Minutes of the Regular Meeting of the Albany County Airport Authority

February 7, 2011

Pursuant to notice duly given and posted, the regular meeting of the Albany County Airport Authority was called to order on Monday, February 7, 2011 @ 6:08 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
Rev. Kenneth J. Doyle
Dennis Fitzgerald
Tony Gorman
Elliott A. Shaw
Dorsey M. Whitehead

MEMBERS ABSENT

Steve Iachetta
Ginger Olthoff
Liz Charland
Helen Chadderdon
Dwayne Lovely

STAFF

John A. O’Donnell
Peter F. Stuto
Bill O’Reilly
Margaret Herrmann
Doug Myers

ATTENDEES

Joel Russell, AvPorts
Eric Anderson, Times Union

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

None

2. **MINUTES**

Mr. Whitehead moved to approve the December 6, 2010 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 February 2011.

He also reported on the following:

- **Information Desk Relocation**: The Information Desk relocation project is complete. He stated that the Albany County Convention and Visitor’s Bureau staff are very happy with the new location which provides much more space and greater visibility within the Terminal.
- **Departure Shop Relocation**: The Departure Shop will be re-opening in mid-February in its new location on the first floor of the Terminal. Bonnie Alexander who manages the shop is very happy with the new store and new location.
- **Snowfall Report**: Typically snow season runs from November 15th through March 15th. Snow season comparison reveals: Year-To-Date as of February 3, 2011 there were 23 snow events resulting in 57.6 inches versus Year-To-Date as of February 3, 2010 there were 23 snow events resulting in 18.4 inches. The typical Year-To-Date season has 38 events resulting in 45.8 inches of snow.

Mr. Shaw referred to the item related to the President’s visit and inquired as to the costs incurred. Mr. O’Donnell stated that the Airport Authority could not submit a bill for the visit since we are a quasi-governmental agency. However, Million Air did submit a bill in the amount of $23,000 which covered a portion of the costs. Mr. O’Donnell stated that costs such as snow removal, i.e., requirement to get the ramp to wet pavement, and other airfield requirements, as well as administrative costs could not be included in the bill. The bill did include fuel costs, reimbursement of towing of vehicles from Million Air parking lot and reimbursement for charges associated with the rental of the flatbed truck that was used by the media. Mr. O’Donnell also stated that the AvPort snow removal staff did an excellent job in meeting the requirements for arrival of Air Force One.

Mr. Whitehead referred to the item related to the expansion of the MilitaryCourtesy Room and stated that the proposed expansion was “the best thing since sliced bread.”

Mr. Gorman referred to essential air service and inquired as to proposed funding cuts. Mr. O’Donnell stated that there is currently a debate in Congress regarding proposed cuts to essential air service.
Chair Langdon inquired as to where the TSA was regarding placement of new full-body x-ray scanners at Albany. Mr. O'Donnell stated that the TSA has advised that the installation of the new equipment has been pushed back with a new date to be determined. He stated that new software has been developed that will present the full-body image as a “stick figure;” thereby, limiting exposure and negating the need for an off-site viewing area. Mr. O'Donnell stated that if Albany were to get the equipment without the new technology, an upgrade to the new technology would be available within six months.

Chair Langdon stated that he would be in favor of holding off with the installation of the x-ray equipment until it is available with new technology. He stated that he would like Mr. O'Donnell to request a meeting with the TSA if it appears they are planning on installing the equipment at Albany without the new technology.

4. **INTERESTING CORRESPONDENCE:**

Noted

**MANAGEMENT REPORTS:**

5. **Chief Financial Officer**

Mr. O'Reilly presented the following:

5.1 **Statistical and Financial Performance for the Twelve Months Ended December 31, 2010**

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 and statistical results for the twelve months ended December 2010.

Mr. Fitzgerald referred to the statistical enplanement data and stated that it appeared that a conservative estimate was used for the year and that estimate wasn’t reached. He inquired as to whether this was a reflection on the local economy. He stated this was more a reflection on the flight changes made by the air carriers and contraction in the airline industry, i.e., Delta/Northwest merger.

Mr. Fitzgerald inquired as to whether this was something to be alarmed about. Mr. O'Reilly stated that he did not believe so. He stated that enplanements came in a little better than was projected in the summer.

Mr. Gorman referred to the Comparison of Enplanements and stated that he was concerned since Albany was down 6-8% compared to other airports. Mr. O'Reilly stated that this was a concern and Mr. O'Donnell and staff were working very hard in the area of air service development, i.e., recent trips to Delta and Southwest.
Mr. Gorman stated that consolidation of the airlines did not help the situation. Mr. O'Reilly agreed and stated that the Delta/Northwest merger did have an impact and the proposed merger of United and Continental will result in additional contraction, as they will wind up as a single airline within the next 12 months. He stated that the budget assumes that this will occur in July 2011.

Mr. Gorman inquired as to whether it might be more of a demographic issue, i.e., this area is a more government-based economy relative to other areas. Mr. O'Reilly stated that it appears that Jet Blue is a factor, i.e., Bradley enplanements have increased since they picked-up Jet Blue, as have the other NY airports that have Jet Blue service.

Mr. Gorman inquired as to the consultant that is used for air service development and what type of services are they providing. Mr. O'Reilly stated that the Airport utilizes two consultants: SH&E and Sixel Consulting. He stated that they prepare airline presentations, i.e., currently preparing for the Network USA 2011 conference where meetings will be held with five airlines. The consultant also attends meetings and prepares reports with suggested routes for new service.

Mr. O'Donnell stated that when the Airline Affairs Committee met in the fall the airline representatives did not seemed concerned about the decrease in service resulting in lower enplanements. He stated that they appeared to be pleased that they are operating at a profit and are satisfied with the number of flights here at Albany. He stated that they cited other airports have been more severely impacted than Albany by consolidations and decreasing numbers of flights.

Mr. O'Donnell stated that his meeting with Delta did have some positive effects, i.e., an Airbus was added in place of an RJ and they did add the Raleigh flight. He stated that he will continue to meet with existing and new airlines in an effort to attract additional service.

Mr. O'Reilly referred to the Financial Performance for December 2010 and stated that the budgetary results being presented do not reflect the final settlement figures. He stated that staff is working on final audited results which will include the adjusted rates and charges for the actual costs incurred for the year which will reduce the amount of revenue from the airlines. He stated that the results reported before final settlement is $3.4 million but the expected final settlement will be approximately $1.7 million which will be split 50/50 between the airlines and the Airport. The Airport share will be placed in the development fund, as agreed to in the Airlines Use and Lease Agreement.

Mr. Gorman referred to the debt service payment in the amount of $2.4 million and inquired if this was a one-time occurrence. Mr. O'Reilly stated that it was a mostly budgetary plan to actual difference due to the refunding that occurred in August and the way that is accounted for on a budgetary basis. The budgetary basis financial statements only reflect normal monthly sinking fund payments and we had elected to make principal payments normally due in December in August from funds we had on hand before the bond sale as part of the refunding. The election to pay December principal redemptions early lowered sinking fund payments required during the remainder of the year.
However, we paid a record amount of debt service this year if we consider both normal sinking fund payments and other funds on hand that were applied to the refunding.

6. Project Development

Mr. Iachetta presented the Project Development Status Report for the month of February 2011.

Mr. Fitzgerald referred to the Terrazzo Floor Replacement in the Terminal and inquired as to the age of the current floor. Mr. O'Donnell stated that the floor is 12 years old; however, due to the fact that there is a large amount of moisture in the soil below the slab, the adhesion level failed resulting in several areas where the floor has bubbled. He stated that engineering studies have been done which confirm these findings. He stated that the entire floor needs to be replaced using a new system with mesh and an adhesion process which has been improved over that available 12 years ago.

Mr. Fitzgerald stated that this type of floor should typically last much longer than 12 years. Mr. O'Donnell agreed and stated that the original thin-set membrane failed.

Mr. Fitzgerald referred to the Gate A6 Jet Bridge and inquired as to what would happen to the old bridge. Mr. O'Donnell stated that Airport maintenance will salvage parts to be used for future repairs on other compatible jet bridges and than it will be removed by the contractor.

7. Counsel

None

8. Concessions/Ambassador Program

Ms. Chadderdon presented the Concessions/Ambassador Program Report for the month of February 2011.


Mr. Myers presented the Public Affairs Report for the month of February 2011.

ACTION ITEMS:


10.1 Addendum No. 2: Concession Contract No. C745: Floral Vending Machine with Frank Gallo & Son Florist, Inc.

Ms. Chadderdon recommended authorization of Addendum No. 2: Concession Contract No. C745: Floral Vending Machine with Frank Gallo & Son Florist, Inc. She stated that the minimum annual guarantee has been increased from $540 to $2,700; $225 per month or 10% of the gross whichever is greater plus the modem charge. The agreement will continue on a month-to-month basis.
Mr. Fitzgerald inquired as to why the minimum annual guarantee has gone up four times the original amount. Ms. Chadderdon stated that the original guarantee was unusually low and the new amount is more in line with what it should be.

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


Mr. Iachetta recommended authorization of award of Professional Services Contract No. S732: Design Services - Runway 10-28 Taxiways C, K, J, H, M, N, Q and Air Cargo Apron Pavement Rehabilitation to Clough Harbour & Associates of Colonie, LLC, in the amount of $194,900, to be funded from Capital Improvement Project Account Numbers 2113/2120/2126.

Mr. O’Donnell stated that the scope of work for this contract does not include on-site inspection. This will be brought forward for approval in the summer of 2011.

Mr. Shaw moved to authorize said contract award. The motion was adopted unanimously.

10.3 Agreement (Twenty-Four (24) Month) with Transportation Clearinghouse Services: Airport Background Checks for Airport Employees and Certain Vendors Providing Services at the Airport

Mr. Stuto recommended authorization of an Agreement (Twenty-Four (24) Month) with Transportation Clearinghouse Services: Airport Background Checks for Airport Employees and Certain Vendors Providing Services at the Airport in the amount of $51,000, to be funded from the Airport Operating Budget Account No. 52071-43-0000. Mr. Stuto stated that this vendor was a sole source, not-for-profit entity that is wholly owned by the American Association of Airport Executives.

Mr. Gorman inquired as to whether this was a mandated function. Mr. Stuto stated that the background checks were mandated by the TSA as part of the security badging process.

Mr. Fitzgerald inquired as to whether the $51,000 cost was for one year or two. Mr. Stuto stated that the cost was for the two-year period.

Father Doyle moved to authorize said contract. The motion was adopted unanimously.

10.4 Purchase Orders: Printing Services

Mr. O’Reilly recommended authorization of Purchase Orders: Printing Services for a total estimated amount of $35,000 annually based upon usage to be funded from the Airport Operating Budget Account No. 55031-XX-000 (various departments) and 55032-30-0000 (Parking). The following four vendors will be providing specified printed material: Talco Printing, Alchar Printing, Cardinal Data and Digital Printing System. The award will be for a one year term with the option to renew four additional one year terms.
Mr. Fitzgerald inquired as to why the term was for only one year. Mr. O'Reilly stated that the one-year term will allow us to keep our options open. He stated that there was an option for four one year renewals which could be renewed annually.

Mr. Fitzgerald noted that this appears to be a small amount for Board approval. Mr. O'Reilly stated that the annual amount of $35,000 but if the renewal options are granted, it could easily go over that amount.

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

10.5 Purchase Orders: Mailing Machines - NYS State Contract # 21932-E (Group # 22812)

Mr. O'Reilly recommended authorization of Purchase Orders: Mailing Machines - NYS State Contract # 21932-E (Group # 22812) in an estimated amount of $16,000 annually, through 2015, to be funded from the Airport Operating Budget.

Mr. Fitzgerald stated that this, again, was a small amount to be brought for Board approval. He stated that he would rather see the Board's time used for larger issues rather than small amounts such as this.

Chair Langdon stated that it appears that this is an issue that requires some review. He requested Mr. Fitzgerald and Mr. Shaw look at this with Mr. O'Donnell to determine if our current guidelines are adequate or need revisions.

Mr. Stuto stated that the general rule is to seek Board approval for amounts of $25,000 or more.

Mr. Fitzgerald stated that operationally the policy should allow for staff to have a lot of latitude in these types of expenditures.

Mr. Shaw stated that he would be interested in the Authority Budget Office (ABO) policy in this regard.

Father Doyle moved to authorize said purchase orders. The motion was adopted unanimously.

10.6 Purchase Orders: Three-year Maintenance Proposals for Siemens VAC Control Systems

Mr. O'Donnell recommended Purchase Orders: Three-year Maintenance Proposals for Siemens VAC Control Systems in the amount of $94,366, to be funded from the Airport Operating Budget Account Numbers 52051-32-000 (Control Tower) and 52033-20-000 (Terminal). He stated that the proposals cover the calendar years 2011, 2012 and 2013. The proposals incorporate three percent annual fee increases from current rates.

Mr. O'Donnell stated that the Terminal and FAA Control Tower buildings utilize Siemens Direct Digital Control Energy Management Systems and Siemens is the sole source vendor for support of these systems. He stated that these systems can be accessed remotely by the Airport HVAC staff to restart boilers; thereby, saving time and money in the event the boilers go down.
Mr. O'Donnell stated that the proposal includes a new laptop computer with new software, training, onsite group training and remote assistance, as needed. He stated that Siemens has been a good partner with the Airport and the prices for this service are reasonable, i.e., call-ins and overtime rates.

Father Doyle moved to authorize said purchase orders. The motion was adopted unanimously.

10.7 **Lease Extension: Lease Agreement No. L743: Lease for Farm Land**

Mr. Stuto recommended authorization of Lease Extension: Lease Agreement No. L743: Lease for Farm Land as follows:

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<tr>
<th>Parcel</th>
<th>Lessee</th>
<th>Rent for Season</th>
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<tbody>
<tr>
<td>Parcel A (682a Albany Shaker Road)</td>
<td>George's Market</td>
<td>$3,100</td>
</tr>
<tr>
<td>Parcel B (682b Albany Shaker Road)</td>
<td>John Engel</td>
<td>$1,080</td>
</tr>
<tr>
<td>Parcel C (214 Wolf Road.)</td>
<td>George's Market</td>
<td>$2,100</td>
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Mr. Stuto stated that leasing the land for farm land is beneficial in that it saves the Authority from tree removal and mowing costs.

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

10.8 **Purchase Order: Terminal Chiller Compressor Overhauls**

Mr. O'Donnell recommended authorization of Purchase Order: Terminal Chiller Compressor Overhauls with Carrier Commercial Services, in the amount of $56,018, to be funded from Airport Operating Budget Account No. 52033-20-0000.

Mr. O'Donnell stated that the Terminal chillers are 12 years old and need of an overhaul. He stated that services provided by Carrier Commercial Services will be reviewed with and monitored by the Airport HVAC department.

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

10.9 **Purchase Order: One (1) New Diesel Powered Heavy Duty Street Sweeper**

Mr. O'Reilly recommended Purchase Order: One (1) New Diesel Powered Heavy Duty Street Sweeper with J & J Equipment, in the amount of $199,100, to be funded from Capital Equipment Account No. 2190. He stated that there was a lower bid received; however, the equipment did not conform to the bid specifications.

Mr. Shaw inquired as to the details of the lower bid. Mr. O'Reilly stated that the low bid submitted was for a smaller machine made by Tennant which was substantially different from the bid specifications for a heavy-duty street sweeper.
Mr. Gorman stated that it appeared that the Tennant bid was nowhere near the specifications included in the bid. Mr. O’Reilly stated that it was not.

Mr. Shaw inquired as to why they submitted their bid in this way. Mr. O’Reilly stated that we did speak with them wherein they advised that they wanted to put in a proposal even though it did not meet the specifications.

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

11. Authorization of Change Orders

Mr. O’Donnell recommended authorization of the following change order:

11.1 Construction Contract No. 653GC: Parking Garage Rehabilitation with Patterson-Stevens, Inc.

Mr. O’Donnell recommended authorization of Change Order No. 1 to Construction Contract No. 653GC: Parking Garage Rehabilitation with Patterson-Stevens, Inc., in the amount of $10,840, to be funded from Capital Improvements Project Account No. 2161.

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


Mr. O’Donnell recommended authorization of Change Order No. 1 to Construction Contract No. 504A: Taxiway ‘A’ and Terminal Ramp Rehabilitation Improvements with Hudson River Construction Company, Inc., in the deduct amount of $124,662, to be credited to the Capital Project Improvements Account No. 2120.

Mr. O’Donnell stated that the FAA has advised that the amount of $124,662 can be reprogrammed this year.

Father Doyle moved to authorize said change order. The motion was adopted 5-0. Mr. Gorman recused himself.

11.3 Construction Contract No. 713GC: Parking Lot ‘E’ Access Improvements – Phase 2 with Peter Luizzi & Brothers Contracting, Inc.

Mr. O’Donnell recommended authorization of Change Order No. 1 to Construction Contract No. 713GC: Parking Lot ‘E’ Access Improvements – Phase 2 with Peter Luizzi & Brothers Contracting, Inc., in the amount of $6,410, to be funded from Capital Improvements Project Account No. 2161.

Mr. Gorman moved to authorize said change order. The motion was adopted unanimously.

Old Business

None
New Business

None

Chair Langdon requested a motion to go into Executive Session to discuss two real property matters and two matters related to the appointment of a particular corporation.

Father Doyle moved to go into Executive Session. The motion was adopted unanimously.

Attorney-Client Privilege/Executive Session

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<td>ES-1</td>
<td>Real Property Matter</td>
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<td>ES-2</td>
<td>Real Property Matter</td>
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<td>ES-3</td>
<td>Appointment of a Particular Corporation</td>
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<td>ES-4</td>
<td>Appointment of a Particular Corporation</td>
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Mr. Shaw moved to go out of Executive Session. The motion was adopted unanimously.

**ES-1 Real Property Matter**

Mr. O'Donnell recommended authorization of the Acquisition of Property: 9 Buhrmaster Road (Owner: Jeffrey Buhrmaster); 15 Buhrmaster Road (Owner: George Buhrmaster); 4120 River Road (Owner: Jeffrey and George Buhrmaster) in the amount of $831,806, to be funded from Capital Improvements Project Account No. 2117.

Mr. O'Donnell reported that an agreement has been reached with George and Joan Buhrmaster and with Jeffrey and Christine Buhrmaster on the acquisition of the final three unresolved properties in the Runway Protection Zone (RPZ) at the north end of Runway 19.

Mr. O'Donnell stated that staff consulted significantly with the FAA during the most recent intensive negotiations and have already secured its approval of the financial details of the agreement; this will result in the approximate 95% reimbursement of eligible land and relocation costs.

The properties involved are as follows:

9 Buhrmaster Road: This 1.8 acre residential parcel is owned by Jeffrey Buhrmaster and is the site of the home of him and his wife Christine. The parcel is totally within the RPZ. Jeffrey and Christine will build a replacement home and ACAA will then demolish their home when it is vacated (18 months maximum).

15 Buhrmaster Road: This 1.5 acre residential parcel is owned by George Buhrmaster and is the site of the home of him and his wife Joan. The parcel is totally in the RPZ. As a condition of the purchase, we have agreed to allow the Buhrmasters to remain in the home with an insured life estate until their demise or vacating the premises.

4120 River Road: This large tract of open field and wooded property is owned by both Jeffrey and George Buhrmaster. Approximately 11.4 acres adjacent to both residential properties lies...
within the RPZ, and ACAA will be acquiring fee title to that parcel, as well as acquiring an avigation easement over another 19.3 acre portion of that site.

Total negotiated price of the above transactions is $831,806. These funds will be distributed to the Buhrmasters based upon their share of the property ownership and according to a payment schedule contained in the individual components of the agreement. Payment of funds due George Buhrmaster (approximately $155,443) will be paid upon closing which is targeted to take place before the end of February. Payment of funds due to Jeffrey Buhrmaster equal approximately $676,363, with approximately $240,000 held in escrow and released to him as construction of his replacement house proceeds.

As part of this transaction, the Authority is required to obtain approval from Albany County for the transfer of approximately 1/5th of an acre of land which shall be titled to the Buhrmasters. A license to utilize the property shall be granted immediately to facilitate access to the Jeff and Christina new home site.

In return for this agreement with the Buhrmasters, the ACAA meets three important long term goals, as follows:

- Completion of the final land transactions at the north end of Runway 19 to bring us in compliance with the RPZ and avigation easement requirements of the FAA. This concludes a five year process.
- Release of all current and future claims related to these transactions from the Buhrmasters.
- Immediate access as soon as the agreement is signed (and prior to actual closing) by the ACAA to the three parcels for the removal and trimming of trees that have negatively impacted the north end glide path and MALSR light operation.

Mr. O'Donnell also recommended approval of a license to utilize the property which shall be granted immediately to facilitate access to the Jeff and Christina new home site and that he be authorized to sign the agreement negotiated with the concurrence of the FAA.

Mr. Shaw moved to authorize said agreement and license and to approval of authorization for the Chief Executive Officer to sign said agreement.

Chair Langdon amended the motion to direct the Chief Executive Officer to include Father Doyle in all future proceedings regarding any actions related to this transaction before the Albany County Legislature.

The motion, as amended, was adopted unanimously.

There was no further action taken.

There being no further business, the meeting was adjourned at 8:10 pm.
ALBANY COUNTY AIRPORT AUTHORITY

REGULAR MEETING

AGENDA

February 7, 2011

General:

1. Chairman’s Remarks
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

Action Items:

   10.1 Addendum No. 2: Concession Contract No. C745: Floral Vending Machine with Frank Gallo & Son Florist, Inc.
   10.3 Agreement (Twenty-Four (24) Month) with Transportation Clearinghouse Services: Airport Background Checks for Airport Employees and Certain Vendors Providing Services at the Airport
   10.4 Purchase Orders: Printing Services
   10.5 Purchase Orders: Mailing Machines - NYS State Contract # 21932-E (Group # 22812)
   10.6 Purchase Orders: Three-year Maintenance Proposals for Siemens VAC Control Systems
10. Authorization of Contracts/Leases/Contract Negotiations/Contract Amendments (Cont'd.)

10.7 Lease Extension: Lease Agreement No. L743: Lease for Farm Land
10.8 Purchase Order: Terminal Chiller Compressor Overhauls
10.9 Purchase Order: One (1) New Diesel Powered Heavy Duty Street Sweeper

11. Authorization of Change Orders

11.1 Construction Contract No. 653GC: Parking Garage Rehabilitation with Patterson-Stevens, Inc.
11.3 Construction Contract No. 713GC: Parking Lot ‘E’ Access Improvements – Phase 2 with Peter Luizzi & Brothers Contracting, Inc.

Old Business:

New Business:

Executive Session:

ES-1 Real Property Matter
ES-2 Real Property Matter
ES-3 Appointment of a Particular Corporation
ES-4 Appointment of a Particular Corporation

Attorney-Client Privilege Matters: