

11/16/21



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 301 - 2021

Introduced by Supervisors Veitch, Lant, Lucia, O'Connor, Richardson, Tollisen and Winney

SETTING A DATE FOR A PUBLIC HEARING ON PROPOSED AMENDMENT AND EXTENSIONS OF THE EAST AND WEST FACILITIES AIRPORT LEASES WITH NORTH AMERICAN FLIGHT SERVICES, INC. THROUGH DECEMBER 31, 2061

WHEREAS, pursuant to Resolution 246-07, the Saratoga County Board of Supervisors authorized a lease of an eastern portion of County owned facilities at the Saratoga County Airport to North American Flight Services, Inc. ("NAFS") as Fixed Based Operator for a term of twenty (20) years commencing on May 1, 2008 and terminating on April 30, 2028, which lease is known as the East Facility Lease; and

WHEREAS, pursuant to Resolution 16-08, the Saratoga County Board of Supervisors authorized a lease of a western portion of County owned facilities at the Saratoga County Airport to North American Flight Services, Inc. as Fixed Based Operator for a term of twenty (20) years commencing on January 1, 2008 and terminating on December 31, 2027, which lease is known as the West Facility Lease; and

WHEREAS, North American Flight Services has proposed the construction of a 22,500 square foot hanger for the storage of based and transient aircraft, rehabilitation of 29,000 square feet of apron, and expansion of 14,500 square feet of apron at the West Facility, in order to meet demand of NAFS clients; and

WHEREAS, North American Flight Services has proposed to privately fund the project including permitting, design and construction at an estimated the cost between \$6,000,000 and \$7,000,000 and once constructed, it is proposed that NAFS will maintain ownership of the hanger and pay any applicable taxes thereon; and

WHEREAS, North American Flight Services, Inc. has agreed to privately fund the permitting, design, and construction costs associated with the proposed upgrades provided that the County agrees to modify the terms of the NAFS's Leases, to continue the West Facilities Lease at the current leasehold rate and to modify the East Facility Lease to set a sliding payment structure; and

WHEREAS, North American Flight Services, Inc. has agreed to privately fund the permitting, design, and construction costs associated with the proposed upgrades provided that the County agrees to extend the term of NAFS's East and West Facilities Leases through December 31, 2061 in order that NAFS may have sufficient time as the Fixed Based Operator of the Saratoga County Airport in which to recoup its investment in the construction upgrades; and

WHEREAS, General Municipal Law §352(5) authorizes a county to lease county owned airport real property for the entire operation of such airport, or any part thereof, or for the rendering of various services, for a term not to exceed forty (40) years, provided the governing body of the county first holds a public hearing on the proposed lease; now, therefore, be it

RESOLVED, that this Board of Supervisors shall hold a Public Hearing on December 15, 2021 at 3:00 p.m. in the Meeting Room of the Saratoga County Board of Supervisors at 40 McMaster Street, Ballston Spa, New York, on the proposed modification and extensions of the terms of the County of Saratoga's East and West Facilities Leases with North American Flight Services, Inc. through December 31, 2061; and, be it further

RESOLVED, that the Clerk of the Board shall publish a notice of this Public Hearing in the official County newspapers in the manner prescribed by law; and it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No budget impact.