p.m.

The Committee reconvened and Mr. Girard announced that no action was necessary pursuant to the executive session.

As there was no further business to come before the County Facilities Committee, on motion made by Mrs. Wood and seconded by Mr. Westcott, Mr. Girard adjourned the meeting at 12:15 p.m.

Respectfully submitted,

Nicole Livingston, Second Deputy Clerk