Minutes of the Regular Meeting of the Albany County Airport Authority

September 14, 2009

Pursuant to notice duly given and posted, the regular meeting of the Albany County Airport Authority was called to order on Monday, September 14, 2009 @ 6:00 PM in the 3rd Floor Conference Room of the main Terminal located at the Albany International Airport by Chair David E. Langdon with the following present:

MEMBERS PRESENT

Chair David E. Langdon
Dennis Fitzgerald
Tony Gorman
Elliott A. Shaw

MEMBERS ABSENT

Henry E. Dennis, Jr.
John A. Graziano, Jr.
Dorsey M. Whitehead

STAFF

John A. O’Donnell
Bill O’Reilly
Ginger Olthoff
Peter F. Stuto
Denise Zieske

Doug Myers
Steve Iachetta
Helen Chadderdon
Richard M. Meyers
Margaret Herrmann

ATTENDEES

Joel Russell, AvPorts
Pam Day, Million Air
Eric Anderson, Times Union

Edward Duggan, Masterline
Susan Duggan, Masterline
Peter Lynch, Esq., Lynch and Hetman, PLLC

Chair Langdon noted there was a quorum.
1. **CHAIR’S REMARKS**

1.1 **Election of Officers**

Chair Langdon nominated Dorsey M. Whitehead as Secretary.

Chair Langdon inquired as to whether there were any nominations from the floor.

There being none, Chair Langdon moved to close the nominations. The motion was adopted unanimously.

Mr. Shaw moved to elect the officer, as nominated. The motion was adopted unanimously.

1.2 **Assignment of Committees**

Chair Langdon stated that the proposed Committee assignments were emailed earlier in the day to ACAA members. He inquired if there were any questions or comments on the proposed Committee assignments.

There being none, Chair Langdon requested a motion to concur with the Committee assignments, as proposed.

Mr. Shaw moved to concur with the proposed Committee assignments. The motion was adopted.

2. **MINUTES**

Mr. Gorman moved to approve the minutes of the August 10, 2009 minutes. The motion was adopted unanimously.

3. **COMMUNICATIONS AND REPORT OF CHIEF EXECUTIVE OFFICER**

Mr. O’Donnell presented the Communications and Report of the Chief Executive Officer for the month of September 2009.

Mr. O’Donnell also reported on the following:

- **Children’s Area Located on Concourse ‘C’ Southwest Airlines’ Hold Room:** In response to a suggestion from a passenger’s child that there should be facilities located in the terminal for use by small children, Mr. O’Donnell reported that there was a children’s seating area which included a table and chairs to sit at and a television displaying children’s programming located on Concourse ‘C’ in the Southwest Airlines’ Hold Room.

- **Conversion of Saranac Brewhouse to Silks of Saratoga:** Construction will begin in the near future to convert the Saranac Brewhouse to Silks of Saratoga which is an upscale, full-sized restaurant that will be located in the Food Court. Once construction begins, patrons will be directed to the Capital City Pub on Concourse ‘B’ which will be expanded to include a sit-down dining area. A report on the construction schedule for concessions will be given later in the meeting by Ms. Chadderdon.
Chair Langdon referred to the item referring to Eclipse Aviation and inquired as to the details of the recent purchase of Eclipse Aviation. Mr. O’Donnell stated that a company called Eclipse Aerospace purchased the assets of Eclipse Aviation for $40,000,000 and rejected lease commitments for the Eclipse Albany and Gainsville Service Centers.

Mr. O’Donnell referred to the item referring to the FAA Program Guidance Letter concerning noise properties and presented the following proposed disposition plan:

<table>
<thead>
<tr>
<th>FAA PGL-02-08 NOISE PROGRAM ACREAGE BY PROPOSED USE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 RSA/RPZ: 163</td>
</tr>
<tr>
<td>2 T/W-Ramp: 27</td>
</tr>
<tr>
<td>3 Wetlands: 11</td>
</tr>
<tr>
<td>4 Air Cargo/NYSP: 14</td>
</tr>
<tr>
<td>5 Parking: 3</td>
</tr>
<tr>
<td>6 Sell/Deposit Rev’s: 8</td>
</tr>
<tr>
<td>7 Pending Acq: 85</td>
</tr>
</tbody>
</table>

Mr. O’Donnell stated that an aviation consultant has been hired to provide guidance regarding this new FAA program and disposition of said properties.

Chair Langdon inquired as to what will happen for future acquisitions. Mr. O’Donnell stated that at the time of consideration of an acquisition, discussions will be held with the FAA regarding the disposition status if the property were to be acquired.

Chair Langdon noted that due to problems at other Airports across the country, airports such as ours are suffering the consequences.

Chair Langdon inquired as to what would happen if we wanted to change the designation of an acquired property to create parking. Mr. O’Donnell stated that the Airport would have to pay fair market value for the property at conversion and place the funds into a noise account for future noise programs.

Mr. O’Donnell stated that he believed the Airport has fared very well during this process with the disposition status of most of the property involved.
Chair Langdon inquired as to why that was. Mr. O’Donnell stated that out of 310 acres, there are only 11 acres where the Airport will be required to sell the land and place the funds into a “noise” account. Mr. O’Donnell also added that prior to the sale, the land acquired will be encumbered with an avigation easement which could diminish the value of the land up to 80%.

Chair Langdon stated that even this may be true, he would like to see staff contact elected officials to discuss the issue of using the land for parking, as it is beneficial to the Airport.

Mr. Shaw inquired if there was any news on the economic stimulus package and whether there were any new authorizations of funds for Airport projects. Mr. O’Donnell stated that the Airport was granted $6.7 million to advance the Latham Water Tower project. Mr. O’Donnell also stated that the airport applied for New York State Environmental Stimulus funding for a glycol storage tank; however, it was denied.

4. **INTERESTING CORRESPONDENCE:**

   Noted

Chair Langdon moved Agenda Items No. 11.5, 11.6, 11.7 and OB-2, to this point in the agenda. There were no objections. Chair Langdon requested that Mr. Meyers present on each of these items which will be followed by a vote on each item individually.

Mr. Meyers stated these items are all related to the leased property located at 1050 Troy-Schenectady Road currently leased by Bucknell Construction Co. Mr. Ed Duggan from Masterline, Inc., was in attendance this evening accompanied by his attorney, Mr. Peter Lynch.

Mr. Meyers stated that Item No. 11.5 is a request for approval of an assignment and assumption of the lease for 1050 Troy-Schenectady Road from Bucknell Construction Co. to Masterline, Inc., with Bucknell Construction Corp. continuing with the guarantee. Also as a part of the assignment, the insurance requirements have been increased from $1 million to $3 million.

Mr. Meyers stated that Item No. 11.6 is a request to amend the lease so that Article XII is amended to read as follows:

   “to wit: the fixed leasehold improvements (excluding personality) made to the premises by the Lessee shall be owned by the Lessee during the Term, or extended Term, as the case may be, of the Lease and shall revert to and be the property of the Authority upon the expiration of the Term.”

Mr. Meyers stated that Item No. 11.7 is a request for a sublease between Masterline, Inc. and Tumbling Tykes of Latham, Inc. Mr. Meyers stated that there had initially been a question as to whether this facility was a day care center (which is not an FAA-allowed use); however, Tumbling Tykes has submitted a letter in which they state that they are not a day care facility. A check was also done on the NYS list of certified day care facilities and Tumbling Tykes was not included in the list. Mr. Meyers stated that insurance requirements have been met.

Mr. Meyers stated that Item No. OB-2 is a request for approval to construct a Go-Kart facility. Mr. Meyers stated that construction had begun without approval by the ACA, as was required in the lease. Mr. Meyers stated that the Go-Kart facility has been approved by the FAA and the Town of Colonie. All
insurance requirements have been met; whereby the insurance requirement was increased from $1 million to $3 million.

Mr. Shaw inquired as to how long the lease runs. Mr. Meyers stated that it is a 30-year lease that was entered into in 1999.

Mr. Shaw inquired as to whether it had been determined as to why the FAA did not notify the ACAA of their approval for this project. Mr. Iachetta stated that since this was an off-Airport property, there was no notification; however, if the FAA had been advised that the property was owned by the ACAA, notification would have been made.

Chair Langdon stated that he was disappointed that the FAA did not notify the ACAA in this case. He inquired as to how to make sure that the ACAA is notified in the future.

Mr. O’Donnell stated that he will discuss this on behalf of the ACAA members with the FAA during an upcoming meeting that has been previously scheduled.

Mr. Shaw requested confirmation that approval of Item No. OB-2 would give a “green light” to the construction of the Go-Kart facility. Mr. Meyers stated that it would.

Mr. Graziano inquired as to whether the ACAA was fully indemnified and insurance coverage was adequate. Mr. Meyers stated that it was.

Chair Langdon inquired as to whether there were any further questions. Noting that there were none, he requested motions on the Items No. 11.5, 11.6, 11.7 and OB-2.

11.5 Assignment and Assumption of Leased Property Located at 1050 Troy-Schenectady Road with Bucknell Construction Corp. to Masterline, Inc.

Mr. Fitzgerald moved to authorize Assignment and Assumption of Leased Property Located at 1050 Troy-Schenectady Road with Bucknell Construction Corp. to Masterline, Inc. The motion was adopted unanimously.

11.6 Amendment of Lease of Property Located at 1050 Troy-Schenectady Road with Masterline, Inc.

Mr. Shaw moved to authorize Amendment of Lease of Property Located at 1050 Troy-Schenectady Road with Masterline, Inc. The motion was adopted unanimously.

11.7 Sublease Agreement for Property Located at 1050 Troy-Schenectady Road between Masterline, Inc. and Tumbling Tykes of Latham, Inc.

Mr. Fitzgerald moved to authorize Sublease Agreement for Property Located at 1050 Troy-Schenectady Road between Masterline, Inc. and Tumbling Tykes of Latham, Inc. The motion was adopted unanimously.

OB-2 Construction Approval for Leased Property Located at 1050 Troy-Schenectady Road

Mr. Gorman moved to authorize Construction Approval for Leased Property Located at 1050 Troy-Schenectady Road. The motion was adopted unanimously.
Chair Langdon referred back to the Management Reports section of the agenda.

**MANAGEMENT REPORTS:**

5. **Chief Financial Officer**

Mr. O'Reilly presented the following:

5.1 **Statistical and Financial Performance for the Month of July 31, 2009**

5.2 **Comparison of Enplanements**

5.3 **Summary of Airline Scheduled Flights and Markets**

5.4 **USDOT Arrival and Departure Statistics**

Mr. O'Reilly distributed and reviewed a power point presentation outlining the financial performance for the period ended July 31, 2009.

Mr. O'Reilly stated that the Preliminary 2010 Airport Operating Budget will be distributed to the Board within the next week or two and will be submitted to the Airline Affairs Committee prior to October 2, 2009. A meeting with the Airlines Affairs Committee will be scheduled for some time in October. A Finance Committee meeting will then be scheduled to discuss the preliminary budget and the possibility of refunding 2008A Bonds if recommended by the ACAA financial advisors.

Mr. Shaw inquired as to what the process would be if the Preliminary Budget undergoes significant changes after it is sent to the airlines. Mr. O'Reilly stated that distribution of the Preliminary Budget by October 2nd fulfills a contractual obligation to send a 90-day notice of change in rates to the airlines. Subsequently the budget will be reviewed with the Committee and adjustments will be made to the final rates in December.

Mr. Shaw noted that the financial performance show a significant variance for utilities. He inquired as to the strategy behind the decrease in utility costs from budget. Mr. O'Reilly stated that there has been a decline in market rates for utilities.

Mr. O'Reilly stated that he was still in the process of bidding out utilities, as approved at the June meeting, as he is awaiting a plan to be submitted by the consultant and NYSERDA. He stated that he was reluctant to go with a fixed rate, as rates have been declining.

Mr. Gorman suggested consideration be given to having fixed rate at budget or below. Mr. O'Reilly stated that this can be considered; however, if a bid goes out requesting a fixed rate, the rates will immediately go up.

Mr. Gorman inquired as to the breakdown of costs for utilities. Mr. O'Reilly stated that electricity costs were approximately $2.7 million annually and natural gas costs were approximately $900,000 annually.
Mr. Fitzgerald referred to the fact that the airlines must ensure the Authority’s net revenues are not less than 125% of its annual debt service requirement at year end. He inquired as to the outlook on meeting this requirement. Mr. O’Reilly stated that this is guaranteed as part of the lease agreement with the airlines; however, management is continuing efforts to reduce costs and a potential refinancing of the 2008 bonds would help in reducing the bill to the airlines.

Mr. Gorman inquired as to the effect of the Eclipse bankruptcy. Mr. O’Reilly stated that due to the fact that there were no revenues included in the budget for Eclipse, there is a positive variance which reflects the collection of several payments received at one-half the lease rate.

Chair Langdon referred to the significant downturn in enplanements for Bradley Airport and requested staff to inquire as to what strategies Bradley is using to handle the downturn. Mr. O’Reilly stated that due to the fact that they are a larger airport than Albany, they may be better equipped to absorb the downturn.

6. Project Development

Mr. Iachetta presented the Project Development Status Report for the month of September 2009.

Mr. Fitzgerald inquired if there was on-site inspection for ongoing projects, i.e., clerk of the works. Mr. O'Donnell stated that if it is a large project, the engineering firm would be retained to inspect the project. If the project is small in size, an architect is hired to review the project.

Mr. Gorman inquired as to whether all of the projects outlined in the report were on budget. Mr. O'Donnell stated that they were with a few projects coming in below budget.

Chair Langdon referred to the parking garage lighting replacement and wondered why we were doing this project now particularly since the larger project did not move forward. Mr. O'Donnell stated that this lighting project will result in a significant reduction in energy usage and costs. He stated that this was a NYSERDA project that will have a payback period of only 2 years.

Mr. Gorman inquired if this was covered under a NYSERDA grant. Mr. O'Donnell stated that NYSERDA will cover 50% of the preliminary engineering costs and reimbursement of fixture costs at a rate of approximately $25-$35 per fixture. He stated that a bid for the cost of the fixtures will be going out at an estimated net cost of $100,000.

Mr. O'Donnell stated that he would prepare a presentation for the next meeting when bid results will be available.

Mr. Fitzgerald inquired if the projects outlined in the report were included in the current 5-Year Capital Plan. Mr. O'Donnell stated that they were not specifically named projects but they would fall under Terminal or miscellaneous projects.

Mr. O'Donnell stated that later in the meeting he would be reviewing the proposed 2010-2014 5-year Capital Plan. He stated that the total value of the current Capital Plan was $264 million, of which only $60 million was spent due to the need to reduce expenses as a result in the decline in enplanements and downturn in the economy. Projects that were planned but not initiated included Terminal Expansion and construction of a second Parking Garage.
7. Counsel
None

8. Concessions/Ambassador Program

Ms. Chadderdon presented the Concessions/Ambassador Program Report for the month of September 2009.

Chair Langdon referred to the Concession News portion of the report and requested that a photo presentation be made each month as the construction of the new concessions progresses.

Mr. Gorman noted that the Food and Beverage concession revenues year-to-date were up 19.9% over 2008. Ms. Chadderdon stated that concession revenues have been consistently increasing each month.


Mr. Myers presented the Public Affairs Report for the month of September 2009.

Chair Langdon referred to the item related to the Chamber tour and inquired as to what date the Indiana chamber would be visiting. Mr. Myers stated that they would be arriving on September 22, 2009. Mr. Myers stated that Indiana was considered No. 4 in nanotech development while the Capital Region was considered No. 3.

Chair Langdon inquired as to the source of those numbers. Mr. Myers stated that those were the numbers he was given but he would research this and report back.


ACTION ITEMS:


11.1 Concurrence on Award: Latham Water District Phase 5 Pump Station Plumbing Contract: Runway 28 Obstruction (Latham Water Tanks) Removal

Mr. Iachetta recommended Concurrence on Award: Latham Water District Phase 5 Pump Station Plumbing Contract: Runway 28 Obstruction (Latham Water Tanks) Removal to the lowest, sole bidder, W.M. Schultz Construction, Inc., in the amount of $56,500, to be funded from Capital Improvements Project Account No. 2512. Mr. Iachetta stated that this was a rebid, as no bids were received as a result of the original bid. He stated that the contract amount was within 10% of the Engineer’s estimate.

Mr. Gorman stated that he was surprised that there was a problem getting bidders given the current economy.
Mr. O'Donnell stated that he had the same reaction and would send a note to the Town of Colonie requesting a broader advertising program for the bid notices.

Mr. Fitzgerald recommended use of the contract reporter. Mr. O'Donnell agreed.

Mr. Fitzgerald referred to the letter received from Gary Male of CT Male Associates stating that the original Engineer's estimate was $40,000. Mr. Fitzgerald pointed out that the contract amount of $56,500 is not within 10% of the estimate.

Mr. O'Donnell stated that he would like to resolve this and report to the ACAA members by email as to the resolution.

Mr. Fitzgerald moved to authorize said concurrence on award contingent upon clarification to ACAA members that final bid is within 10% of Engineer's estimate. The motion was adopted unanimously.

11.2 Purchase Order for Road Salt from the Albany County Department of Public Works at the NYS Contract Amount for Albany County

Mr. Stuto recommended authorization of a Purchase Order for Road Salt from the Albany County Department of Public Works at the NYS Contract Amount for Albany County at a cost of $54.33 per ton with the possibility of fuel surcharges being added in.

Mr. Shaw moved to authorize said purchase order. The motion was adopted unanimously.

11.3 Purchase Order for Digital Video Recording (DVR) Equipment and Installation Services on NYS Contract No. PT63302

Mr. O'Reilly recommended authorization of a Purchase Order for Digital Video Recording (DVR) Equipment and Installation Services on NYS Contract No. PT63302 to replace existing DVR Equipment in the Airport Operations Center in the amount of $56,911, to be funded from Capital Improvement Project Account No. 2590.

Mr. Fitzgerald moved to authorize said purchase order. The motion was adopted unanimously.

11.4 Amendment No. 6 to Professional Services Contract No. S456: Phase One – Design/Engineering Services – Passenger Terminal Concourse “D” Improvements (Design and Construction Phase Engineering Services for the Terminal and Escalator Improvements) with Architecture Plus

Mr. O'Donnell recommended authorization of Amendment No. 6 to Professional Services Contract No. S456: Phase One – Design/Engineering Services – Passenger Terminal Concourse “D” Improvements (Design and Construction Phase Engineering Services for the Terminal and Escalator Improvements) with Architecture Plus for a credited amount of $172,660, to be credited to Capital Improvement Project Account No. 2550.

Mr. Shaw moved to authorize said contract amendment. The motion was adopted unanimously.
11.5 **Assignment and Assumption of Leased Property Located at 1050 Troy-Schenectady Road with Bucknell Construction Corp. to Masterline, Inc.**

Moved to an earlier portion of the agenda following Item No. 4.

11.6 **Amendment of Lease of Property Located at 1050 Troy-Schenectady Road with Masterline, Inc.**

Moved to an earlier portion of the agenda following Item No. 4.

11.7 **Sublease Agreement for Property Located at 1050 Troy-Schenectady Road between Masterline, Inc. and Tumbling Tykes of Latham, Inc.**

Moved to an earlier portion of the agenda following Item No. 4.

11.8 **Settlement Agreement: Stracher Roth Gilmore Claim Regarding Professional Services Contract No. S495, dated February 2, 2006 Regarding Eclipse Hangar**

Mr. O'Donnell recommended authorization of a Settlement Agreement: Stracher Roth Gilmore Claim Regarding Professional Services Contract No. S495, dated February 2, 2006 Regarding Eclipse Hangar to include a settlement amount of $60,687.83. Mr. O'Donnell stated that the final payment due for services performed by Stracher Roth Gilmore totaled $114,831.46; however, due to discovered errors and omissions to the project, this amount was negotiated down to $60,687.83 which reflects the amount owed to Stracher Roth Gilmore's subconsultants.

Mr. Gorman moved to authorize said settlement agreement. The motion was adopted unanimously.

11.9 **Purchase Order: Type I and IV Glycol**

Ms. Herrmann recommended authorization of a Purchase Order for Type I and IV Glycol in the amount of $515,348.52 which is based upon estimated usage, to Octagon Process, Inc. Mr. Herrmann stated that Type I and Type IV glycol is used in two ways: 1) for resale to the commercial airlines for their own use; and 2) for use in deicing services performed by MillionAir for commercial airlines that do not deice their own aircraft and other general aviation customers. The resale of glycol to airlines that do their own deicing is at cost plus a 20 cent per gallon flowage fee and a $2.25/gallon glycol recovery fee. Deicing services performed by MillionAir are priced at cost plus $5.00/gallon and a $2.25/gallon Airport glycol recovery fee to the airlines which covers the cost of owning and operating the deicing equipment and staff required to perform the deicing service. The glycol recovery fee covers part of the cost of treating glycol contaminated water collected from the runoff.

Competitive price quotes were received from three vendors who supply Type I and Type IV glycol. Octagon Process, Inc. provided the lowest quoted price and offered a fixed price for the 2009-2010 season, ending May 31, 2010. The award of this purchase order to a new vendor will involve using different products and require change over of existing products. The award of this purchase order may also result in a capital expense for the purchase of two new propylene glycol storage tanks to replace the tanks provided by the previous vendor at no discretely presented cost. The awarded vendor will assist in inventory changeover procedures by providing written tank inventory change procedures and will also issue a product liability
assumption letter. The vendor will be able to meet Airport product delivery expectations and it has been determined that the products will be acceptable to the Airport glycol waste water treatment process and our commercial airlines.

Mr. Gorman inquired as to whether there will be any issues or costs associated with removing/replacing the storage tanks. Ms. Herrmann stated that negotiations were underway with the current vendor and estimates are being received on the purchase of new tanks. Ms. Herrmann stated that the cost which was included in the current contract four years ago was approximately $30,000.

Mr. Gorman inquired as to whether the airlines approved the specifications. Ms. Herrmann stated that they had.

Mr. Fitzgerald inquired as to how the bid was structured in that other vendors could have had lower prices for Type IV. Ms. Herrmann stated that the prices are generally the same and most companies that submit are usually always inline with both types. Mr. Fitzgerald suggested there could be a statement to reserve the right to split the award.

Mr. Fitzgerald moved to authorize said purchase order. The motion was adopted unanimously.

11.10 Construction Contract No. 682GC: General Construction – Drainage Improvements Located at the Air Cargo Facility and Adjacent to the Main Terminal at Southwest Airlines’ Bag Make-Up Area

Mr. O’Donnell recommended authorization to award Construction Contract No. 682GC: General Construction – Drainage Improvements located at the Air Cargo Facility and adjacent to the Main Terminal at Southwest Airlines’ Bag Make-Up Area to the lowest, qualified bidder, J. H. Maloy, Inc., in the amount of $82,500, to be funded from Capital Improvements Project Account No. 2528. Mr. O’Donnell stated that the contract includes two components: Air Cargo Facility and Runway 10 Blast Pad Locations at $67,000 and the Southwest Airlines Baggage Make-Up location at $15,500 for a total of $82,500.

Mr. O’Donnell stated that Stantec Consulting Services, Inc was retained to prepare drawings and specifications for this project. Due to the urgency in getting the project completed before the onset of winter conditions, as well as safety concerns for the tenants due to deteriorating ramp, Stantec was authorized to receive bids on behalf of the ACAA rather than publicly bidding the project. Mr. O’Donnell stated that counsel has reviewed this and concurs that the process used falls within the ACAA procurement guidelines.

Mr. Shaw inquired as to why there was no breakdown of costs included in the bids. Mr. O’Donnell stated that it was not a unit price bid but was bid as a lump sum bid.

Mr. Gorman requested confirmation that there were safety concerns. Mr. O’Donnell stated that there were.

Mr. Gorman moved to authorize said contract award. The motion was adopted unanimously.
11.11 Purchase of Two TSD America Ground Power Units (GPU-4120) with Optional 40-foot Cables

Mr. Stuto recommended authorization for the purchase of Two TSD America Ground Power Units (GPU-4120) with Optional 40-foot Cables for a total cost of $100,694, from TLD America, to be funded from Capital Improvements Project Account No. 2590.

Mr. Stuto stated that the purchase was publicly bid and there was only one bid received. Mr. Stuto stated that due to the fact that only one bid had been received, the Purchasing Agent did contact another vendor, Hobart, to compare the bid price and Hobart’s price was slight higher than the bid price received from TLD America.

Mr. Gorman inquired as to where bid advertisements are published. Mr. Stuto stated that he was aware that they were published in the Times Union and also electronically. Mr. O’Donnell stated that he would provide a listing to ACAA members of where ACAA bid advertisements are placed.

Mr. Fitzgerald moved to authorize said purchase. The motion was adopted unanimously.

12. Authorization of Change Orders

None

13. Review and Approval of Five-Year Capital Plan

Mr. O’Donnell stated that the proposed Five-Year Capital Plan was submitted to the Albany County Legislature on September 1st, as required by the ACAA Enabling Legislation. He stated that he will present the Capital Plan to the Mass Transit Committee in late-October for consideration by the full Albany County Legislature in early November.

Mr. O’Donnell stated that the 2005-2009 Capital Plan was valued at $264 million and was based upon rising enplanements and the possible need to expand the terminal and construct an additional parking garage. However, due to the economic downturn and decreasing enplanements, these projects were put on hold and a total of $64 million will be expended through 2009.

Mr. O’Donnell stated that the proposed plan includes every conceivable project; however, as was the case with the previous plan, the airlines have approval on an annualized basis and only those projects deemed necessary, i.e., maintenance projects, will be initiated.

Mr. O’Donnell presented the Five-Year Capital Plan – Years 2010 to 2014, in Power Point format which is included in the Agenda book.

Mr. Fitzgerald inquired as to whether the plan was a rolling plan or a block plan. Mr. O’Donnell stated that it is a block plan which will be monitored on the staff level and there is no deviation from the plan.

Mr. Fitzgerald inquired as to how the plan could be modified should the economy improve. Mr. O’Donnell stated that the ACAA members could amend the plan at any time.

Mr. Fitzgerald inquired as to whether the FAA’s approval was also required. Mr. O’Donnell stated that it was not. The only other approval required is that of the Albany County Legislature.
Mr. Fitzgerald move to approve the 2010-2014 Five-Year Capital Plan. The motion was adopted unanimously.

Old Business:

OB-1 Operating Permit and Concession Privilege Fee Revision for Off-Airport Parking Concession

Mr. Stuto requested that this item be deferred to the next meeting as a concession to the vendor. There were no objections.

OB-2 Construction Approval for Leased Property Located at 1050 Troy-Schenectady Road

Moved to an earlier portion of the agenda following Item No. 4.

OB-3 Special Aviation Service Operator (SASO) with Lansing Flight Support, Inc. and Addendum No. 1

Chair Langdon stated that this item would be deferred to the next meeting. There were no objections.

New Business:

None

Attorney-Client Privilege/Executive Session

Chair Langdon stated that he would entertain a motion to go into Executive Session to discuss one item related to the appointment of an individual.

Chair Langdon also stated that we would like to be advised by our attorneys with respect to the lease in the Industrial Park with Lansing Flight Support. He stated that he understands that we may speak confidentially to our attorneys as a privileged Attorney-Client communication.

He stated that there would be no action taken following the Executive Session and the Attorney-Client session.

There being no further business, the meeting was adjourned at 8:40 pm.
ALBANY COUNTY AIRPORT AUTHORITY

REGULAR MEETING
AGENDA

September 14, 2009

General:

1. Chairman's Remarks
   
   1.1 Election of Officers
   1.2 Assignment of Committees

2. Approval of Minutes
3. Communications and Report of Chief Executive Officer
4. Interesting Correspondence

Management Reports:

5. Chief Financial Officer
   
   5.1 Statistical and Financial Performance
   5.2 Comparison of Enplanements
   5.3 Summary of Airline Scheduled Flights and Markets
   5.4 USDOT Arrival and Departure Statistics

6. Project Development
7. Counsel
8. Concessions/Ambassador Program
9. Public Affairs
10. Business & Economic Development

Action Items:

   
   11.1 Concurrence on Award: Latham Water District Phase 5 Pump Station Plumbing Contract: Runway 28 Obstruction (Latham Water Tanks) Removal
   11.2 Purchase Order for Road Salt from the Albany County Department of Public Works at the NYS Contract Amount for Albany County
11. Authorization of Contracts/Leases/Contract Negotiations/Contract Amendments (Cont’d.)

11.3 Purchase Order for Digital Video Recording (DVR) Equipment and Installation Services on NYS Contract No. PT63302
11.4 Amendment No. 6 to Professional Services Contract No. S456: Phase One – Design/Engineering Services – Passenger Terminal Concourse “D” Improvements (Design and Construction Phase Engineering Services for the Terminal and Escalator Improvements) with Architecture Plus
11.5 Assignment and Assumption of Leased Property Located at 1050 Troy-Schenectady Road with Bucknell Construction Corp. to Masterline, Inc.
11.6 Amendment of Lease of Property Located at 1050 Troy-Schenectady Road with Masterline, Inc.
11.7 Sublease Agreement for Property Located at 1050 Troy-Schenectady Road between Masterline, Inc. and Tumbling Tykes of Latham, Inc.
11.9 Purchase Order: Type I and IV Glycol
11.10 Construction Contract No. 682GC: General Construction – Drainage Improvements Located at the Air Cargo Facility and Adjacent to the Main Terminal at Southwest Airlines’ Bag Make-Up Area
11.11 Purchase of Two TSD America Ground Power Units (GPU-4120) with Optional 40-foot Cables

12. Authorization of Change Orders

None

13. Review and Approval of Five-Year Capital Plan

Old Business:

OB-1 Operating Permit and Concession Privilege Fee Revision for Off-Airport Parking Concession
OB-2 Construction Approval for Leased Property Located at 1050 Troy-Schenectady Road
OB-3 Special Aviation Service Operator (SASO) with Lansing Flight Support, Inc. and Addendum No. 1
New Business:

Executive Session:

ES-1 Personnel Matter

Attorney-Client Privilege Matters: