

RESOLUTION NO. 2015267

RE: AMENDING THE DUTCHESS COUNTY AIRPORT'S MINIMUM STANDARDS

Legislators HUTCHINGS, HORTON, SAGLIANO, WEISS, MAC AVERY, and FARLEY offer the following and move its adoption:

WHEREAS, this Legislature adopted the Dutchess County Airport's (Airport) Minimum Standards by Resolution No. 208146, and

WHEREAS, the Minimum Standards are designed to minimize the potential for violation of federal obligations at the Airport as well as outline the minimum requirements necessary to conduct a specific activity at the Airport, and

WHEREAS, the operating hours at the Airport, as stated in Section 2, of the Minimum Standards, a copy of which is annexed hereto, are 7:00a.m. to 9:30 p.m., and

WHEREAS, Flightlevel Dutchess, LLC, (Flightlevel) the Fixed Base Operator at the Airport has advised the Commissioner of Public Works (Commissioner) that there is an insufficient amount of aircraft activity at the Airport after 7:00 PM, and

WHEREAS, the Commissioner has done a review of the Airport's records and concurs with Flightlevel's assessment, and

WHEREAS, Flightlevel has further advised the Commissioner, that the current hours of operation at the Airport exceed that of comparable airports, and

WHEREAS, Flightlevel has requested that the operating hours at the Airport be reduced to 7:00 a.m. to 7:00 p.m., and

WHEREAS, Flightlevel has assured the Commissioner that it will provide after hours service to both tenants as well as transient aircraft, and

WHEREAS, the Commissioner has determined that Section 2 of the Minimum Standards should be further amended to provide that Fixed Base Operators have a minimum of three (3) years experience as a Fixed Base Operator in order to qualify to conduct business at the Airport, now therefore, be it

RESOLVED, that Section 2, Hours of Operation, in the Minimum Standards for the Dutchess County Airport is hereby amended to 7:00 a.m. to 7:00 p.m. upon compliance with all applicable rules and regulations of the Federal Aviation Administration, and it is further

RESOLVED, that Section 2 in the Minimum Standards for the Dutchess County Airport is hereby amended to include the requirement that Fixed Base Operators have a minimum of three (3) years experience as a Fixed Base Operator in order to qualify to conduct business at the Dutchess County Airport.

CA-174-15
CAB/G-0999-A
10/23/15

Fiscal Impact: See attached statement

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 3rd day of December 2015, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 3rd day of December 2015.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS
(To be completed by requesting department)

Total Current Year Cost \$ _____

Total Current Year Revenue \$ _____
and Source

Source of County Funds *(check one)*: Existing Appropriations, Contingency,
 Transfer of Existing Appropriations, Additional Appropriations, Other *(explain)*.

Identify Line Items(s):

Related Expenses: Amount \$ _____

Nature/Reason:

Anticipated Savings to County: _____

Net County Cost (this year): _____

Over Five Years: _____

Additional Comments/Explanation:

Prepared by: _____ Prepared On: _____



Each mobile dispensing truck shall be so equipped and maintained as to comply at all times with all applicable safety and fire prevention requirements or standards.

EQUIPMENT

FBO shall comply with the following:

The FBO shall provide adequate tie-down equipment including ropes, chains, and other types of restraining devices and wheel chocks, which are required to safely secure tie-down aircraft.

The FBO shall provide one tug with a variety of tow bars to safely and efficiently move aircraft.

The FBO shall have equipment for repairing and inflating aircraft tires, servicing oleo struts, changing oil, washing aircraft and aircraft windows, and recharging or energizing discharged aircraft batteries and starters.

The FBO shall have other additional equipment required to service aircraft normally frequenting the Airport.

PERSONNEL

The FBO shall have at least one properly trained and fully qualified employee during hours of activity (from 7:00 a.m. to 9:30 p.m.) to provide fueling, line (ground) services and support, parking, tie-down, and hangar access. The FBO shall have at least one properly trained and fully qualified employee during hours of activity (from 7:00 a.m. to 9:30 p.m.) to provide customer service and support.

All personnel engaged in fueling operations shall be fully instructed and trained in proper fueling procedures as required by current or future NFPA, FAA Advisory Circulars, EPA, and other federal, state, or local authority (and any other applicable) standards.

HOURS OF OPERATION

FBO shall make provisions for fueling, line (ground) services and support, parking, tie-down, and hangaring to be available from 7:00 a.m. to 9:30 p.m., local time, seven days a week, including holidays, and available all other times (after hours), on-call, with a response time not to exceed 60 minutes.

Aircraft recovery (removal) services shall be provided within 30 minutes of notification that such services are required.

INSURANCE

The FBO shall procure and maintain the minimum insurance stipulated in its Agreement with the County and/or the minimum insurance coverages contained in Appendix A, whichever is greater.



Section 2 - Fixed Based Operator

DEFINITION: A Fixed Based Operator (FBO) is an Entity engaged in the sale of products, services, and facilities to aircraft operators that must include the following activities at the airport:

- Aircraft fueling
- Based and/or transient aircraft parking, tie-down, and hangaring.

An FBO may provide the following services:

- Airframe and powerplant maintenance
- Flight training
- Air taxi or air charter
- Aircraft rental
- Avionics maintenance and sales
- Any other County-approved aeronautical service.

MINIMUM AREA

Land: Adequate to provide space for transient aircraft parking, buildings, parking and storage of aircraft and ground equipment, permanent above ground storage tanks, and fueling systems.

Building: An area of 1,000 square feet that is properly lighted and heated to provide for office space, flight planning, customer lounge, rest rooms, and public telephone.

FUEL STORAGE FACILITY AND EQUIPMENT

FBO shall comply with the following:

FBO shall demonstrate that satisfactory arrangements have been made with the County for the delivery, purchase, and/or storage of aviation fuel in the County-owned and operated fuel storage facility.

The FBO shall provide at least two mobile dispensing single-product trucks for dispensing the minimum requirements of two (2) grades of fuel. The Avgas truck shall have a minimum capacity of 750 gallons and the Jet A fuel truck shall have a minimum capacity of 2,000 gallons.

Fuel dispensing units must be equipped with metering devices which meet all applicable legal requirements. The mobile unit dispensing Jet A fuel must have over-the-wing and single-point aircraft-fueling capability.



FLIGHTLEVEL
AVIATION

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www.flightlevelaviation.com

October 7th, 2015

Dutchess County Legislature
22 Market Street
Poughkeepsie, NY 12601

Re: Dutchess County Airport Minimum Standards - FBO Hours of Operation

Dear Dutchess County Legislature:

The purpose of this letter is to propose changing the required operating hours of a Fixed Base Operator (FBO) under the Dutchess County Airport Minimum Standards from 7:00am to 9:00pm daily to 7:00am to 7:00pm daily (7 to 7).

The primary driver behind this request is the simple fact that after 7:00pm the number of flight operations requiring ground services from FlightLevel is near zero. Under the status quo, we are required to keep two of our staff on-site until 9:00, incurring in most cases 4 unnecessary hours of labor each day equating to nearly \$25,000 annually or 10% of our total payroll. Keep in mind, we are always available outside of posted hours to any customer on an on-call basis.

It's also worth noting that 7 to 7 is the uniform standard across the industry for airports of similar size and scope to POU and that the customers most frequently requiring after hours services are predominantly jet or turboprop operators accustomed to paying late or irregular ops fees (IROPS). This broadens the irops revenue stream potential substantially with little impact to based airport tenants.

Needless to say, the cost savings in conjunction with the added revenue would make a huge bottom line difference and bring POU in line with the industry standard.

If there is any additional information you need, please let me know.

With kind regards,

Peter Eichleay
FLIGHTLEVEL Aviation - President
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Norwood, MA 02062
W: 781.769.8680 ext. 128
E: peter@flightlevelaviation.com
F: 781.769.7180

RESOLUTION NO. 208146

RE: ADOPTION OF REVISED RULES AND REGULATIONS
AND MINIMUM OPERATING STANDARDS FOR THE
DUTCHESS COUNTY AIRPORT

Legislators GOLDBERG, ROLISON, McCABE, and FLESLAND offer the following and move its adoption:

WHEREAS, the Dutchess County Airport has had rules and regulations and minimum standards in place since approximately 1965, and

WHEREAS, the rules and regulations are designed to facilitate the safe and efficient operation of the Airport, and

WHEREAS, the minimum standards are designed to minimize the potential for violations of federal obligations at the Airport and outline what the minimum requirements are to conduct a specific activity at the Airport, and

WHEREAS, the Rules and Regulations for the Dutchess County Airport were originally adopted by Resolution No. 168 of 1965, and

WHEREAS, said Rules and Regulations were rescinded and revised Rules and Regulations were adopted by Resolution No. 272 of 1970, and

WHEREAS, the Rules and Regulations that were adopted by Resolution No. 272 of 1970 were amended by Resolution Nos. 471-1977, 524-1978, 29-1979 and 56-1979, and

WHEREAS, the Acting Commissioner of Public Works has advised that a Rules and Regulations/Minimum Standards Committee was formed comprised of neighbors, users, tenants of the Airport, along with the leadership of the Dutchess County Pilot's Association, the FAA Tower Manager, and representatives from law enforcement, the County Attorney's Office, the Legislature and the Airport Director, and

WHEREAS, the C & S Engineers provided technical assistance to the Committee, and

WHEREAS, the Committee has reviewed and approved the revised Rules and Regulations and Minimum Standards, and

WHEREAS, the Airport Advisory Committee has reviewed and endorsed the revised Rules and Regulations and Minimum Standards, and

WHEREAS, the revised Airport Rules and Regulations and Minimum Standards for the Dutchess County Airport are submitted herewith for adoption, now therefore, be it

RESOLVED, that the Rules and Regulations adopted pursuant to Resolution No. 272 of 1970 and any amendments thereto are hereby rescinded, and further

RESOLVED, that the Dutchess County Airport Rules and Regulations and Minimum Standards, copies of which are attached hereto and made a part of this resolution, are hereby ratified and adopted as the official rules and regulations and minimum standards of the Dutchess County Airport.

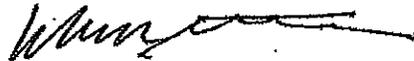
CA-66-08

CAB/ca/G-0999

4/8/08

Fiscal Impact: See attached statement

APPROVED



WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date May 22, 2008

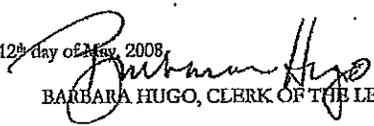
STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 12th day of May, 2008, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 12th day of May, 2008



BARBARA HUGO, CLERK OF THE LEGISLATURE