



ALBANY COUNTY AIRPORT AUTHORITY
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**ACAA
 APPROVED**

12/6/10

Minutes of the Regular Meeting of the Albany County Airport Authority

November 1, 2010

Pursuant to notice duly given and posted, the regular meeting of the Albany County Airport Authority was called to order on Monday, November 1, 2010 @ 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
 Rev. Kenneth J. Doyle
 Dennis Fitzgerald
 Tony Gorman
 Elliott A. Shaw
 Dorsey M. Whitehead

MEMBERS ABSENT

STAFF

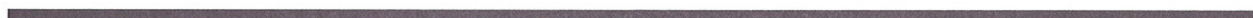
John A. O'Donnell
 Bill O'Reilly
 Ginger Olthoff
 Peter F. Stuto

Denise Zieske
 Steve Iachetta
 Helen Chadderdon
 Doug Myers

ATTENDEES

Joel Russell, AvPorts
 Pam Day, MillionAir
 Peter Rea, NYSDOT
 Eric Anderson, Times Union

Chair Langdon noted there was a quorum.



1. **CHAIR'S REMARKS**

None

2. **MINUTES**

Mr. Shaw moved to approve the October 4, 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 November 2010.

Mr. O'Donnell also reported on:

- **Southwest/Make-A-Wish Halloween Event:** Southwest Airlines sponsored a Make-A-Wish Halloween Party which was held in the Eclipse Hangar on October 30, 2010. The event was a huge success with over 300 children attending the event which featured many activities for the children such as "Make Your Own Sundaes", "Make Your Own Cupcakes," and tours of a private aircraft that was offered by an Airport tenant.
- **Dominick Fuda, Airport Courier:** Airport Courier, Dom Fuda, passed away in mid-October. Dom was with the Airport for many years and was a loyal employee.

4. **INTERESTING CORRESPONDENCE:**

Noted

MANAGEMENT REPORTS:

5. **Chief Financial Officer**

Mr. O'Reilly presented the following:

- 5.1 **Statistical and Financial Performance for the Month of September 30, 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 performance for the period ended September 30, 2010.

Mr. Gorman inquired as to why Albany has the highest loss of enplanements of its peer airports. Mr. O'Reilly stated that the consolidation of Northwest and Delta has resulted in a decline in capacity and some of the peer airports have service provided by Jet Blue and AirTran. He stated that Albany should benefit from the acquisition of AirTran by Southwest Airlines in the future.

Father Doyle inquired as to whether the fact that New York State had a moratorium on travel would have a negative impact on enplanements. Mr. O'Reilly stated that it is likely.

Mr. Gorman inquired as to whether Albany was losing customers to other airports. Mr. O'Reilly stated that higher ticket prices could drive passengers to other airports. He stated that with the assistance of a air travel consultant, attempts were being made to work with the airlines to get airfares down. He also stated that airfares should come down once Southwest acquires AirTran.

Mr. Shaw stated that he liked the presentation of performance measurements included in the financial report. He inquired as to why there was a decline in the Business Center operations. Mr. O'Reilly stated that there was and this was due, in part, to the fact that there were fewer enplaned passengers and fewer currency transactions. He also stated that due to staffing issues, the hours of the Business Center had been temporarily reduced when the Business Center Manager retired from the Authority. He stated that it was decided to reduce staffing to part-time positions and transfer these positions to AvPorts who is still in the process of staffing the center. Mr. O'Reilly stated that net operating results are up dramatically from one year ago, i.e., up to \$37,000 from a negative \$14,000.

Mr. Shaw inquired if there were any complaints due to the reduced hours. Mr. O'Reilly stated that there were a few complaints. He stated that the hours will be expanded once again as the Business Center is fully staffed. He reported that currency exchange is generally arranged by appointments which have been accommodated whenever possible.

Mr. Shaw inquired as to whether a philosophy has been developed in putting the 2011 budget together based upon 2010 actual results. Mr. O'Reilly stated that the numbers were still under review for 2011; however, the preliminary budget is based upon flat enplanement growth. He stated that a meeting is scheduled with the Airline Affairs Committee for November 16th to review the budget and final estimates are still coming in for next year. He reported that the rates and charges in the final budget should come down a little from the preliminary budget proposal.

Mr. Shaw inquired as to whether a Finance Committee meeting was needed. Mr. O'Reilly stated that he would like to meet with the Finance Committee after the Airline Affairs Committee meets on November 16th.

Chair Langdon requested a detailed report for the December meeting outlining the enplanement and flight numbers for other airports in the region, i.e., Bradley, Syracuse, etc., and what were the reasons that travelers chose other airports outside of the Albany area. Mr. O'Donnell agreed to prepare said report.

6. Project Development

Mr. Iachetta presented the Project Development Status Report for the month of November 2010.

7. Counsel

None

8. Concessions/Ambassador Program

Ms. Chadderton presented the Concessions/Ambassador Program Report for the month of November 2010.

Ms. Chadderdon also reviewed a PowerPoint presentation on each of the Food & Beverage concessions, as requested at the October meeting.

Chair Langdon stated that the report was exactly what he wanted and was very helpful.

9. Public Affairs Report

Mr. Myers presented the Public Affairs Report for the month of November 2010.

10. Business and Economic Development Report

Mr. Myers presented the Business and Economic Development Report for the month of November 2010.

ACTION ITEMS:

11. Authorization of Contracts/Leases/Contract Negotiations/Contract Amendments

11.1 General Aviation Catering Agreement with Javian, Inc., d/b/a Professor Java's

Ms. Zieske recommended authorization of a General Aviation Catering Agreement with Javian, Inc., d/b/a Professor Java's. The agreement is for a one-year term and may be extended in one-year increments with written approval of the Authority. The Authority collects a 20% privilege fee on all catering services.

Mr. Shaw moved to authorize said catering agreement. The motion was adopted unanimously.

11.2 General Aviation Catering Agreement with Big Joes Catering LLC

Ms. Zieske recommended authorization of a General Aviation Catering Agreement with Big Joes Catering LLC. The agreement is for a one-year term and may be extended in one-year increments with written approval of the Authority. The Authority collects a 20% privilege fee on all catering services.

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

11.3 Construction Contract No. 726GC: General Construction – RW 10-28 Obstruction Removals

Mr. Iachetta recommended authorization of award of Construction Contract No. 726GC: General Construction – RW 10-28 Obstruction Removals to Turco Golf, Inc., in the amount of \$624,602.50, to be funded from Capital Projects Account No. 2516.

Mr. Shaw inquired as to whether this was a phase. Mr. Iachetta stated that it was not a phase but was the complete construction project. Mr. O'Donnell confirmed this was one project only – no phasing.

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

11.4 Purchase Order: Purchase of One (1) Chevrolet Tahoe

Mr. O'Donnell recommended authorization of a Purchase Order: Purchase of One (1) Chevrolet Tahoe to Hoselton Chevrolet, in the amount of \$30,863.89, to be funded from the Airport Operating Budget – Non-Capital Equipment. He stated that this vehicle will be assigned to the Airport Fire Chief and will replace an obsolete vehicle in the Airport fleet. The obsolete vehicle will be auctioned off or sold as salvage.

Father Doyle inquired as to whether the Rochester company bidding put in a bid for all airports. Mr. O'Donnell stated that the vehicle was being purchased under NYS Contract for emergency fleet vehicles and the Rochester dealer was the only dealer with this rate.

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

11.5 Assignment of Contract from Jacobs Consultancy to LeighFisher Management Consultants and Amendment No. 4: Contract No. 409F: Airport Financial Services

Mr. O'Reilly recommended authorization of Assignment of Contract from Jacobs Consultancy to LeighFisher Management Consultants and Amendment No. 4: Contract No. 409F: Airport Financial Services extending the termination date to December 31, 2012 at the current fee schedule which is estimated based upon usage to be \$12,000 to \$20,000 per year.

Mr. Whitehead moved to authorize said contract assignment and contract amendment. The motion was adopted unanimously.

11.6 Supply Contracts: All Natural Gas and Electric Accounts

Mr. O'Reilly recommended authorization for the Chief Financial Officer to bid out variable market rate supply contracts for some of or all electric and natural gas accounts, anticipated to be lower than National Grid market pricing, and enter into either a 12-month or 24-month supply contract with the successful bidders or obtain service from National Grid if all bids for a procured energy supply are rejected.

Mr. Gorman moved to authorize the Chief Financial Officer to bid out and enter into said contracts or obtain service from National Grid if all bids are rejected. The motion was adopted unanimously.

11.7 Purchase Order: Rough Terrain Boom Lift 4WD Diesel

Mr. Iachetta recommended authorization of a Purchase Order for a Rough Terrain Boom Lift 4WD Diesel to Alden Equipment, Inc., in the amount of \$65,500.09, to be funded from Capital Improvement Equipment Account No. 2190. Mr. Iachetta stated that this pricing was at or below GSA contract pricing.

Mr. O'Donnell stated that this equipment will be replacing a 1998 electric powered lift that has become unreliable and was recently taken out of service due to safety issues. The lift is used for servicing jet bridges and various other airport uses. He stated that we have been renting a lift on a monthly basis since the old equipment was taken out of service.

Mr. Gorman inquired as to whether this new equipment could be leased. Mr. O'Reilly stated that it was his preference to purchase the equipment.

Mr. Fitzgerald asked for clarification as to whether this item was being purchased under GSA contract. Mr. O'Reilly stated that it was.

Mr. Whitehead inquired as to whether there was any value to the old lift. Mr. O'Donnell stated that this would be investigated. He stated that it would be a two-month project to take the lift apart to determine if it has any value.

Mr. Gorman inquired as to whether it could be traded in. Mr. O'Donnell stated that it could not.

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

11.8 Lease No. L-733: Sublease between AFCO Cargo ALB Limited Partnership and Roadtex Transportation Corporation Warehouse Space: 44 Kelly Road, (ACAA Bld. #300)

Ms. Zieske recommended authorization of Lease No. L-733: Sublease between AFCO Cargo ALB Limited Partnership and Roadtex Transportation Corporation Warehouse Space: 44 Kelly Road, (ACAA Bld. #300).

Ms. Zieske stated that the Authority's Air Cargo Facility Agreement requires AFCO to request approval from the Authority for any leases to tenants of the cargo building. This is a sublease between AFCO and Roadtex at the cargo building for 5,000 SF of warehouse and office space. Rent will be \$5.00/SF plus Common Area Maintenance estimated at \$2.35/SF for a total rent of \$36,750.12. This is a two year lease with 4 renewal options of 2 years each. Base rent will be fixed for the first two years with annual 3% increases in the rental rate starting with the renewal options. The tenant will need to secure security badges for employees. Because the exact date of issuance is not known, it is estimated that the commencement date will be November 18, 2010.

Mr. Gorman stated that it appeared to be a wash-out in terms of income. Mr. O'Reilly stated that the Authority shares in the overall revenues and expenses net of debt service with AFCO. He stated that this revenue will be added to the revenue base and any money added to the revenue base is beneficial to the Authority.

Mr. Gorman moved to authorize said sub-lease. The motion was adopted unanimously.

12. Authorization of Change Orders

Mr. O'Donnell recommended authorization of the following change orders:

12.1 Concurrence on Change Order: Latham Water District - Phase 5 Electrical Construction Contract with Brunswick Electric, Inc., for Runway 28 Approach Obstruction (Water Tank) Removal

Mr. Iachetta recommended authorization for Concurrence on Change Order No. 3: Latham Water District - Phase 5 Electrical Construction Contract with Brunswick Electric, Inc., for Runway 28 Approach Obstruction (Water Tank) Removal, in the amount of \$22,141.95, to be funded from Capital Improvements Project Account No. 2512.

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

12.2 Concurrence on Change Order: Latham Water District - Phase 5 General Construction Contract with W. M. Schultz Construction, Inc., for Runway 28 Approach Obstruction (Water Tank) Removal

Mr. Iachetta recommended authorization for Concurrence on Change Order No. 4: Latham Water District - Phase 5 Electrical Construction Contract with W.M. Schultz Construction, Inc., for Runway 28 Approach Obstruction (Water Tank) Removal, in the amount of \$33,338.00 to be funded from Capital Improvements Project Account No. 2512.

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

13. Adoption of Employer Resolution to Join the New York State Deferred Compensation Plan as a Participating Employer

Mr. Stuto recommended Adoption of Employer Resolution to Join the New York State Deferred Compensation Plan as a Participating Employer.

Currently the Authority is a sponsoring employer of the New York State Deferred Compensation Plan. A request is made to join the State Sponsored Deferred Compensation Plan as an eligible employer. This will relieve the Authority of certain administrative requirements applicable to sponsoring employers which include, but are not limited to, obtaining an independent annual audit and maintain fiduciary insurance.

Mr. Fitzgerald moved to adopt the following Employer Resolution:

“The Albany County Airport Authority wishes to adopt the Deferred Compensation Plan for Employees of the State of New York and Other Participating Public Jurisdictions (the “Plan” for the voluntary participation of all eligible employees; and

The Albany County Airport Authority is a local public employer eligible to adopt the Plan pursuant to Section 5 of the State Finance Law;* and

The Albany County Airport Authority has reviewed the Plan established in accordance with Section 457 of the Internal Revenue Code and Section 5 of the State Finance Law of the State of New York; and

The purpose of the Plan is to encourage employees to make and continue careers with the Albany County Airport Authority by providing eligible employees with a convenient and tax favored method of saving on a regular and long-term basis and thereby provide for their retirement;

It is hereby: RESOLVED, that the Albany County Airport Authority hereby adopts the Plan for the voluntary participation of all eligible employees; and it is further RESOLVED, that the appropriate officials of the Albany County Airport Authority are hereby authorized to take such actions and enter such agreements as are required or necessary for the adoption, implementation, and maintenance of the Plan; and it is further RESOLVED, that the Administrative Services Agency is hereby authorized to file copies of these resolutions and other required documents with the President of the State of New York Civil Service Commission.

Adopted the day of November 1, 2010, at a meeting of the Albany County Airport Authority. I hereby certify that the (Employer) is a local public employer within the meaning of Section 5 of the State Finance Law and that the adoption of the Plan has received all required approvals of any local governing body or officer and otherwise complies with local law.

Witnessed by:

Albany County Airport Authority

By: _____

Consent of the Deferred
Compensation Board of the
State of New York to
Local Public Employer's
Participation

By: _____

*A local public employer eligible to adopt the Plan pursuant to Section 5 of the State Finance Law includes: a county, city, town, village or other political subdivision as defined in Section 131 of the retirement and Social Security law or civil division of the State; a school district or other governmental entity operating a public school, college, or university; a public improvement or special district, a public authority, commission, or public benefit corporation; or any other public corporation, agency or instrumentality or unit of government which exercises governmental powers under the laws of the State."

The motion was adopted unanimously.

14. Discussion on Transitioning from Paper to Electronic Transmission of Authority Meeting Agenda Items

Mr. O'Donnell stated that a pilot program has been underway to transition from paper to electronic transmission of Authority Meeting Agenda Items by using the Apple IPAD. The electronic files are created and scanned as pdf (Adobe) files which are then assembled electronically into one Agenda file. This file is then transmitted to the IPAD via internal Authority email accounts.

A cost analysis was prepared and the transition will result in substantial annual cost savings. Over the course of this year a total of 12 regular and committee meetings have been held to date. The average size of each book is 275 pages; the smallest of which was a committee meeting agenda book at 23 pages and the largest regular meeting agenda book contained 790 pages. A total of 22 agenda books are created for each meeting for the Authority members, Authority staff, AvPorts, Million Air and media. Savings are estimated at \$22,000 annually.

Father Doyle inquired as to whether there was a monthly charge for the internet service. Mr. O'Donnell stated that there was a monthly charge for the 3G service which allowed for internet access.

Mr. Gorman inquired as to the security of the material. Mr. O'Donnell stated that a password will be required to retrieve the information.

Mr. Whitehead stated that it appeared the advantages outweigh the disadvantages.

Mr. Fitzgerald inquired as to what email would be used. Ms. Olthoff stated that email accounts will be set up for Authority members on the Authority servers specifically for IPAD use.

Chair Langdon inquired as to what the legal status was for electronic signatures. Mr. Stuto stated that he would have to research the matter. Chair Langdon requested that he do that and report back. Mr. Stuto agreed.

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

15. Adoption of the Mission Statement and Performance Measures in Accordance with 2009 Public Authorities Reform Act and Approval of Submission Package to the Authority Budget Office (ABO)

Mr. Stuto stated that the Governance Committee had met today at 5:00 PM to consider and adopt a Mission Statement and Performance Measures, as required under the 2009 Public Authorities Reform Act. He stated that the Governance Committee voted favorably to recommend adoption by the Authority as well as to approve the submission package to the Authority Budget Office.

Chair Langdon stated that he chaired the Governance Committee meeting held earlier today. He stated that historically, the Authority members have requested detailed information such as is included in the proposed Mission Statement and Performance Measures. The Authority members have, over the years, requested much of the detail that is found in the monthly financial reports submitted to the Authority by staff.

Chair Langdon stated that the Authority was chosen as the second Authority to undergo the ABO compliance review and was given a very favorable report due to the fact that the Authority had many of these types of processes already in place.

Mr. Fitzgerald moved to adopt said mission statement and performance measures and approve submission of said package to the Authority Budget Office.

Old Business:

OB-1 Purchase Orders - Contract No. 725: Waste Management Services

Mr. O'Reilly recommended authorization of Purchase Orders for Contract No. 725: Waste Management Services for an estimated contract amount based upon usage of \$265,830 to be funded from the Airport operating budget, for a total of five years of waste management services. He stated that the contract provides for a one-year service with 4 one-year renewals based upon annual review.

Mr. Gorman inquired as to whether the price was based upon prior usage. Mr. O'Reilly stated that it was.

Mr. Fitzgerald inquired as to the basis for award outlined in the RFP. Mr. O'Reilly stated that this did not go out as an RFP but was an IFB (Invitation for Bid). The basis for award under the IFB was lowest cost.

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

New Business:

None

Chair Langdon requested a motion to go into Executive Session to discuss one real property matter.

Mr. Gorman moved to go into Executive Session. The motion was adopted.

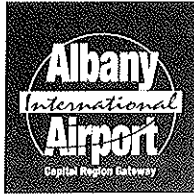
Attorney-Client Privilege/Executive Session

ES-1 Real Property Matter

Father Doyle moved to go out of Executive Session.

No action was taken.

There being no further business, the meeting was adjourned at 7:45 pm.



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REGULAR MEETING

AGENDA

November 1, 2010

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
10. Business & Economic Development

Action Items:

11. Authorization of Contracts/Leases/Contract Negotiations/Contract Amendments
 - 11.1 General Aviation Catering Agreement with Javian, Inc., d/b/a Professor Java's
 - 11.2 General Aviation Catering Agreement with Big Joes Catering LLC
 - 11.3 Construction Contract No. 726GC: General Construction – RW 10-28 Obstruction Removals
 - 11.4 Purchase Order: Purchase of One (1) Chevrolet Tahoe
 - 11.5 Assignment of Contract from Jacobs Consultancy to LeighFisher Management Consultants and Amendment No. 4: Contract No. 409F: Airport Financial Services
 - 11.6 Supply Contracts: All Natural Gas and Electric Accounts
-

**Albany County Airport Authority
Agenda: November 1, 2010**

11. **Authorization of Contracts/Leases/Contract Negotiations/Contract Amendments
(Cont'd.)**
 - 11.7 **Purchase Order: Rough Terrain Boom Lift 4WD Diesel**
 - 11.8 **Lease No. L-733: Sublease between AFCO Cargo ALB Limited Partnership and Roadtex Transportation Corporation Warehouse Space: 44 Kelly Road, (ACAA Bld. #300)**

12. **Authorization of Change Orders**
 - 12.1 **Latham Water District Phase 5 Electrical Construction Contract: Runway 28 Approach Obstruction (Water Tanks) Removal with Brunswick Electric, Inc.**
 - 12.2 **Latham Water District Phase 5 General Construction Contract: Runway 28 Approach Obstruction (Water Tanks) Removal with W.M. Schultz Construction, Inc.**

13. **Adoption of Employer Resolution to Join the New York State Deferred Compensation Plan as a Participating Employer**

14. **Discussion on Transitioning from Paper to Electronic Transmission of Authority Meeting Agenda Items**

15. **Adoption of the Mission Statement and Performance Measures in Accordance with 2009 Public Authorities Reform Act and Approval of Submission Package to the Authority Budget Office (ABO)**

Old Business:

- OB-1 Purchase Orders - Contract No. 725: Waste Management Services**

New Business:

Executive Session:

- ES-1 Real Property Matter**

Attorney-Client Privilege Matters: