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**BROOME COUNTY LEGISLATURE  
SPECIAL SESSION  
WEDNESDAY, MARCH 27, 2002**

The Legislature convened at 5:04 p.m. with a call to order by the Chair, Daniel A. Schofield. The Deputy Clerk, Laurie L. Tracy, read the fire exit announcement and called the Attendance Roll, Present-17, Absent-2 (Burger, Mather).

The Chair, Mr. Schofield, led the members of the Legislature in the Pledge of Allegiance to the Flag, followed by a prayer by Legislator Hudak. Mr. Kavulich and Mr. O'Day were designated as participants with Chairman Schofield in the 'Short Roll Call'.

**RESOLUTIONS INTRODUCED AT THIS SESSION**

**RESOLUTION NO. 147**

By Transportation and Finance Committees Seconded by Mr. Howard  
**RESOLUTION AUTHORIZING AGREEMENTS WITH FIRSTAIR GROUP, INC. TO PROVIDE  
GENERAL AVIATION SERVICES AT THE BINGHAMTON REGIONAL AIRPORT AND FOR  
LEASE OF HANGARS 2 AND 3 FOR 2002-2012**

WHEREAS, in order to provide general aviation services at the Binghamton Regional Airport (Airport), it is necessary to enter into an agreement with a "Fixed Base Operator" (FBO), and

WHEREAS, after soliciting interest from various FBO's, FirstAir Group, Inc. (FirstAir) has proposed to provide general aviation services at the Airport to include hangaring, repairing, maintaining and fueling aircraft, collecting landing fees and providing charter service, and

WHEREAS, in connection with providing said services, FirstAir desires to lease Hangars 2 and 3 at the Airport, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes agreements with FirstAir Group, Inc, 42 Aviation Drive, Horseheads, New York 14845 whereby it will provide the services of an FBO at the Binghamton Regional Airport and will lease Hangars 2 and 3 at said Airport, and be it

FURTHER RESOLVED, that the term of the agreement/lease shall be ten years commencing on April 1, 2002 and terminating March 31, 2012, provided, however, that FirstAir shall have the right to extend the term for two additional ten year periods, and be it

FURTHER RESOLVED, that in consideration of the agreement/lease, FirstAir shall pay the County \$122,748 per year for the first ten years with an annual CPI increase subject to a 4% cap, and be it

FURTHER RESOLVED, FirstAir shall pay the County fuel flowage and landing fees less a credit of 10% for landing fees collected equal to the rate that may be established by this Legislature from time to time, and be it

FURTHER RESOLVED, that the payments to be received shall be credited to 210096.0116.207000 (Conventional Hangar Rental), and be it

FURTHER RESOLVED, that the agreement/lease to be entered into pursuant to this resolution shall be substituted as collateral security pursuant to the terms of a certain financing statement entered into by the County in favor of the Broome County Industrial Development Agency dated May 1, 1994, and an assignment of the lease to Binghamton Savings Bank dated April 7, 1993, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.

**Carried,** Ayes-17, Nays-0, Absent-2 (Burger, Mather).

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**RESOLUTION NO. 148**

By Transportation and Finance Committees

Seconded by Mr. Shafer

**RESOLUTION AUTHORIZING TERMINATION OF AGREEMENTS WITH MILLER AVIATION, INC. AND CORPORATE WINGS SERVICES CORP. AS SUCCESSOR TO MILLER AVIATION AND ACCEPTANCE OF ASSIGNMENT OF PENNSYLVANIA COMMUTER AIRLINES, INC. SUBLEASE**

WHEREAS, this County Legislature by Resolutions 224 of 1981, 84 of 1983, 454 of 1986, 188 of 1988, 95 of 1991 and 493 of 1993 authorized the lease of hangar space in Hangars 1, 2 and 3 at the Binghamton Regional Airport to Miller Aviation, Inc., and

WHEREAS, Corporate Wings Services, Corp., is the successor by merger to Miller Aviation, Inc., and

WHEREAS, Corporate Wings Services Corp. has changed the nature of its business enterprise so that it is phasing out its fixed base operator (FBO) services at various airports and desires to terminate its agreements with Broome County, and

WHEREAS, the County has arranged for a substitute FBO on terms that are at least as favorable, now, therefore, be it

RESOLVED that this County Legislature hereby authorizes an agreement with Miller Aviation, Inc. and/or its successors to provide for the termination of all agreements with Miller Aviation, Inc. and its successors pertaining to operations at the Binghamton Regional Airport provided that all payments due under the various agreements are current and further provided that in said termination agreement Miller Aviation, Inc. and its successors acknowledges its continuing obligation with respects to hazardous materials, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes the acceptance of an assignment by Miller Aviation, Inc. and/or its successors to Broome County of the sublease of Hangar 1 to Pennsylvania Commuter Airlines, Inc. (d/b/a Allegheny Commuter Airlines), and be it

FURTHER RESOLVED, that said sublease as assigned shall be substitute collateral for certain financing statements entered into by Miller Aviation, Inc. and Broome County in favor of Binghamton Savings Bank (BSB Bank and Trust) dated May 1, 1994, and be it

FURTHER RESOLVED, that it is the intent of this County Legislature that in all aspects, the respective rights and obligations of Broome County in connection with the serial bonds issued by the Broome County Industrial Development Agency on May 1, 1994 for the construction of Hangar 1 at the Binghamton Regional Airport shall remain in full force and effect, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.

**Carried**, Ayes-17, Nays-0, Absent-2 (Burger, Mather).

Mr. Wike made a motion to adjourn, seconded by Mr. O'Day. **Motion to adjourn carried.** The meeting was adjourned at 5:11 p.m.

