

**WARREN COUNTY BOARD OF SUPERVISORS**

**COMMITTEE: COUNTY FACILITIES**

**DATE: SEPTEMBER 29, 2017**

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**COMMITTEE MEMBERS PRESENT:**

SUPERVISORS: GIRARD  
SEEBER  
MONTESI  
BRAYMER  
SIMPSON  
LEGGETT  
MACDONALD  
VACANT

**OTHERS PRESENT:**

JEFFERY TENNYSON, SUPERINTENDENT OF PUBLIC WORKS  
ROSS DUBARRY, AIRPORT MANAGER  
RONALD F. CONOVER, CHAIRMAN OF THE BOARD  
BRIAN REICHENBACH, COUNTY ATTORNEY  
AMANDA ALLEN, CLERK OF THE BOARD  
FRANK E. THOMAS, BUDGET OFFICER  
SUPERVISOR MERLINO  
MARY ELIZABETH KISSANE, FIRST ASSISTANT COUNTY ATTORNEY  
WAYNE LAMOTHE, COUNTY PLANNER  
JASON SHPUR, ASSISTANT PURCHASING AGENT  
ED BARTHOLOMEW, PRESIDENT, ECONOMIC DEVELOPMENT CORPORATION  
RICH WATERS, REPRESENTING RICH AIR, LLC  
TRAVIS WHITEHEAD, TOWN OF QUEENSBURY RESIDENT  
MIKE WILD, TOWN OF QUEENSBURY RESIDENT  
MARK WESTCOTT, TOWN OF QUEENSBURY RESIDENT  
DAVID STRAINER, TOWN OF QUEENSBURY RESIDENT  
MOLLY GANOTES-GLEASON, LEGISLATIVE OFFICE SPECIALIST

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**COMMITTEE MEMBERS ABSENT:**

SUPERVISORS: STROUGH  
BEATY  
GERAGHTY

*Please note, the following contains a summarization of the September 29, 2017 meeting of the County Facilities Committee; the meeting in its entirety can be viewed on the Warren County website using the following link: <http://www.warrencountyny.gov/gov/comm/Archive/2017/facilities/>*

Mr. Girard called the meeting of the County Facilities Committee to order at 10:01 a.m.

Motion was made by Ms. Seeber, seconded by Mr. Montesi 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 Ross Dubarry, *Airport Manager*, who distributed copies of the Airport agenda to the Committee members; *a copy of the agenda is on file with the minutes.*

Commencing his agenda review, Mr. Dubarry indicated there were no Action Items to discuss; he began his review with the Referral/Pending Items portion of the agenda. With regard to Referral/Pending Item #1, concerning the grant for T-Hangers, he indicated the application had been ranked, but no awards had been announced.

Moving on to the Information for Discussion/Review portion of the agenda, Mr. Girard indicated the Airport FBO (*Fixed Base Operator*) RFP (*Request for Proposal*) Core Team included Ed Bartholomew, *President Economic Development Corp.*, Wayne LaMothe, *County Planner*, Julie Butler, *Purchasing Agent*, Brian Reichenbach, *County Attorney*, Jeffery Tennyson, *Superintendent of Public Works*, and Ross Dubarry, *Airport Manager*. He advised Jason Shpur, *Assistant Purchasing Agent*, was present and filling in for Mrs. Butler while she was out on medical leave.

Privilege of the floor was extended to Wayne LaMothe, *County Planner*, who discussed the RFP/RFQ (*Request for Qualifications*) process and how it would reduce the impact to the County Budget. He indicated there were twenty-

five main points that needed to be discussed and he stated the County was interested in Part 131 Compliance, which he said would offer a level of security as well as aid in liability.

Mr. LaMothe inquired about Federal Wage Rates being included in the RFP/RFQ draft and Brian Reichenbach, *County Attorney*, replied he had spoken to a representative at the New York State Department of Labor who indicated they would informally review the draft and issue a wage schedule to be included within the solicitation.

Mr. Girard spoke of the twenty-five main points at which point Mr. LaMothe recommended that the Committee review them in an executive session as he was unsure whether they should be released to the public; he commented that review in closed session would allow the Committee to determine which points they felt were appropriate for discussion in open session. Ms. Seeber informed she wanted to discuss as much as possible in open session.

A brief conversation ensued, following which a motion was made by Mr. Simpson and seconded by Mr. Montesi to enter into an executive session; however the motion failed as Ms. Seeber voted in opposition. Mr. Girard explained that in order to enter into an executive session, affirmative votes from a majority of the eleven-member Committee must be achieved, which in this case would have required all six members present to vote in favor.

Mr. LaMothe then distributed a document entitled "Request for Qualifications/Request for Proposals Full & Limited Service Fixed Base Operators" which included the list of twenty-five points he had mentioned; *a copy of the handout is on file with the meeting minutes*. Mr. LaMothe proceeded with a detailed review of the listing of twenty-five points, with the exception of numbers 6, 7, 9 and 14 which he maintained would need to be discussed in an executive session.

Ms. Braymer entered the meeting at 10:20 a.m.

During the review, Mr. Girard informed that although the Airport Advisory Group was not part of the RFP/RFQ process, they were welcome to provide input.

Travis Whitehead, *Town of Queensbury Resident*, informed he had a conversation with a representative from the Office of the State Comptroller who indicated to him it was legal in New York State for a bidder to be involved in helping to develop an RFP, as long as this involvement did not make the resulting RFP unavailable for others to bid on. Mr. Reichenbach indicated the RFP could be discussed with the public if the Committee so chose.

Discussion ensued regarding the FBO contract and ways to negotiate, as well as with respect to a County-run Airport.

Ms. Braymer inquired if Mr. Dubarry could provide a list of the main services and responsibilities at the Airport and Mr. Dubarry proceeded to do so. Ms. Seeber distributed copies of a document outlining the services provided by the current FBO, *a copy of which is on file with the meeting minutes*. Mr. LaMothe apprised he had spent three hours touring the Airport with the FBO and he recommended the Committee members do the same.

Discussion ensued with respect to the RFP/RFQ process. During this discussion, Mr. Bartholomew suggested it might be helpful to develop a chart showing the terms of the current FBO contract as opposed to the proposed terms of the RFQ to determine what was being added or removed.

Mike Wild, *Town of Queensbury Resident*, was recognized and commented that by employing an RFQ process there was a risk they could limit those who could respond, thereby limiting the new ideas they might receive in terms of who to address some of the issues they faced. Mr. Girard inquired whether this process could potentially work in

reverse of the direction they sought, and Mr. Wild replied he felt it could because they intended to include very detailed qualification specifications which may allow only one party to respond. Mr. LaMothe agreed this was a possibility, but added they would need to appropriately identify qualifications and they were not at that point yet; he said it was there hope this would allow those responding to be innovative. Mr. Reichenbach interjected they intended to add a category to the RFP/RFQ which would basically call for “any other services not envisioned here that would maximize use of the Airport”, allowing anyone qualified in a particular area to present an idea.

At Mr. Girard’s request, Mr. Bartholomew spoke about the situation in Genesee County where the County had taken back their airport and were now managing it successfully as a County-run Airport. He outlined some of the reasons why this change had been successful, one of which related to the fact that the Genesee County Airport was located near several corporations in its outlying area which afforded more traffic to visit these businesses.

Ms. Seeber questioned why a RFI (*Request for Information*) had not been considered and a discussion ensued with regard to same.

Mr. Girard noted the majority of the twenty-five points had been discussed in open session and he requested a motion to enter into an executive session to discuss four points Mr. LaMothe had recommended be discussed in closed session.

Motion was made by Ms. Simpson, seconded by Mr. MacDonald and carried unanimously to enter into an executive session to discuss strategy for negotiations for a contract and the performance of a current contractor pursuant to Section 105(f) of the Public Officer’s Law.

Executive session was held from 11:41 a.m. until 12:34 a.m.; Ms. Braymer, Mr. Leggett and Mr. MacDonald exited the meeting during Executive Session.

Upon reconvening, Mr. Girard announced that no action had been taken during the executive session.

A brief conversation occurred relative to the RFP/RFQ development during which Mr. LaMothe informed he would like to meet once or twice more to move the process along.

Due to the lack of quorum, Mr. Girard announced the meeting adjourned at 11:39 a.m.

Respectfully submitted,  
Molly Ganotes-Gleason, Legislative Office Specialist