

AIRPORT LEASE SUBCOMMITTEE MEETING

September 26, 2007 – 10:00 a.m.

PRESENT: Chairman Jean Raymond; Supervisor Richard Hunter; Mark Rider, Co. Attorney; Tom Speziale, DPW; Steve Berardo, Jacobs, Edwards & Kelcey; Chris Scaringe, North American; James Valachovic, Joyce Richards, Richard Kaylor, Richard Mahlon, Richmor Aviation; Ken Helm, Mike McCarron, Saratoga Soaring; Stephanie Ferradino, representing Air Adventures

Chairman Raymond called the meeting to order.

Mr. Hunter moved to approve the minutes of the August 17th meeting. Chairman Raymond seconded. Unanimous.

Chairman Raymond said the purpose of today's meeting is to review and finalize an RFP to go out for Fixed Based Operator services. We have to determine exactly what part we will be leasing and discuss with Mr. Rider what we need to do to deal with North American's current lease that is separate and apart from this RFP, she said. She stated we also need to deal with the other gentleman who wants to build hangars. Mr. Rider stated North American has given notice that they intend to renew.

Chairman Raymond said everyone should have received a draft copy of the proposed RFP. Mr. Berardo said this RFP can include what the County wants to do and as much or as little. He said it refers to the Department of Public Works as contact agency for the County. Mr. Speziale said General Services would normally receive the RFP. Chairman Raymond said after that, DPW is the contact department for the FBO.

Mr. Berardo said in the context of this RFP, we need to be specific with the dates and times. Mr. Speziale said Mike Pratt, of General Services, would want at least four weeks from the time issued until the time received. Chairman Raymond said we will leave the dates to Mr. Pratt to plug in. Mr. Berardo said in this RFP, we have included a Pre-Proposal conference/airport tour and we have an item for written questions. Chairman Raymond said she would leave that for General Services to decide the dates for their return. She said these questions and responses should be in writing.

Discussion was held regarding putting the RFP on the County's website. Chairman Raymond pointed out that the website is scheduled to be revamped, and she did not want that to be the only source.

Mr. Rider asked if the rental of the area was a set figure or will proposers bid what they will pay. Mr. Berardo stated there is a section for proposers to submit a cost of what they are willing to pay.

Chairman Raymond said we have to make it clear if Richmor is not the successful bidder, their fuel tank will be removed, and the County's tank will be transferred to the successful bidder.

For Section 5.2, Mr. Berardo said parties not familiar with Saratoga County may not be aware of the areas covered by blue lupine. Mr. Speziale said a statement should be made that any future development is under federal and state review. Mr. Berardo stated the leasehold area designation needs to be made clear. The airport tour will make them aware of the issues at the airport, he said. Chairman Raymond said anyone seriously bidding on this will be experienced enough in this business in understanding environmental issues and to immediately get whatever information they need. She stated ten years from now, there may be something we do not even know about.

Chairman Raymond said she would like to come up with a number that is a minimum square footage rate for land and any buildings we own that will be leased. She asked if the term of the lease is in the RFP, and Mr. Berardo said it was not. Chairman Raymond said it should be, as that will make the determination of what they are willing to offer. Mr. Berardo said the existing leases are for 20 years, so should we stay with that? Chairman Raymond said yes. We can make a draft lease as an attachment to the RFP, she said. Mr. Berardo said it can be made as part of the documents available for review.

Under Action on Application, it was the consensus of the Subcommittee to change 120 days to **60 days**, and to change the word "denied" to "**rejected**". Chairman Raymond said she would like a line added to state unsuccessful applicants will also be notified. She said they should hear it from us and not read it in the newspaper.

Mr. Berardo said if negotiations with the first proposer are not successful, language can be added that the County reserves the right to enter into negotiations with other proposers. Chairman Raymond said who decides that we cannot agree. Mr. Speziale said language needs to be added that the County reserves the right to accept or reject.

Chairman Raymond said we have a signage policy out there. Where does that belong, she asked. Mr. Berardo said it would be incumbent on them to be familiar with the Minimum Standards, as there is language in there. Mr. Speziale said the current policy calls for approval from the Buildings & Grounds and Law & Finance Committees. Chairman Raymond said we wanted one sign that listed who was at the airport. Mr. Speziale asked if it was necessary that it go to Law & Finance, as it typically goes to Buildings & Grounds first. Chairman Raymond said she does not know why it would go to Law & Finance, as it does not require a Board resolution. Mr. Rider said we can take this up again with the Buildings & Grounds Committee. Chairman Raymond said we need to make sure whatever the Building & Grounds Committee wants is included in the draft lease or the RFP.

Chairman Raymond said there has been a great deal of discussion with regard to the radio system. I do not think that is clear in the RFP. Mr. Berardo stated the County can determine which FBO will operate the Unicom. There is only one at the airport, he said.

Chairman Raymond said we should leave things the way they are. Whoever the successful bidder is can operate the radio, she said.

Chairman Raymond said there is also mention about possible public water in the future. Mr. Speziale said we have a grant to run a water line from Geyser Road up the access road. Chairman Raymond said we need to make it clear that utilities, current and future, are the responsibility of the tenant. Mr. Speziale said even the well has maintenance also, as we pay for the chlorine for the system. Chairman Raymond said the well will go with the lease. When do we expect to have the water line, she asked. Mr. Speziale said the earliest is next year. Chairman Raymond said we have to make it clear that the FBO is responsible for the day-to-day management at the airport. Mr. Berardo suggested putting in Section 2 the option of an Airport Manager. Chairman Raymond said who would that be, and Mr. Berardo said the County. Chairman Raymond said we do not want to be. We are looking to divest ourselves of that responsibility, she stated.

Mr. Speziale said issues like maintenance of the leasehold area will be the responsibility of the tenant, i.e., snow removal of the leasehold area. Chairman Raymond said we should make clear the difference of maintenance of pavement and paving. We would be responsible for the capital things. Mr. Speziale said how do we deal with capital improvements the tenant wants to make to the building. Chairman Raymond said they would have to come to the County with a request, and that should be a part of the lease.

Discussion of possible changes was held regarding the leasehold area and the common area. Mr. Speziale stated they would rework the drawing. Mr. Scaringe mentioned they maintain the piece between North American and the taxiway. Chairman Raymond said that should become part of North American's lease.

Mr. Speziale said do we have to provide an area free of charge for tie down? Mr. Berardo said no. If the tie down apron becomes a part of the leasehold area, it may not be available for an FAA grant because it is leased. It could affect whether the FAA pays to rehab the apron or not, he said. He said it is the FBO's choice whether they want to charge for a tie down area. It would make it more attractive for proposers if there was an area in their leasehold they could charge for, he said. Chairman Raymond stated our main goal was to get out of the day-to-day maintenance of the airport. Mr. Speziale said what bothers him would be the inability for federal funding. Mr. Berardo said facilities leased to private companies are not eligible for FAA grants. Chairman Raymond said her gut reaction is to put in into the lease.

Chairman Raymond said if there is an issue with who pumps gas, we can do something with signage. Mr. Scaringe said it becomes an issue with larger aircraft. Chairman Raymond said if they are on leasehold and want North American's gas, can they do that? Mr. Berardo said that is a sticky subject. Chairman Raymond said in theory, we can take a part of Richmor's leasehold now to give it to North American to increase their space. Airplane owners should decide where they want to purchase their fuel from, she said. She said it is possible that someone we do not even know will bid. To assume exclusivity and keep people out, I do not want to go there, she stated.

Mr. Speziale pointed out that Air Adventures plan on building their hangar to the southeast of the T-hangars, and the ramp that goes to the hangars now will have to be shared with future development. Chairman Raymond stated Air Adventures should not get a free ride on that ramp. In fairness to the FBO, the square footage price of that ramp will be divided as well as cost of maintenance, she said. Mr. Speziale said he doesn't have a problem with that, and the language will be worked out. He asked on what basis should the minimum square footage be established? Chairman Raymond said there is a whole standard for the norm in this area, and we would take the high end of that number. Mr. Berardo mentioned the American Association of Airport Executives does a survey and divides it up. Mr. Speziale said he has a lot of data on what other airports are charging. Mr. Berardo stated another possible source of information is NYAMA. Chairman Raymond said we should go to the high end of what this area is as a minimum. She requested Mr. Speziale to get that number as a minimum of what we will accept. She also requested him to send the final draft of the RFP to the Subcommittee as soon as he receives it back from Mr. Berardo. She said it does not have to go before the Buildings & Grounds Committee, but the awarding will go through the full process. If there are issues, this Subcommittee will have to meet again on the RFP, she said. Mr. Berardo said he will get the revised RFP back to the County tomorrow afternoon, and he said he would leave the dates blank.

Chairman Raymond said she is optimistic that we may be ready to send this out a week from Monday. If anyone thinks of anything that should be added or clarified, to let her know. Mr. Scaringe asked how they will be receiving this. Mr. Speziale told him they are on General Services' mailing list. Mr. Berardo said normally when you advertise for this kind of RFP, you put it in trade publications. I will give you a list of aviation publications, he said.

On a motion by Mr. Hunter, seconded by Chairman Raymond, the meeting was adjourned.

Respectfully submitted,

Elaine M. Sodemann